

ὑπομνήματα ἐπιγεννήσεως: the Greco-Egyptian Birth Returns in Roman Egypt and the case of P.Petaus 1–2*

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Abstract: *This paper tackles the question of whether the nature of the birth returns filed by Greco-Egyptian people could be interpreted as such or rather as applications to register a child in privileged status. Some related questions such as the relationship between the birth returns and the 14 year cycle and their use after 257/8 AD, their connection with the epicrisis procedure or the use of evidence by the Roman authorities are also commented upon.*

Keywords: *birth returns, census, 14 year cycle, epicrisis, metropolitai, gymnasial class, catoeci*

In a recent paper I tried to demonstrate that the birth returns of Roman citizens had little to do with the modern concepts of birth registration or privileged evidence.¹ I argued that the *leges Iuliae* and the *lex Papia* – which regulated those declarations of birth – did little except promote registration and this was probably achieved through the offering of incentives.² Nothing proves that the citizens – who were undoubtedly forced to file census returns – were also obliged to complete this procedure, since the system apparently did not require what some modern laws call “privileged evidence”. The control of the population was not the aim of this institution but rather the control of citizenship.

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¹ *Professio liberorum*, Madrid 2002, 81ff.; “Notes on some new issues concerning the birth certificates of Roman citizens”, *JJP* (2004) 34, 107ff. As T.G. Parkin (*Old Age in the Roman World*, London, Baltimore 2003, 176) points out: “To us today it might appear logical for birth and death registration to have been compulsory, to facilitate the effective running of the administrative process, but this argument, based on logic and argued from silence, is far from being conclusive or convincing”.

² About these incentives, see A. Mette-Dittmann, *Die Ehegesetze des Augustus*, Stuttgart 1991, 146ff.; R. Astolfi, *La lex Iulia et Papia*, Padua⁴1996, 313ff.

My purpose here is, by taking these conclusions into account, to trace the meaning of the birth returns filed by Greek-Egyptians. Although new documents have been published and some remarkable observations have been recently advanced, the last work devoted to this topic is still that of Orsolina Montevocchi, published more than fifty years ago. To start, I shall deal with the case of the Greco-Egyptian people assuming that it was not completely different from that of Roman citizens; and apparently there are some significant parallelisms between the two groups, at least where proof of privileges is concerned.³

For the sake of convenience, it will be useful to set out the list of the thirty-nine items mentioning their date and origin.⁴ I would like to point out that I have tried to be exhaustive in their enumeration. It is significant as well as regrettable that in the latest published lists some documents are missing. And some others – not strictly birth returns – have been added by mistake.⁵ The inventory of the documents is, to the best of my knowledge, as follows.

P.Tebt. II 299 (AD 49/50), Tebtunis
 P.Warren 2 (AD 72), Ptolemais Euergetis (?)
 CPR XV 24 (AD 119), Arsinoites nomos
 BGU XI 2020 (AD 124), Arsinoites nomos
 BGU I 110 (AD 138/139), Ptolemais Euergetis (?)
 P.Gen inv. 341 (ZPE 141 2002 153–157) (AD 138–143), Ptolemais Euergetis
 BGU I 111 (AD 138), Ptolemais Euergetis
 SPP XXII 100 (AD 147/148 or 170/171), Socnopaïou Nesos
 SPP XXII 18 (AD 149), Socnopaïou Nesos
 P.Fay 28 = Sel. Pap. II 309 (AD 150/151), Ptolemais Euergetis
 P.Fam. Tebt. 33 (P.Lugd. Bat. VI 33) = SB V 7602 (AD 151), Antinoopolis
 SB XII 11103 (AD 155), Antinoopolis
 SPP XXII 38 (AD 155), Socnopaïou Nesos
 P.Gen. I 33 = W. Chr. 211 = Jur. Pap. 3 (AD 155), Ptolemais Euergetis
 SB XVI 12742 (AD 157), Antinoopolis
 P.Oxy. XXXVIII 2858 (AD 171), Oxyrhynchus

³ In his review to *Professio liberorum*, Madrid 2002 in *IVRA* 52 (2001) 213ff., G. Purpura pointed out that perhaps it was necessary to study the Greek-Egyptian returns in order to understand some problems of the declarations of Roman citizens.

⁴ As N. Cohen pointed out (“A Notice of Birth of a Girl”, in R. Katzoff, Y. Petroff, D. Schaps [eds], *Classical Studies in Honor of David Sohlberg*, Bar-Ilan 1996, 267ff.) an earlier list can be found in Montevocchi, “Ricerche di sociologia nei documenti dell’Egitto greco-romano VI: denunce di nascita di greco-egizi”, *Aegyptus* 27 (1947) 3ff.

⁵ That is the case of Cohen (“A Notice” [above n. 4] 391ff.). As N. Gonis (“Incestuous Twins in the City of Arsinoe”, *ZPE* 133 [2002] 197 n. 1) rightly pointed out, Cohen’s list contains some omissions, such as CPR XV 24, P.Col. VIII 231, P.Oxy. LIV 3754 and P.Oxy. LXV 4489. B.D. Shaw (“The Seasonal Birthing Cycle of Roman Women”, in W. Scheidel, ed. *Debating Roman Demography*, Leyden, Boston, Cologne, 2001, 88) even later asserts that we have 23 documents, i.e., he still follows the list of Montevocchi, adding only five items. As for documents added by mistake, we should mention P.Oxy. III 379 and PSI III 164. The latter is in a way more comprehensible because of the ambiguous use of terms like *epikrisis* in part of the documentation in general: cf. O. Montevocchi, “L’*epikrisis* dei Greco-Egizi”, *Proceedings of the XIV International Congress of Papyrologists*, London 1975, 227ff.

SB XXIV 16074 (AD 179/180 or 211/212), Socnopaiou Nesos
 BGU I 28 (AD 183), Socnopaiou Nesos
 SPP XXII 37 (AD 184), Socnopaiou Nesos
 P.Petaus 1–2 (AD 185), Ptolemais Hormou
 SB XXVI 16803 (2nd cent. AD), Ptolemais Euergetis (?)
 P.Bingen 105 (AD 201/ 202), Oxyrhynchos
 P.Oxy. X 1267 (AD 209), Oxyrhynchos
 P.Oxy. XII 1552 (AD 214/215), Oxyrhynchos
 P.Lugd. Bat. II 2 = P.Vindob. Bosw. 2 (AD 248), Antinoopolis
 P.Col. VIII 231 (AD 249–269), Oxyrhynchos
 PSI XII 1257 (AD 249–282), Oxyrhynchos
 P.Köln II 87 (AD 271), Oxyrhynchos
 P.Ups. Frid 6 (AD 273), Oxyrhynchos
 P.Oxy. XLVI 3295 (AD 285), Oxyrhynchos
 PSI III 164 (AD 287), Oxyrhynchos
 P.Corn. 18 (AD 291), Oxyrhynchos
 P.Oxy. XXXVIII 2855 (AD 291), Oxyrhynchos
 P.Oxy. XLIII 3136 (AD 292), Oxyrhynchos
 P.Oxy. XLIV 3183 (AD 292), Oxyrhynchos
 P.Oxy. XLIII 3137 (AD 295), Oxyrhynchos
 P.Fuad Crawford 13 (AD 297/298), Oxyrhynchos
 P.Oxy. LXV 4489 (AD 297), Oxyrhynchos
 P.Oxy. LIV 3754 (AD 320), Oxyrhynchos

I will be confirming that this material contains many differences between the documents originating in the Arsinoite nome and those coming from Oxyrhynchus. Of particular interest is the special nature of the birth returns from Antinoopolis, which are difficult to assimilate to the other categories and consequently easy to discard from the original group.⁶ In general – and this is a point of convergence with the declarations of Roman citizens – the majority of the items are clearly related to the privileged orders. This will be the starting point in dealing with this subject.

Birth returns or applications to register a child for privileged status?

Nowadays, the picture provided by the available evidence is still incomplete, but fuller than in 1947, the date of Montevicchi's article. The new documents are more significant and new studies afford us the opportunity of a more balanced approach: in this sense, the role played by the studies of the census conducted in the last few years should be emphasized, for they have without doubt led to a clearer picture of the context where these documents were used.⁷ But despite these

⁶ As we shall have the opportunity of asserting (see below), the procedure for the Antinoopolis returns was in some respects similar to that devised for Roman citizens (e.g. the 30 days term).

⁷ M. Hombert & C. Préaux, *Recherches sur le recensement dans l'Égypte romaine*, Leyden 1952; R.S. Bagnall & B.W. Frier, *The Demography of Roman Egypt*, Cambridge (Mass.) 1994. The list of census returns has been updated in the second edition, 2006, 313ff.; W. Scheidel, *Measuring Sex, Age and Death in the Roman Empire*, Ann Arbor 1996. This author, from a wider perspective, rightly states (150 n. 52) that because of high infant mortality, normal birth intervals

facts the sources are still incomplete and the question of whether privileges and birth returns are directly related is far from clear.

Once more Wallace deserves the honour of being – as far as I know – the first to assert that the so-called “declarations of birth”, or less precisely “birth certificates”, were more related to status than to the actual birth itself. According to Wallace, the so-called birth returns were merely applications to register the children in a privileged status, mainly because of their effect upon taxes and the other advantages they bestowed.

It is important to emphasize these privileges because after the end of the fourteen-year cycle (AD 257/258) these returns still existed; consequently they must have served as a way to protect other privileges not connected to the poll tax, at least as it was conceived up to that moment. Following Wallace’s suggestion, perhaps “declarations of birth” or even “birth returns” are not the best designation for these documents.⁸ The so-called birth returns would then be part of the procedures invented during Roman rule and organized within the fourteen-year cycle but only in order to control access to privileged orders.⁹ This proposal, however, only takes into account the documentation filed in Oxyrhynchus, which is clearly linked to the privileged orders of the city, *apo gymnasiou* and *dodekadrachmoi*. As I will demonstrate, things are not so clear in the Arsinoite nome, where some documents do not easily fit into this scheme. Some of them, after assessing their characteristics, might be said to relate to privileges, but one

cannot be ascertained from the extant census returns. So, this documentation as a source must be used carefully and related to other data: see R.S. Bagnall’s review in *BMCR* (<http://ccat.upenn.edu/bmcr/1997.8.17>).

⁸ Some scholars have suggested that the right name should be “application to register a child in a privileged order”. This is the case of B. Frid in *Ten Uppsala Papyri*, Bonn 1981, 63ff. or more recently of A. Jördens, “Registrierungsgesuch aus Oxyrhynchus. Sog. Geburtsanzeige”, in H. Meilaerts, *Papyri in Honorem Johannis Bingen*, Leuven 2000 389ff. (P.Bingen 105).

⁹ S.L. Wallace, *Taxation in Egypt from Augustus to Diocletian*, Princeton 1938 116ff.; Hombert & Préaux, *Recherches* (above n. 7) 117; P. Mertens, *Les services de l’état civil et le contrôle de la population à Oxyrhynchus au IIIe siècle de notre ère*. Mémoires de la Classe des Lettres et des Sciences morales et politiques de l’Académie Royale de Belgique LIII 2. Bruxelles 1958, 57; O. Montevecchi, “Il censimento romano di Egitto. Precisazioni”, *Aevum* 50 (1976) 72ff. This idea of Wallace was accepted by N. Lewis (“Notationes Legentis: Registrations of Status, not Birth”, *BASP* 34 [1997] 23), who outlines the fact that these documents are “notifications not of birth but of parental status” and that “their purpose was to record the offspring’s entitlement to the privilege(s) of their parent’s status”. Lewis states that the label “declarations of birth” is clearly a misnomer and probably he is right as far as the best part of the preserved material is concerned. He shares the opinion of John Rea, the editor of P.Oxy. XLIII 3136 and 3137. According to him, we are actually dealing with applications to register the children in the parents’ privileged status. Through the completion of this procedure, the parents could secure reduced poll-tax rates for their children and their admission into the privileged orders. G. Geraci, “Le dichiarazioni di nascita e di morte a Roma e nelle provincie”, *MEFRA* 113 (2001), 701 mentions that Lewis’ assumptions were expressed many years before. But by that time Lewis was speaking from a stronger position because between 1947, when O. Montevecchi published her article about the subject, and 1997, the date of Lewis’ contribution, the number of documents had almost doubled. His conclusions, however, are limited to Oxyrhynchus.

item — P.Petaus 1–2 — remains as an obstacle to proving that the birth returns are always an application to register a child in a privileged order. In other words, the answer depends on the true nature of some dubious cases.¹⁰

That privilege played a remarkable role – bearing in mind the aforementioned procedures i.e., *epicrisis* and *eiscrisis* – and that it could also explain why these returns were not filed at the time of birth, but sometimes months or even years later, must be taken into account. This is because they were conceived for a certain purpose – to prove the privileged status – and not just to declare a new birth. For example, during the fourteen-year cycle we have returns filed four years after the birth (P.Oxy. XXXVIII 2858).¹¹ In any case, when Wallace, Montevicchi, Hombert and Préaux stated that the birth returns were a procedure dependent upon the census and complementary to it, the last example of *epicrisis* known by them was dated in 250 AD. Today, however, we have one other example from some years later that could confirm this scheme and at the same time raises some doubts. This is because, as will be considered later, it is very important to distinguish the different types of *epicrisis*. It is necessary also to emphasize that P.Oxy. XLIII 3137, which is dated to 295 AD, and, according to Silvia Bussi, is the last piece of evidence for this institution, is actually a birth return.¹² In short, it is necessary in considering the period until the end of the fourteen-year cycle to take into account, with some reservations, the relationship between census and birth returns.

The relationship between the birth returns and the fourteen-year cycle

As is widely known, the old Roman census practically disappears in the Late Republic because of the abolition of *tributum* and survived with difficulty until the Flavians.¹³ When we deal with the case of Egypt (the house-to-house census) we

¹⁰ I have used the conventional term (“birth returns”) in order to follow standard practice and to identify the documents, but at the same time I have tried to imply (“the so-called Greco-Egyptian birth returns”) that this name might not exactly correspond to their real nature. When the context is clearly privilege, I have used the denomination ‘application to register a child in a privileged order’. This assumption is also based principally on the close relationship between birth returns and the census, and also on the documents used as proof of status in procedures like the *epicrisis* and the *eiscrisis*, both devised to secure several privileges.

¹¹ P.Oxy. XLIII 3136 was filed eighteen years later, but it is not significant, since this document is dated after the end of the fourteen-year cycle.

¹² S. Bussi, “Selezione di elites nell’Egitto romano”, *Laverna* 14 (2003) 146ff. The last examples of *epicrisis* are, to the best of my knowledge, P.Turner 38 and P.Yale inv. 1360 (*ZPE* 96 [1993] 221ff.), dated respectively to 274/5 or 280/1 and 276–282?, cf. Bagnall & Frier, *The Demography* (above n. 7) 10.

¹³ J.F. Gardner, “Proofs of Status in the Roman World”, *BICS* 33 (1986) 1ff., esp. 6ff.; D. Rathbone, “Egypt, Augustus and Roman Taxation”, *Cahiers du Centre Glotz* 4 (1993) 86ff.; E. Lo Cascio, “Il census a Roma e la sua evoluzione dall’età serviana alla prima età imperiale”, *MEFRA* 113–2 (2001) 565ff.

ought to consider that the census procedures were specific for each province and that Egypt was not, as often stated, exceptional.¹⁴

When considering the control of population in Roman Egypt the backbone was, of course, the house-to-house census, which at some point took the form of a fourteen-year cycle. The census was devised primarily to support the poll tax, but not exclusively, otherwise it would be difficult to understand why Roman or Alexandrian citizens, exempted from poll tax liability, were also obliged to file their census returns.¹⁵ In Egypt there was apparently a closer relationship between the control of population and taxes: it is noteworthy that the fourteen-year cycle coincides so exactly with the age at which boys became liable to pay poll tax. Perhaps this obvious link (obvious at least until AD 257/258) has created difficulty in reaching a wider comprehension of the institution of the so-called birth returns, related to the poll tax but not subject to it.¹⁶

In order to clarify the relationship between birth returns and census it is important to bear in mind the evolution of the latter: it turns out that the decisive point is the end of the fourteen-year cycle, rather than the moment prior to or after the *Constitutio Antoniniana* or the reforms of Diocletian.¹⁷ An aspect to be

¹⁴ L. Neesen, *Untersuchungen zu den direkten Staatsabgaben der römischen Kaiserzeit (27 v.Chr.–284 n.Chr.)*, Bonn 1980, 48ff.; P.A. Brunt, “The Revenues of Rome”, *JRS* 71 (1981) 161ff. (= *Roman Imperial Themes*, Oxford 1990, 324ff.). Brunt had already developed these ideas in his contribution in A.H.M. Jones, *The Roman Economy*, Oxford 1974, 182ff.

¹⁵ Wallace, *Taxation* (above n. 9) 96. Counting the population for the efficient collection of taxes was the “primary purpose” of the census of Roman Egypt. This assumption is essentially true, but debatable. As Bagnall & Frier point out (*The Demography* [above n. 7] 12, n. 31), this view “construes the purposes of the census too narrowly”. There are data that do not fit into that scheme, such as Romans (without liability) filing census returns. On the other hand, D. Rathbone (“Egypt, Augustus and Roman Taxation” [above n. 13] 81ff.) defends the idea that Roman citizens had a different census, but that they were obliged to file their census return.

¹⁶ Bagnall & Frier, *The Demography* (above n. 7) 27 insist on both facts, the symmetry between census cycle and liability and on the other hand emphasize that the poll tax does not explain many aspects of the census.

¹⁷ This point, in my opinion, has been frequently misunderstood, since the census declarations end well before Diocletian. As for the *Constitutio Antoniniana*, we can state that obviously this changed many things, but the difference between privileged and non-privileged people did not disappear entirely, because beyond any doubt the privileges of the metropolitans, or the Alexandrians for example, persisted. The poll tax continued, as Wallace (*Taxation* [above n. 9] 413 n. 86) already stated, by quoting e.g. SB 5677. As a significant example, only the Romans (i.e., original Romans, not the *Aurelii*) enjoyed exemption from many compulsory services, even after its promulgation (212 AD), cf. N. Lewis, *The Compulsory Public Services of Roman Egypt*² (Pap. Flor. XXVIII) Florence 1997, 89. On the reform of the taxes conducted by Diocletian, and the new census of March 297, see, for example, S. Williams, *Diocletian and the Roman Recovery*, London 1985, 115ff. and recently, W. Kuhoff, *Diocletian und die Epoche der Tetrarchie*, Frankfurt a.M. 2001, 499ff. The impact of these measures has some consequences in our ambit, for instance the returns are presented to a different official, the *σοστάτης* or the census became, for a period, a five-year instead of fourteen-year cycle. Of course, the case of Egypt is not sufficient to deduce the impact of Diocletian’s reforms (especially in the taxation system) in the rest of the Roman Empire, see R. Duncan-Jones, *Structure and Scale in the Roman Economy*, Cambridge 1990, 199ff. As J.P.

emphasized is that the disappearance of the periodic census declarations – after the census conducted in 257/258 AD – does not imply at the same time the total disappearance of birth or *epicrisis* returns, i.e., the mechanism of control of the elite was still functioning after the end of the poll tax that in principle had generated them.¹⁸

As stated earlier, the fourteen-year cycle must have been the backbone of the system, but, on the other hand, the census and its procedures do not explain sufficiently why the returns and the rest of the control mechanism survive after 257/258.¹⁹ After this date, the privileged orders and the documents related to their privileges survive in an irregular way: we have preserved documents related to the grain dole in Oxyrhynchus, dated in AD 272 but we do not have any more evidence of the regular cycle after AD 257/258.²⁰ To sum up, it can be stated that the fourteen-year cycle shaped the nature and the function of the birth returns at least until the end of the cycle, but obviously the *epicrisis* returns and the birth returns survived the ending of that procedure, assuming perhaps other functions or preserving the functions they used to have.²¹

It is noteworthy that with the death declarations exactly the opposite happens: they practically disappear after the end of the regular cycle. After AD 257/258 we have only three documents, P.Oxy. XLIII 3141 (AD 299/300), P.Oxy. XIII 1551 (AD 304) and P.Oxy LXV 4480 (AD 311). P.Sakaon 50 is an exceptional case, more related to criminal law than to the regular use of the death returns and the same can be said about P.Oxy XLIII 3104. It must be emphasized that we have few cases of death returns filed by privileged people. This fact could be significant, since from AD 257/258 to the reign of Dioclecian we do not have any evidence of death returns: perhaps their relationship with the regular cycle of the poll tax is more direct than in the case of the birth returns, or, it could just be due to the haphazard way in which evidence survives.²²

Carrié (“L’Égypte au IVe siècle: fiscalité, économie et société”, *Proceedings of the XVI Congress of Papyrology*, New York 1981 431ff.) affirms, the introduction of capitation in Egypt is a question not yet elucidated.

¹⁸ O. Montevicchi, “Il censimento” (above n. 9) 72ff.

¹⁹ On the fourteen-year cycle in Egypt and how it was recognized by papyrologists such as Kenyon, Wilcken or Viereck, see Wallace, *Taxation* (above n. 9) 392.

²⁰ Montevicchi, “Il censimento” (above n. 9), 81 and n. 33 relates the irregularity to the war against Palmyra and its effects on the Alexandrian administration as a consequence of the invasion of that city (AD 271/2, cf. Am. Marc. XXII 15, 114).

²¹ Hombert & Préaux, *Recherches* (above n. 7) 53.

²² For instance, in the case of the census returns and according to the figures proposed by D. Hobson (“House and Household in Roman Egypt” *YCS* 28 [1985] 220ff.) the sample might be not very significant. As far the census is concerned, for a population of around six million, the census returns might be expected to be around 820,000, filed at the end of each cycle, and we have around 400 preserved.

The relationship between the census and the birth returns was recognized explicitly by the latter, of course, during the fourteen-year cycle:²³ ἀπογραφόμεθα τοὺς γεννηθέντας ἡμεῖν μετὰ τὴν ... κατ' οἰκίαν ἀπογραφὴν ἐξ ἀλλήλων υἰοῦς (BGU I 111, ll. 13–14). Also significant is CPR XV 24, a document filed in the Arsinoites. Two acts are preserved: a birth return dated to AD 117 declaring a boy born in the 17th year of Trajan (i.e. AD 113–114), and a census return filed by someone who was living in the same district, but apparently without any relationship to the person who submitted the birth return.²⁴ For the moment, the most important thing to draw from this document is the evident connection between both institutions, even where bureaucratic tasks are concerned. That the birth returns were used as a supplementary element to update the information on the house-to-house census is a question to be dealt with later.²⁵

I shall proceed by discussing these topics in the following order. First, the birth returns of Alexandria (which probably existed) and the peculiar case of the birth returns in Antinoopolis; then I will continue by making reference to the nucleus of our material, the *metropolitai* and the gymnasial class, distinguishing the different types of birth returns according to their geographical distribution (Arsinoites, Oxyrhynchus) that correspond to a different structure in their forms. A question also to be tackled is the commonly alleged relationship between birth returns and the census, particularly regarding the question of people of privileged status. This problem must be tackled together with the former, for it is essential to characterize each document in order to determine whether we are dealing with a procedure conceived only for privileged people or not. After this contextualization I shall tackle P.Petaus 1–2, a peculiar case that apparently does not fit any mentioned category.²⁶

The hypothetical birth returns of Alexandria and those of the Greek cities

Until the reform in 31 BC, the structure of Alexandrian tribes was exactly the same as in 265 BC.²⁷ It is probable that with the reform the registration system

²³ Montevocchi, “Ricerche” (above n. 4) 9ff.; Jördens, “Registrierungsgesuch” (above n. 8), 394; Geraci, “Le dichiarazioni” (above n. 9) 705.

²⁴ For the ramifications, see P. Mertens, *Les services* (above n. 9) 64ff.; Geraci, “Le dichiarazioni” (above n. 9) 705.

²⁵ See below 102ff.

²⁶ Regarding the different types of birth returns, their geographical distribution is at first sight parallel to the privileged juridical categories of the Egyptian population: *metropolitai* and 6475 cateci in the Arsinoites, and *metropolitai* and members of the gymnasial class in the Oxyrhynchites and, as a separate case, citizens of Antinoopolis. The first list of birth returns included only those belonging to the Arsinoite and Oxyrhynchite nomes (cf. T. Grassi, “Formulari”, *Aegyptus* 3 [1922] 206ff.). Shortly after, Orsolina Montevocchi included the particular case of the Antinoopolis returns, by quoting the only case known at that time. The Antinoopolitan birth returns are even more closely related to personal privileges, because those derived from the concession by Hadrian of a so-called *fundatio alimentaria* to the children of that city, provided their parents declared them within a short term.

²⁷ P.M. Frazer, *Ptolemaic Alexandria* I, Oxford 1972, 38ff.

was modified, but in any case the registration procedure was a necessary piece of the system. We do not have any document preserved, but despite this, building on the work of Schubart, Bell, Delia or recently Geraci, we can now see the possibility of reconstructing the contents of the Alexandrian birth returns. It is obvious that the Alexandrians, as the most privileged order after Roman citizens and famously excluded from the poll tax, would have been concerned with defending their own status, but for obvious reasons not one Alexandrian birth return is preserved. The reconstruction of this material has been partially achieved through some references in the *Gnomon* of the *Idios Logos* and through some indirect references in documents such as the *ephebeia* lists. According to section 47 of the *Gnomon* of the *Idios Logos*:

Ἄσπῃ συνελθοῦσα Αἰγυπτίῳ κατ' ἄγνοιαν ὡς ἀστῶ ἀνεύθυνός ἐστιν. ἐὰν δὲ καὶ ὑπὸ ἀμφοτέρων ἀπαρχῆ τέκνων τεθῆ, τηρεῖται τοῖς τέκνοις ἡ πολιτεία.

As we can see, if an ἀσπῆ marries an Egyptian man in the belief that he is a citizen, provided that both filed the birth return of their children, the right of citizenship of the latter will be preserved. In this context, it is acceptable to deduce that ἀπαρχή is for birth return.²⁸

Using the term ἀπαρχή as a starting point, correctly interpreted as “certificate” or, better, “declaration of birth”, Geraci states that this document concerned the declarations of birth of the Greek poleis in Egypt. Based upon some references in *ephebeia* documents that mention the term ἀπαρχαί, Geraci, following the studies of Nelson and Delia,²⁹ rightly supposes that these indirect allusions can be used to reconstruct at least partially the contents of those returns. The foundation for this reconstruction is a sequence of documents: P.Tebt. II 316 (= W.Chr. 148), PSI V 464 and P.Antin. I 37. Very significant, as Nelson recognized, were the studies by Whitehorne and Coles on this sequence. We are dealing with the procedure called the *eiscrisis*, which meant status declarations that lead to enrolment on the γραφὴ ἐφηβῶν.³⁰ It is known that the birth returns of Alexandrian citizens (parents and children) played an important part in this procedure, because “a précis (...) was incorporated in the ephebe register solely as substantiation of certain vital facts”.

²⁸ R. Taubenschlag, *The Law of Greco-Roman Egypt in the Light of the Papyri, 332 B.C. – 640 A.D.*, Warsaw ²1955, 596, with reference to the commentaries on the *Idios Logos*, see Geraci, “Dichiarazioni” (above n. 9) 696ff. Geraci explains this term quoting the old study by W. Schubart (“Oikogeneia”, in *Raccolta di Scritti in Onore di G. Lumbroso*, Milan 1925, 49ff.) and the same scholar develops this idea in “L’ΑΠΑΡΧΗ di successione: una tassa fantasma?” *Simblis* 3 (2001) 177ff.

²⁹ C.A. Nelson, *Status Declarations in Roman Egypt*, Amsterdam 1979, 55ff.; D. Delia, *Alexandrian Citizenship during the Roman Principate*, Atlanta 1991, 54ff.; 82ff.

³⁰ Nelson, *Status Declarations* (above n. 29) 47. J.E.G. Whitehorne, “The Functions of the Alexandrian Ephebeia Certificate and the Sequence of PSI XII 1223–1225”, *BASP* 14 (1977) 29ff. and R. Coles, “New Documentary Papyri from the Fayum”, *JJP* 18 (1974) 177ff. For instance, in P.Flor. I 57 (= W.Chr. 143) an applicant for exemption from liturgical service quotes a lengthy document relating to his ephebic examination and we can rightly deduce the abstract of his declaration of birth (ll. 84ff.).

Delia placed great importance on this and has pinpointed the contents of the excerpts from the *ephebeia* register.³¹ After the date of registration as an ephebe there is a précis of the candidate's birth return including the identification of parental name, patronymic *phyle*, *deme* and age of the father; name, patronymic, status, age and guardian of the mother, the location of the bureau where the status was on record and the mention of their marriage, as written or not. However, it is necessary to insist that Alexandrian citizenship was not conditional on ephebic training. The declarations to be enrolled in the *ephebeia* are the only reference to Alexandrian birth returns that have survived up to the present day.³² This is an important distinction, because sometimes the birth returns incorporated into the registry of the ephebes have been "viewed as declarations of future ephebes".³³

It is probably possible to draw an analogy between Alexandria and the rest of the Greek cities. From this analogy it would be legitimate to deduce that these kinds of documents were spread throughout Naucratis and Ptolemais as well. The importance of the indirect references of the *ephebeia* list to the case of the use of the so-called birth returns in the *epicrisis* procedure will be discussed later.

The Antinoopolis returns

The Antinoopolis returns add another element to this context: they are related to one of the so-called *fundationes alimentariae* (the *alimenta* programmes) created by Hadrian. This circumstance makes the link to privileged people even more evident.³⁴ We have among our documents four cases of Antinoopolis returns: SB V 7602 (= P.Fam. Tebt. 33), SB XVI 12742 (= P.Lond. inv. 2000), SB XII 11103 and P.Vindob. Bosw. 2. According to van Groningen's definition, the Antinoopolis declarations are returns "for the granting of a privilege".³⁵ This definition

³¹ Delia, *Alexandrian Citizenship* (above n. 29) 72.

³² Delia, *Alexandrian Citizenship* (above n. 29) 54 states that, against Bickermann's theory, Alexandrian citizenship was only accessible to all the Hellenes provided that they had participated in the *ephebeia*.

³³ Delia, *Alexandrian Citizenship* (above n. 29) 81. She discusses the theory defended by P. Jouguet, "Remarques sur l'éphébie dans l'Égypte gréco-romaine" *Rev. Phil.* 34 (1910) 43ff. On the mistakes and problems of identifying these documents, see below. M. Zahrnt, "Antinoopolis in Ägypten: die hadrianische Gründung und ihre Privilegien in der neueren Forschung", *ANRW* (1988) II 10. 1, 669ff.

³⁴ On the economic contents of this institution, but focused on the Italian case, see, for example, R. Duncan-Jones, *The Economy of the Roman Empire*, Cambridge² 1982, 288ff.; W.M. Jongman, "alimenta" *DNP* (1996) 491ff. This is a very complicated institution from the juristic point of view. R. Orestano (*Il problema delle fondazioni in diritto romano* I, Torino 1959, 263ff.) affirms that the *fundationes alimentariae* are not exactly *fundationes*, so he uses the designation "istituzioni alimentari", which he defines as: "operazioni di credito fatte dall'imperatore, con destinazione dei relativi interessi al mantenimento dei fanciulli poveri delle *civitates*". In this sense, this institution cannot be recognized as a "centro indipendente di riferimento di diritti e di obblighi", but simply as a manifestation of the person of the Emperor.

³⁵ This is the title that B.A. van Groningen uses in his edition of *P.Fam. Tebt.* (p. 125ff.) to characterize P.Fam. Tebt. 33. SB XVI 12743 and 12744 are related to SB 12742, as part of its procedure of registration.

might be suitable for the most of our documentation, but becomes right and evident as far as this group is concerned. H.I. Bell included the first published document of this group (P.Fam. Tebt. 33) in the “Diplomata Antinoitica”, which he edited himself in 1933. Bell outlines that this return reveals the foundation laid by Hadrian to create a fund for the maintenance of children, proclaimed by the Prefect Petronius Mamertinus in 133.³⁶ This was similar to what had been established in Italy earlier. To receive the benefits it was mandatory to fulfil some conditions: enrolment within 30 days of the birth, proof of citizenship of the parents and presentation of the declaration (ἀπαρχή) to the βουλή of the city³⁷. These facts had to be confirmed by three guarantors (γνωστήρες). The final clause of the return contents was the oath. What is significant is that the thirty-day term is the same period observed in the Roman citizen returns before the reform dated in the reign of the Severi. However, this date is not enough to deduce the system in Alexandria and in the other Greek cities. These characteristics are at the same time the cause of some possible differences with the documents of Alexandria (which we know only through references) and some clear differences with the documents filed by the *apo metropoleos* of Oxyrhynchus and Arsinoe. The return is addressed by the father to the nomarches. Apparently this was for the purpose of securing this privilege for the son. According to Bell, the comparison between this document and SB XVI 12742 (P.Lond. inv. 2000) shows some differences. For instance, in the latter the formula is more or less the same, at least to the extent that the declaration is made by both father and mother. However, in the former it is made only by the father. Montevicchi, who at that time only had the opportunity to judge P.Fam. Tebt. 33 concluded that the procedure of the Antinoopolis returns was highly “modern” compared to the procedure used among the *metropolitai* and she was possibly right, as far as the shorter terms are concerned.³⁸

The *apo metropoleos* and priests from Arsinoites and the *apo gymnasiou* from Oxyrhynchus

As stated above, the birth returns of privileged people belonging to the metropoleis of the nomes make up the greater part of the material on our subject. Nobody denies that these people, despite their alleged Greek origin, were considered by the Romans as merely Egyptians and therefore liable to the *laographia*. Their privilege consisted – apart from their right to hold some magistracies or possibly to acquire state land more easily – in being liable only at a lower rate.³⁹

³⁶ H.I. Bell, “Diplomata Antinoitica”, *Aegyptus* 13 (1933) 520ff. R. Pintaudi, “Diplomata Antinoitica; I certificati di Φιλαντίνοος ὁ καὶ Ἰσίδωρος”, *Aegyptus* 63 (1983) 105ff.

³⁷ Of course, the term ἀπαρχή means the birth return. According to H.I. Bell (“Diplomata” [above n. 36] 521) with this term both the sense of process of registration and the actual certificate are included, cf. van Groningen, *P.Fam. Tebt.* (above n. 35) p. 129.

³⁸ O. Montevicchi, “Ricerche” (above n. 4) 12.

³⁹ According to Wallace (*Taxation* [above n. 9] 117ff.) these privileged groups are sometimes called *laographoumenoi*: they are *laographoumenoi* compared to people exempt, but at the same

The lists of these orders in the first century of Roman rule made their inclusion more difficult and their structure more strictly defined, but everything indicates that the Romans had organized the poll tax before this.

The order of metropolitans had two categories in Oxyrhynchus: *dodekadrachmos* and *dodekadrachmos apo gymnasiou*, with the same rate but with different privileges in order to hold public services in the city.⁴⁰ On the other hand in the Arsinoites, there were two privileged categories, the 6475 *catoeci* and the ἀπὸ μητροπόλεως. We have examples of birth returns in the Arsinoite nome (*metropolitai*) and Oxyrhynchus (*dodekadrachmoi apo gymnasiou*) and some documents not so clearly linked with these groups that need analysis.

What is clear to us is that the birth returns were used as a supplementary element to update the information of the house-to-house census and particularly to identify privileged people⁴¹: In Arsinoe, privileged children under 14 years of age were designated in the census returns under the term ἀναγεγραμμένοι (BGU I 132 col. II, P.Cornell 16 ll. 19–38, P.Oxford 8) and when they were not declared μὴ ἀναγεγραμμένοι (e.g. BGU I 55 ll. 1-10; ll. 11-22; BGU I 115 col. I). In the case of Oxyrhynchus, the term used is ἀφῆλιξ (e.g. PSI 874), but this expression implies only that the boy was not yet liable to the *laographia*.⁴²

There are other lists that prove the use of the birth returns in population control, especially as far as tax management is concerned. SPP IV pp. 62–78, a document published by Carl Wessely in 1905, clearly pointed to this. It consists of a list made by Heracleides, the *amphodarches* in one part of Arsinoe (the *amphodon*

time they are designated as *epikekrimenoi* compared to people liable to the *laographia* at the normal rate. Wallace rightly outlines that the term '*laographoumenos*' ('subject to poll tax') is normally used in contrast to '*epikekrimenos*', but also that among the *laographoumenoi* a considerable part of the *epikekrimenoi* are included, since not all the *epikekrimenoi* were totally exempt from the poll tax: some of them (for example the metropolitans) were liable, but only at a lower rate, so they were both things at the same time. Commenting in SPP IV pp. 62ff. the author points out that "the 330 men who paid at the rate of 20 drachmae per annum, or at least a part of them, were called *laographoumenoi* and yet they were certainly *epikekrimenoi*". In this apparent paradox may lie the explanation of the troublesome description of certain men listed as *laographoumenos epikekrimenos* or sometimes *laographoumenos idiotes epikekrimenos*. According to Wallace, this person would be *laographoumenos* because he is subject to the poll tax and *epikekrimenos* at the same time, paying at the privileged rate granted to the citizens of the metropolis.

⁴⁰ This fact could provide an explanation about why birth returns of these privileged groups survived the end of the fourteen-year cycle, see below 107ff.

⁴¹ As Bagnall & Frier, *The Demography* (above n. 7) 27 point out P.Mich. XI 603 is a contract not only to draw up the registration from the census of AD 131/132, but also to record population lists, arranged person by person, of people exempt from the poll tax, minors and *catoeci*. In order to draw up these lists it is likely that the scribes made use of documents such as the birth returns.

⁴² Hombert & Préaux, *Recherches* (above n. 7) 116. On the meaning of *aphelix*, cf. *ibid.* 117, where they point out that "la mention" of the *aphelikes* "n'est pas confiné aux métropoles" and that the term *aphelix* is also present in Arsinoe (SPP IV p. 62, l. 29; BGU III 971, l. 18). Cf. also R. Taubenschlag, "Εννομος ἡλικία nel diritto dei papiri", *Aegyptus* 12 (1932) 141ff. Wallace (*Taxation* [above n. 9] 117) and P. Mertens (*Les services* [above n. 9] 63ff.) insisted especially on the expression μὴ ἀναγεγραμμένος ἐν ἐπιγεγενημένοις.

Ἐπολλωνίου παρεμβολή) and includes (starting from l. 29) what it is called (l. 28) one *apologismos*, i.e., an accurate report of the inhabitants of that quarter addressing especially their tax liability. In this context privilege plays an important role.⁴³ In fact, after the account of the 385 men residing in the aforementioned *amphodon*, the official would have been interested in the amount of poll tax paid by each one. So, he distinguished immediately those who pay twenty drachmae, those who pay forty drachmae and those exempt. The text continues with a list of minors – i.e., those under the age of fourteen – of the *laographoumenoi* in AD 72/73 (fifth year of Vespasian's reign), registered in the census of AD 61/62 (Nero's eighth year). According to Wallace's interpretation, *laographoumenoi*, in this context, are people partially liable for the poll tax, which means they were privileged people.⁴⁴ The roll includes also a list of children between the ages of one and thirteen years of age. In the margin there are references to the aforementioned census as a basis for, and with explicit mention of the birth returns (ll. 245–278). Montevicchi argued that the birth returns were probably not used for boys born in AD 60/61 and AD 61/62 because they had already been registered in the census.⁴⁵ As Wallace rightly points out, boys were initially divided by the years in which they were born. Then within each year there was a further division according to the year in which they were officially registered. The official, after noting the boys separately before their coming of age (14), distinguishes the sons of the 6475 *catoeci*. Even among the slaves, he distinguishes between those belonging to *laographoumenoi* and those belonging to the *catoeci*.⁴⁶ The next column (XV) is a report of those whose registration apparently occurred after the closing of the records. Then (l. 331), Roman and Alexandrian

⁴³ C. Wessely, "Arsinoitische Verwaltungsurkunden vom Jahre 72/73 nach Chr., Stud. Pal. IV" (1905) 58ff. Wessely put in the right order three fragments of the roll: P.Lond. II 261 + the Rainer fragment (today in part-columns XI–XIII – republished in CPJ 421) + P.Lond. II 260. Some corrections are available in J.C. Shelton, "Textual Observations on Stud. Pal. IV 62ff.," *BASP* 6 (1969) 53ff. On this document, see Wallace, *Taxation* (above n. 9) 112ff., the first lucid and accurate analysis about it after the essential commentary by Wessely. In fact, Wallace defines his commentary as an "expansion analysis" (113) of Wessely's work. See also Montevicchi, "Ricerche" (above n. 4) 10ff. Hombert & Préaux, *Recherches* (above n. 7), 138ff. Geraci, "Dichiarazioni" (above n. 9) 706ff. Th. Kruse, *Der königliche Schreiber und die Gauverwaltung* I, Munich, Leipzig 2002, 272ff. On the *amphodarches*, and his role in controlling population issues, see P. Jouguet, *La vie municipale dans l'Égypte romaine*, Paris 1911, 62ff. and 282ff.

⁴⁴ Wallace, *Taxation* (above n. 9) 405, n. 85: "λαογραφούμενοι and ἐπικεκρίμενοι are apparently relative terms. The residents of the metropolis of the Arsinoite nome who paid poll-tax at a rate just half that paid by the rest of the inhabitants of the nome, seem to be called λαογραφούμενοι in SP IV 62ff." Of course, 'laographoumenos' might mean liable to the poll tax, or it might mean "registered in the census". It can hardly mean "paying at a lower rate", except if we are considering the whole context of the list.

⁴⁵ Montevicchi, "Ricerche" (above n. 4) 10.

⁴⁶ Wallace, *Taxation* (above n. 9) 114.

citizens, totally exempt from the poll tax, are mentioned, according to the *epicrisis* records.⁴⁷

In fact, bearing in mind this interpretation of SPP IV 62ff., Montevicchi's theory apparently works until the end of the fourteen-year cycle. She believed that the birth returns were a way to update the census so they might be compulsory in some periods between two census years. The following is the list of the registrations whose dates are clear, and their relationship to the census year. We can eliminate the returns dated in Antinoopolis because they are of a different nature; they were supposed to be filed within a period of 30 days after the birth. We must also leave aside the documents not clearly dated, as P.Col. VIII 231, dated between 249 and 269 and PSI XII 1257, dated between 249 and 282.

Census year

47/48	P.Tebt. II 299 (AD 49/50)
61/62	P. Warren 2 (AD 72)
75/76	
89/90	
103/104	
117/118	CPR XV 24 (AD 119) BGU XI 2020 (AD 124)
131/132	BGU I 111 (AD 138) BGU I 110 (AD 138/139)

⁴⁷ I accept Wallace's theory about the meaning of *laographoumenos* as someone liable but at a lower rate. The main use of birth returns is to characterize privileged people in the procedure of the poll-tax payment. If so, his interpretation of the term *laographoumenoi* is essentially right. At the same time it may also meet the slight criticism recently raised by Geraci, centred on the literal meaning of the term: that if the term *laographoumenoi* meant simply "liable to the poll tax" instead of "liable to the poll tax at a lower rate" things would be different, but – as Geraci himself recognizes – there is no evidence for that hypothesis. In short, according to the literal meaning, to interpret *laographoumenos* merely as liable to the poll tax would be correct, but the literal meaning of *laographoumenoi* in the mentioned documents (and especially the clue of the *laographoumenoi-epikekrimenoi*) suggest further implications. The term, consequently, should be understood in the original context: namely, that the *laographoumenoi* are taxed (at a lower rate) in relationship to people who are exempt. Either way, the evidence of the relationship between the census and the birth returns – at least before AD 257/8 – remains beyond doubt. After that it is obvious that other privileges justified the survival of this documentation, but apparently the names do not express any changes: the *apo gymnasiou* is still called *dodekadrachmos* but the amounts to be paid were higher because of the economic conditions of that moment, cf. D.W. Rathbone, ("Monetisation, not price inflation, in the third-century AD Egypt?" in C.E. King & D.G. Wigg [eds.], *Coin Finds and Coin Use in the Roman World*, Berlin 1996, 321ff.), who outlines the impact of inflation on the new poll tax: in P.Oxy. LV 3789 or P.Oxy. 4490, for example the rate was not charged at 12 drachmas, but at 1200 or 1600.

145/146	SPP XXII 100 (AD 147/148) SPP XXII 18 (AD 149) P.Fay 28 (AD 150/151) SPP XXII 38; P.Gen. I 33 (= W.Chr. 211 = Jur. Pap. 3) (both AD 155)
159/160	P.Oxy. XXXVIII 2858 (AD 171)
173/174	BGU I 28 (AD 183) SPP XXII 37 (AD 184) P.Petaus 1–2 (AD 185)
187/188	SB XXVI 16803 (AD II)
201/202	P.Bingen 105 (AD 201/202) P.Oxy. X 1267 (AD 209)
215/ 216	P.Oxy. XII 1552 (AD 214/215)

In just one case the census date coincides with the date of one birth return: P.Bingen 105. Its editor Andrea Jördens wisely discusses some aspects of Montevecchi's theory.⁴⁸ Montevecchi, basing her case on the documents that were available in 1946, pointed out that perhaps the declaration of births was only mandatory in some years after the census, because the births happened immediately before could be declared at the same time as the filing of the census return. So, it would be compulsory to declare those births, which occurred immediately after the last census, and it would be optional in the other cases for reasons that are difficult to determine today. This reconstruction seems essentially logical, but, as Jördens rightly states, some items are dated differently:⁴⁹ P.Oxy. XXXVIII 2858, dated to AD 171, or P.Gen. I 33, or P.Bingen 105.⁵⁰ This fact does not cast doubt on the probability that the birth returns were essentially complementary to the census, at least until 257/258; this excludes, for example, P. Köln II 87 (AD 271) and P.Ups. Frid. 6 (AD 273). However, it does make the reconstruction more difficult in some specific details. According to Montevecchi's reconstruction of the procedure, children born shortly before the census could be enrolled in the

⁴⁸ Jördens, "Registrierungsgesuch" (above n. 8) 389ff. She (394) emphasizes that Montevecchi, "Ricerche" (above n. 4) 16ff.; *La papirologia*, Milan 1988, 179 states: "È probabile però che la loro obbligatorietà fosse limitata ai nati per un certo numero di anni dopo il censimento, e cessasse per i nati negli anni immediatamente precedenti il censimento; costoro potevano venir denunciati per la prima volta nella κατ' οἰκίαν ἀπογραφή."

⁴⁹ Montevecchi, "Ricerche" (above n. 4) 18 makes an exception of P.Oxy. XII 1552 because of the difficult reading of the date. Jördens "Registrierungsgesuch" (above n. 8) points out that the relationship between the κατ' οἰκίαν ἀπογραφή and the birth returns might be deduced from BGU I 111, l. 13f. She starts from Montevecchi's theory, but on the other hand argues: "Das seitdem stark vermehrte oxyrhynchitische Material dürfte zumindest den ersten Teil dieser Annahme endgültig widerlegt haben; denn die hiesigen Anzeigen werden nicht selten kurz vor dem nächsten Zensus, wenn nicht im Zensusjahr selbst eingereicht".

⁵⁰ P. Mertens, *Les services* (above n. 9) 64: P.Oxy. XII 1552 (214/15) is a declaration from a few months before the census of a boy aged one.

same census and this assumption might be likely, provided we consider that only because of the privileged status do we find cases such as P.Bingen 105. Normally, as Hombert and Préaux argued, only the census returns in Arsinoe ever mention the status, so one birth return with this reference could in Oxyrhynchus speed the *epicrisis* procedure up. This seems particularly relevant after 200 AD, when the *boulai* in the capitals of the nomes were introduced.⁵¹

The form of the returns is different for the Oxhyrhynchite nome and for the Arsinoites. Before setting out the different procedures it would be useful to stress that the items are distributed like this:

Oxhyrhynchites:

P.Oxy. III 479; P.Bingen 105; P.Oxy. XXXVIII 2858; P.Oxy. X 1267; P.Oxy. XII 1552; P.Col. VIII 231; PSI XII 1257; P.Köln II 87; P.Ups. Frid. 6; P.Oxy. XLVI 3295; PSI III 164; P.Corn. 18; P.Oxy. XXXVIII 2855; P.Oxy. XLIII 3136; P.Oxy. XLIV 3183; P.Oxy. XLIII 3137; P.Fuad Crawford 13; P.Oxy. LXV 4489; P.Oxy. LIV 3754.

Arsinoites

As usual in the Arsinoite nome, the documents we have are spread throughout the nome (including the villages of Socnopaïou Nesos and Ptolemais Hormou, where the presence of an Egyptian population was especially significant). This distribution implies a diversity that is not present in Oxyrhynchus, where all the examples we have come from the capital.⁵²

Ptolemais Euergetis (P.Warren 2; BGU I 110; BGU I 111; P.Fay. 28; P.Gen. 33; SB XXVI 16803),
 Socnopaïou Nesos (SPP XXII 100; SPP XXII 18; SPP XXII 38; SB XXIV 16074; BGU I 28; SPP XXII 37),
 Tebtunis (P.Tebt II 299),
 Ptolemais Hormou (P.Petaus 1–2),
 Arsinoites nomos (BGU XI 2020 [probably Karanis]; CPR XV 24).

The documentation of the Oxyrhynchites does not cause problems for our purpose because in the majority of cases it is obvious that all children declared in the birth returns belonged to the privileged classes. This is also true in the few cases where the mention of the status is not explicit. The system in this regard is also clearly related to the census and to the poll tax, at least before AD 257/258. As Montevecchi warned, the link between the birth returns and the house-to-house

⁵¹ Hombert & Préaux, *Recherches* (above n. 7) 120.

⁵² The random nature of archaeological survival conditions many of our conclusions, since very few villages have been significantly excavated (Socnopaïou Nesos, Karanis). This point has been emphasized by R.S. Bagnall, "Archaeological Work on Hellenistic and Roman Egypt 1995–2000", *AJA* 105 (2001) 227ff. We should bear in mind that excavations in Oxyrhynchus force us to include only documents filed in the capital of the nomos. Hence the sample of the Oxyrhynchites is limited (as opposed to the sample of the Arsinoites) to the metropolis.

census in Oxyrhynchus stresses that both procedures are in some way related. It is not accidental that the declarant is the owner of the house and when the parents happen to be tenants their names appear next to the relative who is acting as the main declarant.⁵³ When the parents are the owners, they mention this point explicitly and quote the *amphodon* where the house is located. The form is normally the *hypomnema*. The situation for scholars remained like this until the edition of some documents apparently disturbed it, especially P.Oxy. XLIV 3183 and P.Bingen 105.

P.Oxy. XLIV 3183 is one document where it is not even stated whether the boy declared actually belongs to the *dodekadrachmoi* or not. The document is dated very late (AD 292) and perhaps the old practice of specifically mentioning this circumstance did not have the same meaning. It is obvious that after the end of the fourteen-year cycle, the very name *dodekadrachmos* does not mean anything with regard to the poll tax. However, the fact that the child belonged to the privileged groups might still be significant. Even the complete name for the gymnasial class is still *dodekadrachmoi apo gymnasiou* in the documents dated after AD 257/258, when neither the term *dodekadrachmos* nor the term *dodekadrachmos apo gymnasiou* had meaning for taxation purposes, at least in their literal content.

Perhaps the problem is only apparent if we take account of the traditional definition of metropolitan made by Bickermann and accepted with some qualifiers by, for example, Hombert and Préaux or Mertens. A metropolitan is someone who was born in the city, had an official residence in a quarter of that city (cited as ἐπ' ἀμφοδῶν τοῦ δείου and had the metropolitan descent on both paternal and maternal lines.⁵⁴ According to this definition, the declarant of P.Oxy. XLIV 3183 is a metropolitan, be it literally stated on the document or not. From this we can perhaps conclude that the mention of this social dignity (*dodekadrachmos*) was unmentioned because the scribe considered it as implied in the whole tenor of the document (as occurs with the documents drawn up in the Arsinoites). Perhaps other parallel cases can be argued: sometimes an essential factor such as Alexandrian citizenship is not explicitly mentioned, for example on *synchoreseis* like BGU IV 1051 and BGU IV 1052. So according to the context and the tenor of the declaration we can conclude that P.Oxy. XLIV 3183 is not an exception to the general tendency of the birth returns in Oxyrhynchus. We are dealing with documents drawn up by privileged people, at least belonging to the *dodekadrachmoi* but possibly not before a *dodekadrachmos apo gymnasiou*. In fact this could be a reason to omit the mention of the boy belonging to the *dodekadrachmoi*, because we do not have any other documents regarding just *metropolitai* in Oxyrhynchus. However, we have among our documents one case of

⁵³ Montevicchi, "Ricerche" (above n. 4) 7.

⁵⁴ E. Bickermann, "Beiträge zur antiken Urkundengeschichte II", *APF* 9 (1930) 35ff. Hombert & Préaux, *Recherches* (above n. 7) 104. P. Mertens, *Les services* (above n. 9) 109, who clarifies that it was not only necessary the inscription in the last census, as Bickermann thought; H. Cadell, "Pour une recherche sur *astu* et *polis* dans les papyrus grecs d'Égypte", *Ktéma* 4 (1984) 235ff., esp. 245ff.

freedmen (the aforementioned P.Bingen 105) in Oxyrhynchus. Some interesting suggestions have been made by Andrea Jördens in her edition of this item. The declaration before the *grammateus poleos* is made by Sarapion, son of Thoonis, freedman (ἀπελεύθερος) of Amoitias and Didyme.⁵⁵ As the editor rightly points out, there is no explicit statement about the status, but with ἀπ' Ὀξυρρύγχων πόλεως it is implied that the father of the declared child belongs to privileged status, i.e. probably to the *dodekadrachmoi*. The mother of the child (declared when he was three years old) is a freedwoman too. So, as *liberti* of *dodekadrachmoi*, and following the usual rule, they have the right to apply for the same status.

P.Bingen 105 is not very different from P.Oxy. XLIV 3183 in the sense that the privileged status is not explicitly mentioned, but it can be deduced from the context. We have before us people who are legally domiciled in the metropolis and with metropolitan origin in both maternal and paternal lines. To conclude, and for lack of any other example of birth return by a *dodekadrachmos* in Oxyrhynchus, we can assume that P.Oxy. XLIV 3183 reflects the common practice of the nome. It remains to be seen what other irregularities there are in the documentation.

After listing these documents, perhaps what we have pointed out before is even clearer: that after the disappearance of fourteen-year census declarations in AD 257/258 the birth returns do not vanish at all because there were still privileged people interested in using them. Only now, the relative regularity of their appearance, as Montevicchi stated, a few years before the next census, is not present any more.⁵⁶ Population lists were probably still maintained because it is obvious that some kind of control of the population was still carried out.⁵⁷ However, in this new framework, the meaning and the aim of the birth returns could not be the same. Actually starting in 257/258 we can observe how the age of children declared increases to thirteen, fourteen or even eighteen years of age, so the fourteen-year cycle is no longer the backbone of the system⁵⁸. In this period

⁵⁵ Jördens, "Registrierungsgesuch" (above n. 8) 397 affirms that whether the genitive attributive – it is abbreviated ἀπελευ(θέρου) – is related to the father or to the declarant can be elucidated taking into account R.S. Bagnall, "Freedmen and Freedwomen with Fathers?" *JJP* 21 (1991) 7ff. In his commentary to P.Tebt. II 322 Bagnall states (8) that "in biology slaves had fathers, but at law they did not", so the designation "freedman" should be understood in relationship to the father. At the same time Jördens refers to D. Hagedorn, "Zur Verwendung von υἱός und θυγάτηρ vor dem Vatersnamen in Urkunden römischer Zeit", *ZPE* 80 (1990) 277ff.

⁵⁶ Montevicchi, "Ricerche" (above n. 4) 15ff.

⁵⁷ The most significant example (mentioned, e.g. by O. Montevicchi "Il censimento" [above n. 9] 82 and Bagnall & Frier, *The Demography* [above n. 7] 10) is the grain dole in Oxyrhynchus, commented on by J.R. Rea in his edition of P.Oxy. XL (268–272 AD), and later by C. Viriouvot (*Tessera frumentaria. Les procédures de distribution du blé public à Rome de la fin de la République au Haut-Empire*, Rome 1985). This *frumentatio* took place after the end of the fourteen-year cycle (exactly in 271/272 AD) and in relation to it many lists from 268 to 272 were drawn up.

⁵⁸ The date of P.Col. VIII 231, according to the editors, is unlikely to be after 269 (there is no mention of the epithet for Oxyrhynchus), but not impossible.

the officials in charge of these registrations change too. We now find *phylarchs* of the tribes (P.Oxy. XLVI 3295) and the *systates*, who replaced the *phylarchs* more or less at the beginning of Diocletian's reign.⁵⁹ Probably in the case of the *systates* we can see a consequence of Diocletian's fiscal reforms. The earliest example is PSI III 164. The *systates*, moreover, was an official whose main role was nominating men to perform liturgies, so he kept the lists of privileged people. However, not all the changes in the procedure occur after the end of the fourteen-year cycle. For example the presence of the ἀμφοδογραμματεὺς as the official in charge (P.Oxy. X 1267 and P.Oxy. XII 1552) is due to the introduction of the *boule* by Septimius Severus. In a word, it is difficult to relate the end of the cycle to some bureaucratic innovations, but on the other hand it is obvious that in the new tax system the presence of new officials is quite significant.⁶⁰ There are some changes in the formula too, but not everything was changed: in general terms, the returns were filed by privileged people.

Regarding the returns for girls, in Oxyrhynchus they appear precisely at this moment, i.e., after the end of the fourteen-years cycle. This detail, however, is not absolutely significant because in Arsinoe the oldest case of a declaration of a girl is BGU I 28, dated still during the fourteen-year cycle to AD 183 in Socnopaiou Nesos. It concerns the daughter of a local priest.⁶¹ So the rule seems to be more privilege than gender, more the status than the tax liability. So, some novelties in the procedure coexist with the end of the fourteen-year cycle and we are dealing with people belonging to a privileged status, *dodekadrachmoi apo gymnasiou* or, in the case of P.Oxy. XLIV 3183, probably only one *dodekadrachmos*.

As far as the documentation from Arsinoe is concerned, things are more or less as clear as in Oxyrhynchus. The only especially confusing case is that of P.Petaus 1–2. Let us look at the list of the birth registrations filed in this nome, distinguishing whether females or males were declared and expressing their ages at the time of the declaration. No document after the end of the fourteen-year cycle is preserved, so we cannot verify – as in Oxyrhynchus – whether there were changes in the procedure after that time.

P.Tebt. II 299 (AD 49/50), Tebtunis

P.Warren 2 (AD 72), Ptolemais Euergetis (?), male 8

CPR XV 24 (AD 119), Arsinoite nome

BGU XI 2020 (AD 124), Arsinoite nome (probably Karanis), male 6, 5, 4 and female 4

BGU I 110 (AD 138/139), Ptolemais Euergetis (?), male 3 and female 5

P.Gen. inv. 341 (= ZPE 141 [2002] 153–157) (AD 138–143), Ptolemais Euergetis

⁵⁹ P. Mertens, *Les services* (above n. 9) 16 and 30ff. According to Lewis, *The Compulsory Public Services* (above n. 17) 50, the *phylarch* replaced the *amphodogrammateus* between AD 245 and 248 and was in turn replaced by the *systates* at Oxyrhynchus between 285 and 287.

⁶⁰ P. Mertens, *Les services* (above n. 9) 51ff.; Lewis, *The Compulsory Public Services* (above n. 17) 12: "At Oxyrhynchus this office replaced that of *grammateus poleos* between March/April 201 and Feb/March 207. It was replaced by that of *phylarchos* between 245 and 248."

⁶¹ About the meaning of these declarations in a context where women are not liable to the poll tax, see below 120ff.

BGU I 111 (AD 138), Ptolemais Euergetis, male 5
 SPP XXII 100 (AD 147/148), Socnopaiou Nesos
 SPP XXII 18 (AD 149), Socnopaiou Nesos, male 1
 P.Fay 28 (AD 150/151), Ptolemais Euergetis, male 1
 SPP XXII 38 (AD 155), Socnopaiou Nesos, male 4
 P.Gen. I 33 (= W.Chr. 211 = Jur. Pap. 3) (AD 155), Ptolemais Euergetis, male 10
 SB XXIV 16074 (AD 179/180 or 211/212), Socnopaiou Nesos
 BGU I 28 (AD 183), Soknopaiou Nesos, female 4
 SPP XXII 37 (AD 184), Socnopaiou Nesos, male 7
 P.Petaus 1–2 (AD 185), Ptolemais Hormou, female 8
 SB XXVI 16803 (AD II), Ptolemais Euergetis?

Our first impression is that the regularity of the filing date of the returns is more evident than in Oxyrhynchus. In the Arsinoite nome there is, for example, no registration filed thirteen or fourteen years after the birth, as was the case in Oxyrhynchus. However, this is not significant for our purpose. We should bear in mind that no evidence after the end of the cycle in AD 257/258 is preserved in the Arsinoites. We see that the birth return evidence is not evenly spread in that time. The Arsinoites offers older evidence and the Oxyrhynchite documents are mainly concentrated in the third century.⁶²

As a general rule, we can state that the majority of documents belonging to the Arsinoite nome were filed by *metropolitai*.⁶³ The only exceptions to this rule – apart from the strange case of P.Petaus 1–2 – are P.Tebt. II 299, SPP XXII 100, SPP XXII 18, SPP XXII 38, SPP XXII 37 and SB XXIV 16074, and they are declarations of the children of priests. We ought to take into account that during the fourteen-year cycle some of them, a quota from each temple, were exempt from the poll tax and for a long period they were also exempt from some *leitourgeiai*.⁶⁴

It seems reasonable to conclude that in the case of the children of priests we can state another link with the census and with privileges. It is significant that the *epikriseis* of the priests are in fact the earliest dated – AD 4 (BGU IV 1119)⁶⁵ – and the first example of a birth return is one filed by a priest: P.Tebt. II 299. Moreover, as Lewis outlines, the priests lost part of their privileges (at least those privileges related to the *leitourgeiai*) around the end of the second century, probably during the reign of Marcus Aurelius. In my opinion it is not very significant that we do not have any example after AD 184 because we know of the

⁶² This uneven distribution has been explained by the economic vitality of Oxyrhynchus in the third century according to Montevicchi or Mertens, but see above n. 52.

⁶³ Montevicchi, “Ricerche” (above n. 4) 14 does not explicitly state that the Arsinoite declarations were filed by metropolitans.

⁶⁴ Montevicchi, “L’epikrisis” (above n. 5) 182 outlined this measure that aimed to control the priests. The question was dealt with earlier by U. Wilcken (*Griechische Ostraka aus Ägypten und Nubien I*, Leipzig, Berlin 1899, 241ff.; evidence in II 62ff.) who was followed by W. Otto, *Priester und Tempel II*, Leipzig 1905, 247ff. (especially 248, n. 2.).

⁶⁵ Bussi, “Selezione di elites” (above n. 12) 156.

exemption of priests after that date, not from liturgies, but from taxes.⁶⁶ We should remember that the birth return might play one important role here because according to some scholars the priest was obliged to prove his priestly descent in both lines. In the paternal line it was not necessary to provide this evidence since that could be offered by the archives of the temples, but the maternal line might have been another matter. Either way, this question, the necessity of both sacerdotal descent in paternal and maternal lines, should be distinguished from the question of whether the mother should be a priestess or just of sacerdotal descent, which is not as yet fully known.⁶⁷ There are many proofs for the control of Roman authorities over the temples, which tie with the documentation that we are analysing. We could refer, for example, to the lists of priests that mention the *phylai*. In fact many of them belonged to the temple of Soknopaios.⁶⁸

The case of BGU XI 2020 deserves special comment. This document, dated in AD 124, is a declaration made by the mother of four children with the assistance of her brother acting as a *tutor*. She claims that her husband, who has a Roman name, Valerius Apollinarius, is ἐπὶ ξένης, which can be interpreted as being away from the place where he should fulfil the procedure. Unfortunately neither the name of the city nor the name of the official in charge of accepting this declaration is preserved.⁶⁹ Evidently, the document was filed before the reform (conventionally dated under Marcus Aurelius⁷⁰) that abolished the *propositio in tabula albi* for legitimate children, but it is hard to believe that the declarant was actually a Roman citizen. Apparently that procedure was required in the case of

⁶⁶ Lewis, *The Compulsory Public Services* (above n. 17) 91. According to Lewis, we have only fragmentary and imprecise evidence, but the priests were exempted from *munera sordida*, at least from the beginning of the second century; under Marcus Aurelius this privilege seems to have been withdrawn.

⁶⁷ F.A.J. Hoogendijk & K. Worp, “Drei unveröffentlichte griechische Papyri aus der Wiener Sammlung”, *Tyche* 16 (2001) 57: they summarize clearly the *status quaestionis*. U. Wilcken (“Die ägyptischen Beschneidungsurkunden”, *APF* 2 [1903] 10) states that it was necessary that the mother was also a priestess, but W. Otto (*Priester und Tempel* I [above n. 64] 219ff.) thinks that this is unlikely. On hereditary priesthoods and their historical background, see J.E.G. Whitehorne, “New Light in Temple and State in Roman Egypt” *Journal of Religious History* 11 (1980–1) 218ff.

⁶⁸ O. Montevicchi, “Γραφαὶ ἱερέων”, *Aegyptus* 12 (1937) 317ff. A.E.R. Boak, “The Population of Roman and Byzantine Karanis”, *Historia* 4 (1955) points out that in Socnopaiou Nesos much of the property belonged to members of priestly families. According to D.H. Samuel (“Greeks and Romans at Socnopaiou Nesos”, in R.S. Bagnall, G.M. Browne, A.E. Hanson, L. Koenen (edd.), *Proceedings of the Sixteenth International Congress of Papyrology*, New York 1981, 389ff.), in general terms, the population of Socnopaiou Nesos was of a “thoroughly Egyptian character”. That necessitates a revision of the traditional thesis of C. Wessely (*Karanis und Soknopaiou Nesos*, Wien 1900). The central role played by the temple in this context has been pointed out by J.G. Keenan, “Deserted Villages. From the Ancient to the Medieval Fayyum”, *BASP* 40 (2003) 119ff., esp. 123ff.

⁶⁹ The official in charge was normally the *tribunus militum*, see J. Lesquier, *L'armée romaine d'Égypte*, Cairo 1918 163ff.

⁷⁰ Sánchez-Moreno Ellart, “Notes” (above n.1), 108.

Roman citizens, and so it is difficult to affirm that the declarant and her children were already in possession of Roman citizenship, derived from the *honesta missio* of Valerius Apollinarius. Otherwise they would have made use of the *propositio in tabula* procedure. At the same time, it is hard to imagine that BGU XI 2020 is another declaration of *metropolitai* because the names of the ancestors are not mentioned and so we can discard the possibility of a member of these privileged groups (*metropolitai*, 6475 *catoeci*) residing in a village.⁷¹ If we had a return filed in a village by a non-privileged person, we could conclude that not every case deals with birth returns fulfilled by privileged people.⁷² It is a truism to state that Roman names and even the full *tria nomina*, do not mean anything if the tribe is not explicitly mentioned. Moreover, it occurs frequently that Roman citizens do not mention their tribe. Just as frequently *peregrini*, enrolled into the auxiliary forces, were fond of using Roman names. This practice is some times documented even among auxiliary soldiers before becoming Roman citizens through the *honesta missio*.⁷³

In order to reconstruct the possible context of BGU XI 2020, we should bear in mind that we have three documents (P.Diog. 1, P.Mich. VII 436 and BGU VII 1690) where some auxiliary soldiers make a *testatio* that might be registered in the archives of the camp but that probably was not a compulsory act; otherwise, a document like BGU XI 2020 would not make any sense.⁷⁴ This might be further evidence of the free nature of proof in the Roman legal system.

In my opinion it is likely, considering his name, that Valerius Apollinarius was actually a veteran. In any case, the name Valerius Apollinarius is relatively common in the area of Karanis, a zone of well-documented veterans.⁷⁵ Furthermore it might be legitimate to assume that BGU XI 2020 could be a declaration of the mother to obtain some evidence of the paternity of the children by a veteran in order to fulfil a future *epicrisis*. At the same time, it is not easy to identify the specific veteran involved in this procedure. That is why I would be cautious about prosopographical issues. According to Alston, Valerius Apollinarius is documented in Karanis as a veteran and he quotes three documents: BGU I 69, BGU II 448 and BGU XI 2070.⁷⁶ I do not see any reason for considering the two first mentioned because no one with such a name is there alluded to. On the other hand, there are some details that make it difficult, although not impossible, to identify the

⁷¹ See below 123ff.

⁷² This seems to confirm the suggestion of Jördens, "Registrierungsgesuch" (above n. 8) 392: "Die hier erwogene Sicherung der Erbfolge könnte auch den Anlaß für die Anmeldung der vier Kinder in BGU XI 2020 (124 AD) geboten haben, falls es nicht nur um die offizielle Feststellung der Vaterschaft ging, da der Kindsvater, ein Römer, sich zur Zeit ἐπὶ ξένῃς aufhielt."

⁷³ See C. Sanchez-Moreno, "Ipsis liberis posterisque eorum: Die Bedeutung der Geburtsurkunden von Soldaten der Auxiliareinheiten und der Wandel im Formular von *diplomata militaria* im Jahre ca. 140 n.Chr. ausweislich RMD I 39 und CIL XVI 90", *SZ* 125 (2008) 348ff.

⁷⁴ The evidence on this point is not very clear, only the presence of a *cornicularius* as a witness in P.Diog. 1.

⁷⁵ R. Alston, *Soldier and Society in Roman Egypt*, London 1995, 123ff.

⁷⁶ R. Alston, *Soldier* (above n. 75) 124ff.

declarant with the Valerius Apollinarius mentioned in BGU XI 2070. In fact, BGU XI 2070 is a part of a procedural protocol in a trial about citizenship, known as Drusilla's trial. Apparently there are some grounds to think that the late husband of the said Drusilla was the same Valerius Apollinarius. For instance, the dates are plausible⁷⁷ and, what is more significant, in the columns III and IV, according to the editor, it is evident that the trial is about the citizenship of children of the soldiers and the *bonorum possessio* granted by Hadrian to them in his famous *Epistula*, dated to AD 119 (BGU I 140 = M.Chr. 373).⁷⁸ Unfortunately, we do not have any evidence of the name of Valerius Apollinarius' wife, and the declarant in BGU XI 2020 and the name of Drusilla's elder son do not coincide with the elder son declared in the birth return. There are other possibilities dated in these years that could be easily related with the Valerius Apollinarius named in BGU XI 2020: for instance SB VI 9636 (AD 136), a letter from a veteran to his older brother, Valerius Apollinarius, also a veteran.⁷⁹ The editor also quotes P.Mich. VIII 485 (l. 5), a document in which someone called Valerius, son of Apollinarius is mentioned.⁸⁰ So, from the context and the name, I think that there is still a basis to deduce that BGU XI 2020 is the return filed by the wife of a veteran to facilitate evidence in the event of a future *epicrisis*.

With regard to the officials entrusted to receive the documents of the Arsinoites, they are mostly addressed, in the case of Arsinoe, to the γραμματεὺς μητροπόλεως, but P.Warren 2 is addressed to the ἀμφοδάρχη: we have seen the functions of this official in matters related to the census and the control of taxes. As for the villages (we have examples filed in Socnopaiou Nesos, Ptolemais Hormou and Tebtunis) apparently the authority entrusted to receive the declarations was the κομμογραμματεὺς. The contents of the declaration are the details of the child, the relationship to the declarer or declarers, date of birth or age.⁸¹ Because

⁷⁷ BGU XI 2020, dated to AD 124 and BGU XI 2070, dated ca. AD 142–144, when the possible Valerius is dead.

⁷⁸ The editor has discussed this question: H. Maehler, "Neue Dokumente zum Drusilla-Prozess", *Proceedings of the Twelfth International Congress of Papyrology*, Toronto 1970, 263ff.

⁷⁹ N. Lewis, "A veteran in quest of a home", *TAPA* 90 (1959) 139ff. The name is relatively infrequent in this context, cf. R. Cavenaile, "Prosopographie de l'armée romaine d'Égypte d'Auguste à Diocletien", *Aegyptus* 50 (1970) 213ff., esp. 302ff.; Supplement, *Aegyptus* 53 (1973) 93ff., esp. 102.

⁸⁰ About this document, see K. Strobel, "Zu Fragen der frühen Geschichte der römischen Provinz Arabia", *ZPE* 71 (1988) 251ff., esp. 257ff.; R. Alston, "Ties that bind: soldiers and societies", A. Goldsworthy & I. Haynes, *Roman Army as a Community*, Portsmouth, Rhode Island 1999 175ff.; S. Strassi, "P.Mich. VIII 485: Alcune considerazioni", *ZPE* 139 (2002) 161ff.

⁸¹ As Scheidel (*Measuring* [above n. 7] 53) sums up, "In pre-industrial societies past and present, the capability of stating one's own age or the age of an adult family member with precision, or even the mere wish to do so, cannot be taken for granted". That does not exclude that some people knew their actual age, but the counting, based on the imperial years, even in those cases was not easy. On the inclusion of the present year in the way of counting, which would imply that the age of liability was in fact dated between 13 and 59 years, see N. Kruit, "Age Reckoning in Hellenistic Egypt: the Evidence of Declarations of Birth, Excerpts from the Ephebe

of their status as metropolitans, the declarants mention, as was the case in Oxyrhynchus, the quarter (ἄμφοδον) where they are registered: (BGU I 110, ll. 11–13: ἀπὸ τῆς μ[η]τροπ(όλεως) ἀνα[γρα]φομένων ἐπ' ἀμφοδου Λι[νυ]φίων); SB XXVI 16803, ll. 10–12: ἀπὸ τῆς | μητροπόλεως ἀναγραφομένων | ἐπ' ἀμφοδου Γυμνασίου. The end of the form is normally ἐπιδίδωμι τὸ τῆς ἐπιγεννήσεως ὑπόμνημα or διὸ ἐπιδίδωμι. In the Arsinoites, this formula is also used in the census returns and in other kinds of documentation belonging to this area.⁸² The same is not present in the priest returns, but the *phyle* to which the parents belonged is always cited (P.Tebt. II 299, l. 8; SPP XXII 37, l. 6; SPP XXII 38, l. 4; SPP XXII 100, l. 6). The editor of the first document proposed, on the grounds of BGU I 258, l. 9 something like: ἐν τῇ τῶν ἀφηλίκων ἱερέων τάξει. According to Montevicchi, perhaps the text of BGU I 110 ended with an oath, but the last lines are too fragmentary to affirm it with certainty.⁸³

The *epicrisis* and the birth returns: an unclear relationship

According to the latest research, to understand the actual nature of privileged orders in Roman Egypt we must try to avoid the temptation to consider the metropolitans or the gymnasial class as a highly hellenized people.⁸⁴ It is a truism to state the Romans only considered as hellenized people the citizens of the Greek cities, meaning only Alexandria, Naucratis, Ptolemais and Antinoopolis and that the rest were considered as merely Egyptians⁸⁵. The privileges of orders like the *tes metropoleos*, *6475 catoeci* or *apo tou gymnasiou* derived more from the reorganisation of lists elaborated during the first years of the Principate than from old ethnic reasons.⁸⁶ For the rest, the question whether these privileged groups could be identified as elites is in many ways meaningless: the magistracies and,

Registers and Census Returns”, in W. Verhoogt & S.P. Vleeming, *The Two Faces of the Graeco-Roman Egypt* (P.Lugd. Bat. 30), Leyden, Boston, Cologne 1998, 37ff.

⁸² Hombert & Préaux, *Recherches* (above n. 7) 123ff.

⁸³ The oath is common in the documents of Oxyrhynchus, but according to Hombert & Préaux, *Recherches* (above n. 7) 124ff., there are some cases of Arsinoite census returns that add an oath. It depends on local habits and probably not on compulsion related to the inexactitude of the declarations as E. Seidl (*Der Eid im römisch-ägyptischen Provinzialrecht*, Munich 1933, 48; 51ff.) thinks.

⁸⁴ This is the criticism that P. van Minnen raised (“‘Greek’ Women and the Greek ‘Elite’ in the Métropoleis of Roman Egypte”, in H. Melaerts & L. Mooren, *Le rôle et le statut de la femme en Égypte hellénistique, romaine et byzantine*, Paris, Leuven 2002, 337ff., esp. 339) against J. Modrzejewski (“Entre la cité et le fisc: le statut grec dans l’Égypte romaine”) in J. Fernández Nieto (ed.) *Symposion 1982*, Cologne, Vienna 1989, 214ff., esp. 243. It is true that Modrzejewski states that the *apo gymnasiou* were a kind of Greek elite within the elites, but at the same time he rightly states (245) that “Les ethniques grecs disparaissent au lendemain de la conquête.”

⁸⁵ N. Lewis, *Life in Egypt under Roman Rule*, Oxford 1983, 39ff.; R.S. Bagnall, *Egypt in Late Antiquity*, Princeton 1993, 232.

⁸⁶ Another prejudice that must be put aside is the belief of van Minnen that the fixing of the lists was caused by a reduction of these groups, see G. Ruffini, “Genealogy and the Gymnasium“, *BASP* 43 (2006) 71ff.

after the reign of Severus, the members of the *boule* were designated, at least in a substantial part, among the members of these orders.⁸⁷ On the other hand that does not mean they constituted an elite in the sense of a reduced group. Residence might be a formal requirement to become a magistrate or a member of the *boule*, which at the same time implies membership of these groups.

The majority of the documents being related to privileged people, the birth returns have been defined as close cousins of the *epicrisis*.⁸⁸ The *epicrisis* and the so-called birth returns (or properly, at least in this case, applications to register a child in a privileged order) must be understood in the context of a time when “the Romans tightened the rules” of access to these groups.⁸⁹ As a result of that policy the relevant element became the inclusion of the ancestors of the declarant in the lists elaborated during the Julio-Claudian age, regardless of their actual ethnic origin.⁹⁰ Considering the two groups we are studying, the metropolitans of Arsinoe and the *apo gymnasiou* of Oxyrhynchus, the former had their first review not before AD 90/91; the first membership list of the latter was drawn up in 4/5 and the first review took place between AD 56 and 58. During the reign of Vespasian there was a general review in Oxyrhynchus (AD 73/73), which constituted the starting point for late *epicrisis* returns.⁹¹ It is perhaps significant that the number of *apo gymnasiou* declarations is higher after AD 200; this may be related to the introduction of the *boulai* in the capitals of the nomes and to the relative prosperity of that city.

The last aspect of the privileged status of people declared in the birth returns deserves clarification because apparently the *epicrisis* could have been the best occasion to use these returns before the public authorities. To be more precise, copies of the birth returns were kept by the declarants, but we cannot affirm whether those copies were used in order to offer evidence of their status in the *epicrisis* procedure or not. In other words, the relationship between birth returns and *epicrisis* must be clarified since the only direct evidence that we have about birth returns quoted as credentials in the *epicrisis* returns, are those filed by

⁸⁷ A.K. Bowman, *The Town Councils of Roman Egypt*, Toronto 1971, 3ff. The magistracies functioned “in contact with the officials of the central government”. Status and wealth were likely the main requirement for holding office, but that does not mean that membership of the gymnasial class was a requirement for it (M. Drew-Bear, “Les conseillers municipaux des métropoles au III siècle après J.-C.”, *CdÉ* 59 (1984) 325ff., esp. 316; A.K. Bowman & D. Rathbone, “Cities and Administration in Roman Egypt”, *JRS* 82 [1992] 122ff.). L. Tacoma (*Fragile Hierarchies*, Leyden/Boston 2006, 126) suggests that merely metropolite status was required.

⁸⁸ G. Ruffini, “Genealogy” (above n. 86) 77, n. 13.

⁸⁹ This is the expression used by P. van Minnen, “‘Greek’ Women” (above n. 84) 341.

⁹⁰ Nelson, *Status Declarations* (above n. 29) 34. These lists were likely configured “by trial and error”, which means that ethnic elements were not the decisive point; or at least they were difficult to evaluate, see P. van Minnen, “‘Greek’ Women” (above n. 84) 341, against Nelson, *Status Declarations* (above n. 29) 33.

⁹¹ O. Montevecchi, “L’amministrazione dell’Egitto sotto i Giulio-Claudi”, *ANRW* II. 10 447ff.; P. Van Minnen, “‘Greek’ Women” (above n. 84) 345ff.

Roman citizens (SB I 5217, ll. 11–23, P.Oxy. XII 1451, ll. 20–26 or BGU IV 1032, ll. 1–10), but never those filed by *metropolitai* or the *apo gymnasiou*.

As I have already said, the older examples of birth returns are those filed by priests. Just as significant is the fact that the priest *epicrisis* is also the oldest documented (BGU IV 1119). This coincidence could give some evidence of a direct relationship between both procedures.⁹²

To find a relationship between both procedures we should bear in mind that in Arsinoe the *epicrisis* was normally completed through the census returns (where the mention of privileges was present) and in Oxyrhynchus through the preceding *epicrisis* returns, because there the census returns hardly ever contained references to the status.⁹³ However, in the *epicrisis* returns the mention of the registration of the declarants probably meant that among the rest of the evidence, the birth returns were submitted but not necessarily appended to the *epicrisis* return. We can, therefore, deduce that these documents were actually used in some way through the *epicrisis* procedure.

These problems are a matter of speculation, because in some *epicrisis* returns it is explicitly mentioned which evidence is enclosed in them (e.g. P.Ryl. II 103, l. 21; BGU I 324 [= M.Chr. 219], ll. 18–19: συνπαρεθέμην δὲ καὶ ἀντίγραφον ἐπικρίσεως; P.Fay. 27, l. 24.) We cannot always know this because many of the documents are damaged at the bottom and the kind of evidence appended is not always the same. Nelson affirms that there is no substantial variation, but actually the only recurrent item in the evidence is the census returns in Arsinoites and the *epicrisis* returns of the ancestors in Oxyrhynchus.⁹⁴

There are many exceptions, which is completely consistent with the Roman system of weighing evidence. For instance, sometimes in the Arsinoites we may find it necessary to justify the validity of the declarations of *epicrisis*, in addition to the enrolment in the census returns (P.Ryl. II 103); or we see declarants who were applying for the *epicrisis* of a brother appending copies of the *epicrisis* of a third brother who is not in fact involved in the procedure. The same happens with the *epicrisis* of a slave (BGU I 324), since another slave's *epicrisis* is appended. For these reasons we cannot establish regular practices and even the very act of appending documents to the return could be considered superfluous, for the archives kept the originals of those documents.

The real meaning of the birth return in the *epicrisis* procedure is a difficult matter. Mertens pointed out that there is no evidence of metropolitan *epicrisis* in the third century.⁹⁵ So, the birth returns filed by *dodekadrachmoi* could serve in

⁹² Montevocchi, “L’*epikrisis* dei Greco-Egizi” (above n. 5) 228.

⁹³ Hombert & Préaux, *Recherches* (above n. 7) 115ff.

⁹⁴ Nelson, *Status Declarations* (above n. 29) 10ff. The formula in the former is ἐγὼ μὲν οὖν ἀπεγραψάμην ἐν τῇ κατ’ οἰκίαν ἀπογραφῇ (year) and in the latter, just an affidavit like καὶ εἶναι αὐτὸν (δωδεκάδραχμον) καὶ ἐμὲ (or τὸν πατέρα) followed by the information proving he is member of the privileged classes.

⁹⁵ P. Mertens, *Les services* (above n. 9) 111: “Une constatation nous semble assez tremblante: pourquoi les demandes d’*epicrisis* de métropolitaires si fréquentes au second siècle, cessent-elles

this procedure. In that case some relationship between *epicrisis* and birth returns might be suggested, or at least argued from silence, but today we have some examples of *epicriseis* filed by *dodekadrachmoi* dated in the third century. So the problem is still the same, because we have *epicriseis* and birth returns of members of the same status, but never does the *epicrisis* explicitly mention the birth returns of people involved in them.⁹⁶ Either way some indirect symmetry between both procedures can be noticed. The dates when the procedure of the *epicrisis* started and finished do not cause any difficulty in confirming the possibly close relationship between birth returns and an institution conceived to give evidence of the privileged status. For example, the first *epicrisis* that we have preserved in Oxyrhynchus was dated in AD 72, in Arsinoites in 90/1, and we do not have any birth return dated before that time. The last example in the Arsinoite nome is BGU XI 2086, dated in AD 235. We are only considering a plausible but incomplete scenario, since we do not have any preserved birth return from places where we do have *epicrisis* returns, like Hermupolis (SB 7440, P.Amh. II 75, P.Ryl. II 102); and even in the Arsinoite nome we have *epicriseis* filed by members of the *6475 catoeci* (P.Fay. 27 and perhaps BGU III 971), but never birth returns of this privileged order. The case of priests has already been discussed.

To sum up, the presence of birth returns beyond the end of the fourteen-year cycle does not exclude the possibility that the *epicrisis* was also conducted after that time and in fact we have evidence of both procedures after AD 257/258. This fact excludes, in my opinion, the hypothesis advanced by Modrzejewski, who presumed that the birth returns took the place of the *epicrisis* after the end of the regular cycle and that the ages recorded in this period – over fourteen years old – and the presence of privileged people might be an indirect proof of this fact.⁹⁷ I think that after the end of the cycle the age became in some way irrelevant. Besides, as Modrzejewski recognizes – in that period we do know of some testimonies of *epicriseis* filed after 257/258, such as P.Oxy. XVIII 2186 (AD 260), PSI V 457 (AD 269) or P.Turner 38 (AD 274/275).⁹⁸ We should also bear in mind the role played by the *epicrisis* in the corn dole procedure dated 269–271.⁹⁹

brusquement au début du troisième, alors que l'adjectif δωδεκάδραχμος reste d'emploi courant notamment dans les actes de naissance jusqu'en 291 au moins?" The author outlines that Wallace (*Taxation* [above n. 9] 125ff.) characterizes by mistake PSI XII 1240 (222 AD) and 1257 (249/50 AD), both dated in the third century, as *dodekadrachmos* returns, but actually they were filed by those *apo gymnasiou*.

⁹⁶ P.Yale inv. 1360 (= *ZPE* 96 [1993] 221ff.) dated in 276–82 AD.

⁹⁷ J.M. Modrzejewski ("Chronique" *RHD* 1972, 466) in commenting on P.Ups. Frid. 6, suggests this hypothesis, but at the same time he is aware of the existence of some *epicrisis* documents dated after AD 257/258, like P.Turner 38: "Il semblerait qu'avec la disparition du recensement quatordecennal après 257 de n. è, ces déclarations prennent la relève des demandes d'épicrisis qui tendent à disparaître à leur tour une quinzaine d'années plus tard". Modrzejewski did not know at that time of P.Yale inv. 1360 (*ZPE* 96 [1993] 221ff.) and did not take into account the indirect evidence discussed above.

⁹⁸ Cf. BL VII 235 and BL XI 245.

⁹⁹ Virlouvét (above n. 57) 246 ff., cf. P.Oxy. XL 2893; 2894; 2895; 2898; 2902.

Today, we have further evidence of one *epicrisis* return filed later, in AD 276–282 P.Yale inv. 1360 (*ZPE* 96 [1993] 221ff.). Furthermore, as Bussi's survey implies, the *epicrisis* can be detected even some years later, because we have preserved indirect evidence of it. Bussi emphasizes documents like the invitations to an *epicrisis* feast, filed in the third century.¹⁰⁰ In P.Oxy. VI 926, P.Oxy. XXXVI 2792 or P.Oxy. LXVI 4541 we cannot be sure whether the exact date was prior to or after 257/258, but at least P.Oxy. XLIX 3501 could be dated later, in the fourth century.¹⁰¹ The presence of a large quantity of documentation – in every case filed by privileged applicants – during the third century AD is probably related to the presence of the *boule*. In my opinion, nothing certain can be said about a possible use of the applications to register a child in a privileged group as a substitute for the *epicrisis* returns and their procedures.

We do not have parallels for the actual use of the birth returns. It is risky to make a suggestion based on Alexandrian documents, but we should bear in mind that the granting of privileges might operate as the common link with the *metropolitai*. Furthermore, from the mid-first century AD onwards, the system of registration for *metropolitai* is similar to that conducted for Alexandrians: each *amphodon* had registers kept by local liturgical officials.¹⁰² Giving evidence of the status was the main problem for the declarant and checking the reality of the assertions made by the declarants the main concern of the officials. In this context, the private copies might be used more loosely than we might imagine. As I have suggested above, perhaps the use of the birth returns (or properly of the copies kept by the declarants) by the Alexandrians can be deduced from the contents of the registers of *ephebeia*. Assuming that the use of those documents was in some way similar (insofar as they were used for the granting of privileges) we can legitimately deduce that the summary of the birth returns present in the Alexandrian *ephebe* registers may indicate that the declarant in the *epicrisis* presented the return (which had probably been used to draw up the petition and was kept after this procedure) and that conversely the officials could always check the authenticity of the data by resorting to public registers.¹⁰³ We should take into account that the declarant might need to make use of his birth return on other occasions apart from the *epicrisis*: for example, when he needed access to a public magistracy, proof of age in some questions of private law, and so on.

Before closing this section, a point to be considered is the legal value of evidence for Roman courts and Roman administration. I have stated at the beginning of this paper that the free nature of evidence never changed during the Roman Imperial period and that the concept of privileged evidence did not come into play at that time. Despite the power of conviction that the so-called birth returns apparently had, these could be freely valued and consequently their

¹⁰⁰ Bussi, "Selezione di elites" (above n. 12) 159.

¹⁰¹ Cf. BL VIII 271.

¹⁰² Bowman & Rathbone, "Cities and Administration" (above n. 87) 120ff.

¹⁰³ Delia, *Alexandrian Citizenship* (above n. 29) 72.

veracity was always subject to the approval of the authority. These data can be legitimately deduced from the legal sources and even from the use of evidence in the documentation. Roman jurisprudence and imperial constitutions also demonstrate some tolerance in the weighing and valuation of evidence, even when it was related to status. The oldest example of this attitude among those included in the Compilation of Justinian is D. 22.3.29 pr. (*Scaev. 9 dig.*), a fragment that embodies the text of a rescript enacted by Marcus Aurelius and Lucius Verus and in turn quoted by Cervidius Scaevola, a member of Verus' *consilium*.¹⁰⁴ In essence, the Emperors stated that the evidence related to children should not consist only of the bare statements of witnesses, but of other documents too, such as letters alleged to have been sent to wives, provided their authenticity was established, and they could be introduced as documentary evidence. The rule was that the judge should not be limited by only one piece of evidence. It is not difficult to find further manifestations of this rule. In the next fragment the same jurist, after developing a complicated case (in her anger, a mother had declared a legitimate son as illegitimate) answers that in cases like these the opportunity for ascertaining the truth existed. The examples are dated both in the Principate (D. 27.12.1 *Mod. 2 exc.*; C. I. 2.4.2.1 *Alex.*) and in the later Empire (P. Tebt. II 285 = FIRA I 90; C. I. 5.4.9 *Prob.*; C. I. 4.2.6 *Diocl. et Max.*; C. I. 7.16.15 *Diocl. et Max.*).

In conclusion, the only evidence of the use of birth returns in the *epicrisis* returns is, except for the *epicriseis* of Roman citizens (SB 5217, BGU IV 1032, SB 9228, and P.Oxy. XII 1451), indirect. This is not an important objection considering that the Roman proof system did not recognize the value of privileged evidence. At the same time, the main problem is still whether the argumentation based on Roman judicial procedure is sufficient here or not. We are in most cases probably dealing with “administrative” procedure, and it is not to be assumed that the rules of classical jurisprudence were necessarily relevant. In other words, it is far from certain that the official had the same freedom to evaluate the evidence in the same way as the judge, but the evidence is not clear.¹⁰⁵

P.Petaus 1–2

We have seen that privileged people are normally present in the documents related to the registration of children, even after the end of the fourteen-year cycle. This situation seems to confirm that privileges (not only fiscal) were behind these applications and their procedures. P.Petaus 1–2 is peculiar, for at first sight no element of privileged context exists: the declarants are not *metropolitai* but inhabitants of the *chora* with Egyptian names. To make the problem even more puzzling in P.Petaus 1–2 a girl is declared. Why do we have a birth-return for a

¹⁰⁴ A.M. Honoré, “The Severan Lawyers: a Preliminary Survey”, *SDHI* 28 (1962) 162ff., esp. 204.

¹⁰⁵ About the nature of the work of the officials in Roman Egypt, see A.K. Bowman, *Egypt after the Pharaohs 332 BC–AD 642*, London 1986, 68ff.

girl when women in Egypt were exempted from the poll tax? This question is not especially difficult to answer since taxes were not the only foundation of the so-called birth returns, but it is difficult to understand in view of the fact that we cannot argue any privilege in this case. We should also take into account again that the census did not exclude women, despite their non-liability from the poll tax.

One of the characteristics of the birth returns, the commonly alleged relationship between birth returns and fiscal privileges, is not clear in the cases in which the declared person is a female.¹⁰⁶ It is important to emphasize that, according to the most recent list reproduced above,¹⁰⁷ we have six cases of declarations of girls, two of them including boys and girls at the same time (BGU XI 2020 and P.Cornell 18) and four with girls only (BGU I 28; P.Petaus 1–2; SB XXIV 16074; P.Oxy. XLVIII 3136). Taking into account the commonly alleged relationship between birth returns and fiscal privileges,¹⁰⁸ the first document to be published where a girl was declared (BGU I 28 in which the declarants were a local priest and his wife) was hard to explain without considering other kinds of privileges.

Even Montevecchi warned in her first contribution that BGU I 28, the only document of this nature at that time, was in fact difficult to read and hence the presence of a girl on it might be a misreading.¹⁰⁹ In any case, Montevecchi's reservations in 1947 are unnecessary today.¹¹⁰ This is because, as she herself admits in her handbook *La papirologia*, published shortly after the edition of P.Petaus 1–2, the readings of this document were clear about this fact: it was a birth return of a girl.¹¹¹ Assuming that we have before us birth returns of girls,

¹⁰⁶ R. Taubenschlag, *The Law* (above n. 28) 625 n. 2 comments BGU I 28 as an exceptional case, but he does not venture any further explanation.

¹⁰⁷ See above 109f.

¹⁰⁸ As O. Montevecchi ("Ricerche" [above n. 4] 8) pointed out, even U. Wilcken (*Grundzüge*, above 195) or P. M. Meyer (*Juristische Papyri*, Berlin 1920 n. 3).

¹⁰⁹ Cohen, "A Notice" (above n. 4) 391. According to Montevecchi ("Ricerche" [above n. 4] 9), the return (ll. 17–20): ὄντα εἰς τὸ ἐνεστὸς κὸδ (ἔτος) (ἐτῶν) ζ was not exactly a proof, more so (ll. 14–19) ἀπογρ(αφόμεθα) (cf. BL 1, 9) γεγ[ο]νότα ἡμῖν ἐξ ἀλλ(ήλων) θυγα[τέρ]α . . . |σητος γενηθέντα τῷ διεληλ(υθότι) ἡ (ἔτει) because it turned out that γενηθέντα and ὄντα are masculine, but at the same time she considers as implausible that θυγα[τέρ]α was a mistake of the scribe for υἰόν.

¹¹⁰ BGU I 28, ll. 15f.: υἰὸν [. . .]α|σητος, cf. BL 3, 8 = O. Montevecchi, "Ricerche" (above n. 4) 9: "D'altra parte il luogo e corrotto, e già una correzione era stata fatta all'inizio della riga seguente." So, she did not totally reject the possibility of reading it as male.

¹¹¹ O. Montevecchi, *La Papirologia* (above n. 48) 179. In fact, the editors of P.Petaus 1–2 confirmed the reading of BGU I 28, ll. 15f., cf. U. and D. Hagedorn & L.C. and H.C. Youtie, *Das Archiv des Petaus*, Cologne-Opladen 1969, 68ff.: "Es war daher folgerichtig, dass die Lesung der bisher einzigen Anzeige für ein Mädchen, BGU I 28, angezweifelt wurde, zumal die besonderen Gegebenheiten des Textes den Gedanken an einen Fehler des Herausgebers nahelegten". In this sense, they quote Montevecchi, "Ricerche" (above n. 4) 8 and P. Mertens, *Les Services* (above n. 9) 48ff.; 62ff. Then they admit that the masculine participle seems "verdächtig", but they confirm the reading by a picture. They add that in l. 15 it is possible to read [T]α|σητος (τ. Τασῆ-τα), and Τασῆ is, according to F. Preisigke, (*Namenbuch*, Heidelberg 1922, s.v.) a female name.

what was the meaning and aim of this document? According to Mertens,¹¹² since girls did not pay poll tax these declarations were made by mistake. But it is clear that maternal status mattered for some status purposes, and, therefore, it would be more realistic to examine the other possibility, that social privileges might explain these declarations, as Cohen and then Geraci have rightly suggested. According to Cohen, a clear division must be made between two groups of documents that declare only girls: on the one hand the documents related to priestly families of Socnopaiou Nesos (i.e., BGU I 28 and SB XXIV 16074), and on the other documents such as P.Oxy. XLIII 3136 and the same P.Petaus 1–2.¹¹³ As Cohen correctly indicates (by quoting P.Lugd. Bat. V p. 117), a girl belonging to a priestly family had some privileges in the temple of the village and this could explain the return. On the other hand, in the case of P.Oxy. XLIII 3136, we are more or less in the same situation as documents where both girls and boys are declared and so we can propose the same explanation for their use. Rea, in his edition of this text, insisted on the fact that girls often be required to prove their privileged status before marriage.¹¹⁴ It is reasonable to think that it was necessary to prove that both lines (the father and the mother as well) were of metropolite origin (ἐξ ἀφοτέρων γονέων μητροπολιτῶν δωδεκαδράχμων). In the case of the gymnasial class, Nelson affirms as a general principle that the candidate was forced to demonstrate gymnasial membership on the paternal and maternal sides resorting to the original list drawn in 4/5,¹¹⁵ but actually things were probably not that simple since the maternal side is not always present in the documentation related to the gymnasial class. On the other hand, we have clues that the information on the maternal was not totally irrelevant.¹¹⁶ To sum up, the returns of both boys and girls can be explained through the same argument, the membership of a privileged group. Boys were declared because of tax privileges; girls were declared in order to make it easier for future candidates to offer the proof of their maternal ancestors. Besides, girls were also declared with their future marriage in mind.

However, P.Petaus 1–2 still remains an obstacle to the argument that social privileges of some orders explain the function of birth returns. The names Ἀπόγχις and Ταφολήμις are Egyptian beyond any doubt. For the first time in our documentation we are apparently dealing with common people and it is unlikely that the declarant belonged to the priestly class because he does not mention it. To sum up, the only case that does not fit the general scheme (birth return/privileged order) is P.Petaus 1–2. As the editors have emphasized, the declarants are not

They affirm, in conclusion, that the reading θυγα[τέρ]α in BGU I 28, l. 15 remains certain (cf. BL 6, 10).

¹¹² P. Mertens, *Les Services* (above n. 9) 62ff.

¹¹³ Cohen, “A Notice” (above n. 4) 390.

¹¹⁴ J.R. Rea et al., *P.Oxy. XLIII*, Oxford 1975, 109. In the same sense, see Nelson, *Status Declarations* (above n. 29) VIIff.

¹¹⁵ Nelson, *Status Declarations* (above n. 29) 34.

¹¹⁶ Ruffini, “Genealogy” (above n. 86) 79.

privileged people at all: they live in a village and are declaring an eight years old girl. It is difficult to attribute the declaration to a mistake, because the return is drawn up in two copies, one for the κωμογραμματεὺς and one for the βασιλικὸς γραμματεὺς. The intervention of a high official (P.Petaus 2) such as the royal scribe in this procedure, is also evidence of how important the declaration might be even in these cases. The usual declaration before the κωμογραμματεὺς that we know very well has no official mark except the date.¹¹⁷ I think that this fact is a key to understanding its meaning. One of the royal scribe's responsibilities was the control of the population, as we know through the census declarations and the death returns.

It is obvious that P.Petaus 1–2 might offer new evidence, and a recent book by Kruse about the βασιλικὸς γραμματεὺς, dedicates some pages to stress its value.¹¹⁸ Kruse takes the same line as the editors, that perhaps privileges (alluding not only to the fiscal privileges) were not the main reason to fill out these returns. The parents, he emphasizes, belonged to the non-privileged population of a village, Ptolemais Hormou, and were also fatherless, but in spite of this, the form used in the document is the same (it is also called ἐπιγεννήσεως ὑπόμνημα) and even the verb ἀπογράφομαι is present.¹¹⁹

At first sight the purpose of P.Petaus 1–2 is far from clear, but the structure is strikingly similar to other examples from the nome. The parents would declare their daughter and with this purpose they handed in the document. As Kruse affirms, the formula is more or less the same as the other Arsinite examples, such as P.Gen. I 33 (= W.Chr. 211 = Jur. Pap. 3), where the parents belonged to the *metropolitai*.¹²⁰

P.Petaus 2 ll. 8–12 (= 1 ll. 11–17)

P.Petaus 2 ll. 8–12 ἀπογραφόμεθα τὴν γεννηθεῖσαν ἡμῖν ἐξ ἀλλήλων θυγάτερα | Ταῆσιν καὶ οὖσαν πρὸς τὸ ἐνεσ|τὸς κε (ἔτος) ἐτῶν ὀκτώ. διὸ ἐπ(ιδίδομεν) τὸ | τῆ[ς] ἐπιγεννήσεως ὑπόμνημα. Cf. P.Gen. I 33 ll. 10–15 ἀπογραφόμεθα] τὸν γεγο|νότα ἡμῖν υἱὸν Δίδυ[μο]ν γεννη|θέντα [τ]ῷ ις (ἔτει) Ἀγτω[νίνου] Καίσαρος τοῦ | κυρίου καὶ ὄντα εἰς τὸ [ἐν]εσ|τὸς ιθ (ἔτος) ἐτῶν τεσσάρω[ν]. ἐπιδίδομεν τὸ | τῆς ἐπιγεννήσε[ω]ς ὑπόμνη(μα).

The only difference is that in the case of P.Petaus 1–2 the typical reference to the residential quarter and to descent are absent because of the context – a village with essentially unprivileged inhabitants, not a metropolis with privileged people whose main concern was to preserve their status. It remains puzzling why an

¹¹⁷ U. and D. Hagedorn & L.C. and H.C. Youtie, *Das Archiv des Petaus* (above n. 110) 69: “Der Weitergabevermerk des βασιλικὸς γραμματεὺς in 2 lehrt uns darüber hinaus, dass auch die Behörden die Geburtsanzeige für ein Mädchen ernst nahmen”.

¹¹⁸ Kruse, *Der königliche Schreiber* (above n. 43) 171ff.

¹¹⁹ On Ptolemais Hormou, see A. Calderini, in E. De Ruggiero, *Dizionario epigrafico di antichità romane* IV Cairo 1935 212ff.; Suppl. 1, 231; Suppl. 2, 179; Suppl. 3, 132; Suppl. 4, 114. On the background, see K. Mueller, *Settlements of the Ptolemies*, Leyden, 2006, 24; 209 n. 73.

¹²⁰ Kruse, *Der königliche Schreiber* (above n. 43) 173 n. 332.

Egyptian couple (apparently not related to the priestly families,¹²¹ descendants of a brother and sister marriage on the maternal side and living in a village) would file a birth return.¹²² It is true that P. Petaus 1–2 mentions that Apynchis the father was ἀπάτωρ. This term simply could mean ‘fatherless’, but also a son of a soldier not legally married because of his military status.¹²³ If this fact could be demonstrated it might explain the existence of the return, but bearing in mind its date (AD 189) we may exclude the possibility that the document was drawn up to request Roman citizenship, since this possibility ended in AD 140 during the reign of Antoninus Pius.¹²⁴

It is difficult to build a theory on the basis of a single text, since it is easy to mistake conjecture for fact, but we can suggest some possibilities for interpreting the form and the function of P.Petaus 1–2. There are three options:

a) It is likely that the changes in the procedure dated in the last quarter of the second century were strictly formal and hence they are not especially useful in explaining the meaning of P.Petaus 1–2, but it can be argued that some reform was implemented. I allude to a reform that could have affected the core of the matter: a reform of the *ius liberorum*. Personally, I think that this possibility is unlikely, but I shall develop the essence of this solution. It is noteworthy that the hypothesis of a reform in the *ius liberorum*, enacted in order to include the *peregrini* in its scope, has been supported by Taubenschlag.

b) We may consider whether there are any clues which suggest that the declarants of P.Petaus 1–2 belonged to a privileged order, but resided in a village like Ptolemais Hormou. In principle it cannot be excluded that people who resided in the *chora*, even with Egyptian names, were in fact members of the 6475 *cateci* or *metropolitai*, but the people involved in P.Petaus 1–2 were legally fatherless and so they could not prove their paternal ancestors. The only way to accept that

¹²¹ D. Bonneau “Ptolémaïs Hormou dans la documentation papyrologique”, *CdÉ* 54 (1979) 310ff.: in Ptolemais Hormou there was, for example, the temple of Nephros (BGU XIII 2215 II, ll. 3–5, 113–114 AD), but there is no sign in the document of any relationship of the declarants to the priestly families. The cases we know (e.g. SPP XXII 100, l. 2 or SPP XXII 18, l. 5) state clearly the link to the priesthood.

¹²² See above n. 85.

¹²³ Kruse (*Der königliche Schreiber* [above n. 43] 173) affirms that both declarants were ἀπάτορες, but this statement would be only accurate with regard to a legally fatherless status. It is true that only the father states that he is ἀπάτωρ and that this term (typical of the Arsinoite) might be according to H.C. Youtie (“ΑΠΙΑΤΟΡΕΣ: Law vs. Custom in Roman Egypt”. *Le monde grec. Hommages à Claire Préaux*, Brussels, 1975, 723ff. = *Scriptiunculae Posteriores*. I, Bonn, 1981, 17ff.) proof of the relationship between the declarant and the army. Youtie affirms (736) that a “large number” of the ἀπάτορες were in this category. But on the other hand he recognizes that they not always used this term in this sense and that sometimes the ἀπάτορες, even when children of soldiers are merely identified as children of their mothers (as occurs for example on the Karanis tax rolls, cf. P.Mich. IV 2 55).

¹²⁴ W. Eck, “Die Veränderungen in Konstitutionen und Diplomen unter Antoninus Pius“, in M.A. Speidel & H. Lieb, *Militär diplome. Die Forschungsbeiträge der Berner Gespräche von 2004*, Stuttgart 2007 87ff., esp. 91ff.

they had some interest in proving their privileged status is that they had acquired membership in the privileged orders (either *metropolitai* or the *apo gymnasiou*) by concession of the public powers, but unfortunately we do not have any evidence in this case.

c) The third option is based on the possibly compulsory nature of the procedure, at least (as Montevocchi suggested) in the cases of children born within certain years of the cycle, regardless of the privileged condition of the declarants. Accepting this explanation we should wonder whether P.Petaus 1–2 could be the only case of birth returns kept in public archives we have preserved until today. Hence it might be possible that the procedure of inscribing births spread in some way to the non-privileged people and that we have this testimony due to one of these options. The only difference would lie in the nature of the documents that we have preserved.¹²⁵

We must recognize that the three hypotheses have difficulties in themselves, but they deserve to be developed and carefully weighed.

The first option is tempting, but in my opinion, lacks sufficient grounds. Taubenschlag – in a famous article published at the beginning of the fifties both in English and German¹²⁶ – believed he had discovered in the regulation of the *ius liberorum* some changes shortly before the *Constitutio Antoniniana*. He argued that both P.Hamb. 16 and P.Strasb. III 150, were filed by Egyptian women who apparently had the *ius liberorum* before the *Constitutio Antoniniana*, and who on these grounds acted without *tutor mulierum*. If this were true, we could deduce that P.Petaus 1–2 was a consequence of the reform in the birth registers and in the context of the *causae liberales* perhaps conducted by Marcus Aurelius (according to the not always reliable *Historia Augusta* [SHA IX 7]). Perhaps also behind these reforms is some relationship not only with a reform of the *ius liberorum*, but also with restructuring of the archives in that time.¹²⁷ This possibility is tempting because we know of some extension of the *ius liberorum* prior to AD 212. The *lex Malacitana* (FIRA I 24) and the *lex Irnitana* are clear examples of the extension of this right to peregrines,¹²⁸ but it is hard to imagine the *ius liberorum* in so

¹²⁵ They are possibly copies, or properly duplicates, in the case of privileged people. By this I mean the copies that privileged people needed and that they kept in order to fulfil the procedures related to their status. In the case of P.Petaus 1–2 it perhaps concerns an original kept in public archives, and, exceptionally, preserved.

¹²⁶ R. Taubenschlag “The Roman Authorities and the Local in Egypt before and after the *Constitutio Antoniniana*”, *JJP* 5 (1951) 121ff. (= “Die römischen Behörden und das Volksrecht” *SZ* 69 [1952] 102ff.). The author refers (109 n. 32) to an affirmation that he had ventured some years before in his classic study “Geschichte der Rezeption des römischen Privatrechts in Ägypten”, *Studi Bonfante* I, Rome 1930, 367ff., esp. 391 and n. 142, where he quotes P.Hamb. I 16, as the best example. vid. also, by the same author “Compétence du kurios dans le droit gréco-égyptien” *AHDO* 2 (1938) 296ff.

¹²⁷ F. Burkhalter, “Archives locales et centrales en Egypte romaine”, *Chiron* 20 (1990) 196ff.

¹²⁸ Mette-Dittmann, *Die Ehegesetze* (above n. 2) 147. In this case, the *ius liberorum* offered privileges in the political ambit (D. 4.4.2, Ulp. 19 *ad leg. Iul. et Pap.*).

different a context as the Egyptian *chora*. The lack of evidence tends to rule out this option.¹²⁹

The second option could be more likely since it is known that some privileged people (*metropolitai* or *cateci*) lived in the *chora*. Let us remind ourselves about the meaning of the term *laographoumenos*, which is defined by Wallace in a certain context (SPP IV 68ff.) as a person only partially liable to the poll tax. This definition depends – as I have emphasized¹³⁰ – on the contrast between ‘exempted’ and ‘partially subjected’. A person partially subjected is called *laographoumenos* within the limits of this comparison, or in other words, he is subjected compared to someone who is exempted. In fact, among the death returns – a procedure evidently related to the procedure we are studying and to the poll tax – we can see two cases where the term *laographoumenos* is used in this sense and this may confirm that we are dealing with privileged people living in villages. P.Merton I 9 (Casarico 2)¹³¹ l. 6, dated to AD 12 in Theadelphia, P.Iand. 31 (= Casarico 27) l. 6, dated to 96–117 and filed in Theadelphia too, and SPP XX 8 (= Casarico 45) ll. 7–8 dated in AD 153 in Karanis, mention the term *laographoumenos* meaning ‘partially liable’. These *laographoumenoi* were not only present in Ptolemais Euergetis, as Wallace stated, since there are also examples in the rest of the Arsinoite nome, and even in one case from Heracleopolis (P.Ross. Georg. II 11). The second editor, Casarico (3), adds other examples, one of them significantly filed in Ptolemais Hormou, P.Petaus 3 (Casarico 59) l. 8, dated in 184.

On these grounds it would be legitimate to deduce that, as Zucker points out,¹³² privileged people (*metropolitai* or even *cateci*) living in the villages – together with an official residence in the metropolis – retained their privileges even if they had Egyptian names.¹³³ This option offers a new context to imagine privileged people in the villages, but does not provide a strong reason to include our case. Furthermore, the declarants – as I have outlined above, unless the father was a soldier’s son – cannot prove their paternal lines, so it is hard to assume that they

¹²⁹ V. Arangio-Ruiz, “L’application du droit romain en Égypte, après la Constitution Antoninienne”, *Bulletin de l’Institut d’Égypte* 29 (1948) 83ff. = *Studi Epigrafici e Papirologici*, Naples 1974, 258ff.

¹³⁰ See above 102ff.

¹³¹ L. Casarico, *Il controllo della popolazione nell’Egitto romano. I. Le denunce di morte* (Corpora Papyrorum Graecarum II, 1.) Azzate 1985.

¹³² F. Zucker, “Betrachtungen zur Kopfsteuer im römischen Ägypten”, *APF* 16 (1958) 20ff. The context of some privileged people – originally of Greek origin – in the *chora* had been studied by this author in “ΤΥΜΝΑΣΙΑΡΧΟΣ ΚΩΜΗΣ”, *Aegyptus* 11 (1930) 485ff., where he develops an intuition of Schubart expressed in his edition of BGU VI 1216. In fact, the institution of the gymnasium in the villages of the Arsinoites and Heracleopolites seems to have survived up to the reign of Augustus (BGU IV 1189). F. Zucker (above 492) warns that this fact does not mean that the population was actually Greek in the ethnical sense. Zucker states so against Hombert & Préaux, *Recherches* [above n. 7] 128) who defended that no *catoeci* used to live in the villages.

¹³³ It is noteworthy that some of the *catoeci* quoted by this author have Egyptian names, cf. D. Canducci, “I 6475 cateci greci dell’Arsinoite”, *Aegyptus* 70 (1990) 211ff.

could give evidence of their privileged status. However, even bearing in mind this plausible context, the only possibility to include the declarants of P.Petaus 1–2 into the privileged orders is to imagine a case of concession, similar to SPP IV p. 76. It is an interesting case of one member of *cateci* who has no *cateci* among his ancestors (they were not registered as such in 54/55) and who derives his privileges from having achieved victory in the games (νικοτελείαις). In our case we do not have any evidence of this circumstance.

The third option is also related to the nature of the copies. We should bear in mind that documents related to privileged people are more likely to be retained by the declarants to be filed in a family archive. Perhaps we should consider the possibility that the birth returns might be widely extended. By this I mean that this procedure would be compulsory in some circumstances, perhaps some years before the new census (it is difficult to be more precise), as Montevecchi pointed out. In this case they would be used both by privileged and common people. If this possibility were correct, we would have exemplars filed by *metropolitai* only because they would order copies with the aim of proving their status in the corresponding procedures.

We do not have evidence of birth returns filed by non-privileged people, so it is difficult to prove that declaring births was a compulsory act. There is an important document that, to the best of my knowledge, has not been analysed in relation to this subject.¹³⁴ I refer to O.Brüss. Berl. 14, a formulary dated by Viereck in 38–9 or 42–3 AD, which can be considered as the oldest testimony of birth registrations in Roman Egypt. The text is as follows:

O.Brüss. Berl. 14

- 1 Σαραπίωνι βασιλ(ικῶ) γραμματεῖ Κοπ(τίτου) καὶ Περὶ Θ(ήβας)
παρὰ ὁ δῆ(να) τοῦ δῆ(νος) [α . .] τῶν
ἀπὸ Δ(ιδς πόλεως) τῆς μεγάλης ἀπογ(ράφομαι) εἰς τὸ γ (ἔτος)
τοὺς γεγενημένους μου παῖδ(ας)
- 5 μετὰ τὴν ἐπίκρισιν τοῦ κ (ἔτους) ὧν
ὁ δῆ(να) τοῦ δῆ(νος) ὡς (ἔτων) .
Σποκῆς κωμογρα(μματεύς).

2 γ. παρὰ τοῦ δεῖν(ος) τοῦ δεῖ(νος) 6 γ. ὁ δεῖν(α) τοῦ δεῖ(νος)

This is a document different in nature from what we have seen until now. It is simply a formulary probably drawn up with the aim of showing the way to declare a birth. The house-to-house census is designated by the term *epicrisis*, which

¹³⁴ Kruse, (*Der königliche Schreiber* [above n. 43] 173) is the only one, to the best of my knowledge, who directly tackles the problem. The text was edited by Viereck in 1928 and has been corrected by D. Hagedorn, “O.Brüss. Berl. 14”, *ZPE* 21 [1976] 167ff. and also by J. Bingen, *Au temps où on lisait grec en Égypte*, Brussels 1977, 25ff.

possibly alludes to the census of AD 33/4.¹³⁵ There is no explicit reference to privileged status but the declarants seem to be metropolitans. It is significant that the village scribe is mentioned in the last line of the document because it could indicate that it was a draft made to help someone to declare a birth. To sum up, this document makes one contribution to our knowledge, that the practice might have been more widespread than we can deduce from the documents filed by privileged people in the capitals of the nomes. Little more can be said, although there is sufficient evidence to demonstrate that census declarations were submitted during those years. We have some clues of its earlier development, but not direct evidence, and that is why we cannot recover the function of the birth returns at that precise moment.¹³⁶

A widespread use of the birth returns situates the problem at the level of how the copies were controlled. This hypothesis implies that perhaps in the case of P.Petaus 1–2 we have an original, i.e., the form filed by the declarant or a copy made by the administration. This would be an exceptional case, because the rest of the material we have tried to analyse is composed, as usual, of copies kept by private persons. Hombert and Préaux noted this fact, and had rightly distinguished between copies and duplicates, both types within the group denominated “not original declarations”.¹³⁷ By ‘copy’ they understood the declarations copied for private use and normally made subsequent to the originals; as ‘duplicates’ they meant the exemplars not provided with signatures normally contemporary to the originals. These could be filed by the declarant himself or elaborated for bureaucratic reasons by the officials. Perhaps some duplicates operated as receipts and others circulated among different officials, as I think was the case with birth returns. As Hombert and Préaux remind us, the problem of the duplicates and their meaning was raised to explain the six census declarations made by the same declarant and addressed to different addressees. There are many theories to explain this fact, but it seems that there is no general practice in Roman bureaucracy.¹³⁸ In my opinion we should take into account this situation if we want to understand the real meaning of our documentation.

¹³⁵ Montevocchi, “L’*epikrisis*” (above n. 5) 227ff. Bussi, “Selezione di elites” (above n. 12) 159ff.

¹³⁶ Bagnall & Frier, *The Demography* (above n. 7) 2.

¹³⁷ Hombert & Préaux, *Recherches* (above n. 7) 85.

¹³⁸ I refer to BGU I 224 and 410 (addressed to the strategos), P.Grenfell II 55 (to the royal scribe), BGU I 90 and 537 (to the village scribe) and BGU I 225 (to one of the *laographoi* of the village. These documents are dated in 161 in Socnopaiou Nesos. Hombert & Préaux, *Recherches* [above n. 7] 86ff.) mention the explanation by Wilcken, *Griechische Ostraka* [above n. 64] 441ff. According to Wilcken the declarant was forced to file two copies addressed to each addressee, but he could choose between mentioning the actual addressee or to name all of them: “Nach Analogie der dörflichen Eingaben möchte ich jetzt annehmen, dass jeder Deklarant an jede dieser Instanzen je zwei Exemplare einzureichen hatte, wobei es ihm überlassen war, ob er in der Adresse alle drei oder nur den, für den speziell das Exemplar bestimmt war, nennen wollte”. P. Meyer built two theories, one that considered the duplicate a receipt to the deponent (P.Meyer 5, a declaration of death) and another that considered these declarations as addressed to some subordinate officials

In the birth returns of Greco-Egyptians – in contrast to those of the Roman citizens, at least before P.Oxy. VI 984 or to be more accurate, before SB VI 9200 – we can see some remarks made by public officials. These remarks are as follows:¹³⁹

a) ὁ δεῖνα ... σεσημείωμαι

P.Warren 2, l. 16: Ἀπολλώνιος ἀμφοδ(άρχης) σε[σ]ημείωμαι; SPP XXII 38, l. 12: [ὁ δεῖνα κωμο]γρ(αμματεὺς) δι(ὰ) Ἴ[ο]υλ(ίου) γρ(αμματέως) σεση(μείωμαι); SPP XXII 37, ll. 13–15: Διογένης κ[ωμ(ογραμματοεὺς)] σε[σ]η(μείωμαι) τούτου τὸ ἴσον.

b) ἔσχον / ἀπέσχομεν τούτου τὸ ἴσον

SPP XXII 100, ll. 18–19: [. . .]ων κωμογρ(αμματεὺς) ἔσχον [τούτου] τὸ ἴσον; SPP XXII 18, ll. 15–17: Ὁρσενού[φισ καὶ οἱ λοιποὶ] | πρεσβ(ύτεροι) διὰ του --- | [ἀπέ]σχομεν τούτου [τὸ ἴσον?]; BGU I 28, ll. 21: Διογένης κωμογρ(αμματεὺς) ἔσχον τούτο(υ) τὸ ἴσ[ον].

c) κατεχωρίσθη γραμματεῦσι μητροπόλεως περὶ ἐπιγεννήσεως

P.Gen. I 33 (= P.Meyer Jur. 3), ll. 16–17. Obviously, the verb καταχωρίζω alludes to storage in the public archives.

There is no way of explaining the differences among these annotations made by the officials. Calderini, in his studies about the census returns, believed that some regularity could be discovered in the documents of the Fayyum, and he suggested possible differences between ἔσχον ἴσον and κατεχωρίσθη and between ἔσχον ἴσον and σεσημείωμαι, but eventually had to admit that the new findings demonstrated exactly the opposite.¹⁴⁰ Bagnall and Frier are very sceptical too about the possibility of the existence of controlled copies.

Bearing in mind the annotations by the officials in the birth returns, I do not think that P.Petaus 1–2 can be surely included among the copies for private use.¹⁴¹ In fact, P.Petaus 1 only has the date written by a second hand; that is the only mark by the officials (ll. 18–19). P.Petaus 2, on the other hand, presents the instruction from the royal scribe to the village scribe. It is plausible that the first aim of the birth returns was to update the lists of minors similar to those conducted by the *amphodarches* on SPP IV pp. 58ff. Significantly, these lists are

(P.Meyer 9, emancipation by a *paterfamilias*). Wallace (*Taxation* [above n. 9] 99ff.) thought that the first explanation by Meyer was right.

¹³⁹ Montevicchi, “Ricerche” (above n. 4) 6; Geraci, “Le dichiarazioni” (above n. 9) 704; Kruse, *Der königliche Schreiber* (above n. 43) 175. In my opinion P.Petaus 1 is not similar to P. Warren 2 or SPP XXII 38, as Geraci states, since only the date appears written by a second hand. Geraci however might be right in considering it as a characteristic of a copy handed to the declarer, but no direct evidence can be deduced to prove this assertion. It is also possible, but hard to demonstrate, that the date was added by an official on a copy to file. As for P.Corn. 18 ll. 30–31 is concerned, there is a mere firm of the official – πραγμ(ατευτῆς) Νουξεκις – which obviously does not fit the formula of the two aforementioned documents either.

¹⁴⁰ Hombert & Préaux, *Recherches* (above n. 7) 134) refer to A. Calderini, “Sei esemplari”, *Aegyptus* 3 (1922) 341ff.; “Nuove schede di censimento”, *Aegyptus* 12 (1932) 346ff.

¹⁴¹ Geraci, “Le dichiarazioni” (above n. 9) 704.

normally mentioned in the same documents, mostly but not always in the Oxyrhynchites. In this nome we find a reference to the list of minors in the formula: διὸ ἐπιδίδωμι τὸ ὑπόμνημα ἀξιῶν ταγῆναι αὐτὸν διὰ τῆς καταχωριζομένης ὑφ' ὑμῶν γραφῆς ἀφηλίκων ἐν τῇ τῶν ὀμηλίκων τάξει ὡς καθήκει. This can also be found in P.Oxy. XLVI 3295, P.Ups. Frid. 6, P.Oxy. XLIII 3137, P.Oxy. XLIV 3183, P.Oxy. LXV 4489 and there are analogies in P.Tebt. II 299 – only case filed in Arsinoe – PSI III 164, P.Cornell 18 and P.Oxy. XXXVIII 2855. These lists distinguished between privileged and unprivileged people, but the presence of the former group is particular to the Oxyrhynchites, where the *epicrisis* returns quoted one *graphe* of AD 4.

As for our problem, P.Petaus 1–2 might be an original in the sense of two copies filed by the declarant and in the hands of the administration or perhaps – more probably – two duplicates drawn up by officials. This is in fact unimportant. What is decisive is that we have – as Kruse has recognized – two declarations: the first addressed to the village scribe and the second to the royal scribe; this is very unusual. In the death declarations (to choose a term of suitable comparison) we have only one case like this and significantly it belongs to the same archive: P.Petaus 3–4 (= Casarico 59 a–b). Perhaps we have a document that in the villages might be more widespread than we thought, and of which, due to the hazard of archaeological discovery, we did not have any example: common people did not have any reason to keep a copy of their birth returns because they did not need them in any procedure to claim a privilege. That is why the only birth return filed by Egyptians is the only one that might be in the public archives or perhaps had some connection with them. Indirectly, those who belonged to the privileged status might have some interest in keeping a copy for future procedures to verify that status; and those are the cases we have preserved.