

## Child Labour and Taxes in the Agriculture of Roman Egypt: ΠΑΙΣ and ΑΦΗΛΙΞ\*

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In Greek and Roman Antiquity labour was extracted from children, not only from those of slave origin but also from the freeborn. Ancient authors mention child labour in the framework of the household in Greece and Rome as an expected and normal consequence of the family's economic position. This phenomenon was characteristic of poor families of free status, as Aristotle defined them in *Pol.* VI 1323a, 5: Τοῖς γὰρ ἀπόροις ἀνάγκη χρῆσθαι καὶ γυναιξὶ καὶ παισὶν ὥσπερ ἀκολούθοις διὰ τὴν ἀδουλίαν. This text suggests that children and women in the lower class may have had the same economic role as slaves. Child labour was a substitute for slave labour.<sup>1</sup>

Evidence for child labour in Greek and Roman authors is in general scarce and information usually indirect.<sup>2</sup> P. Brunt in his review of Westermann's book *The Slave Systems of Greek and Roman Antiquity* (JRS 48, 1958, 166), summed up everything that is known about this topic from Roman authors: 'Work could be extracted from children at ten (implied in CJ VI 43, 3, 1) or even five (Dig. 7, 7, 6, 1). There was a chance to train children, so that their value might double (ibid. 17, 1, 26, 8; cf. Nepos, *Att.* 13, 4); few would be as precious as the prodigious young *calculator* of ILS 7755. True,

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1 M. Golden, *Childhood in Classical Athens*, Baltimore — London, 1990, 33, remarking that children make economic contributions to their families in many cultures, in ways that vary greatly with regard to age, social status, gender roles and organisation of labour; and that anything except the most cautious use of comparative material is hazardous in the extreme.

2 In the huge modern bibliography concerning children and the family in Antiquity (see Jens-Uwe Krause, *Die Familie und weitere anthropologische Grundlagen, Bibliographie zur römischen Sozialgeschichte I*, 1992, *Kindheit/Jugend*, nos. 3366-3586, and the partly obsolete bibliography in M. Karras and J. Wiesenhöfer, *Kindheit und Jugend in der Antike, eine Bibliographie*, 1981, nos. 1-1270) only a few works deal with child labour. An exception is K. Bradley, 'Child Labour in the Roman World', *Historical Reflections / Réflexions historiques* 12, 1985, 311-30. The bulk of this article, expanded and republished as chapter 5 of his book *Discovering the Roman Family*, New York and Oxford, 1991, deals first with the education of upper-class children in Rome and then with apprenticeship documents. Especially useful is his table 5.1 on p. 107 of the book. Documents concerning apprenticeship have been analyzed by A. Zambon, 'Διδασκαλικαί', *Aegyptus*, 15, 1935, 3-60 and *Aegyptus*, 19, 1939, 100-2. This subject has also been studied by W.L. Westermann, 'Apprentice Contracts and the Apprentice System in Roman Egypt', *Class. Phil.*, 9, 1914, 295-315, and by J. Hermann, 'Vertragsinhalt und Rechtsnatur der Διδασκαλικαί', *JJP* 11/12, 1958, 119-35. Cf. also A. Ch. Johnson, *Roman Egypt*, ESAR IV, 332.

agricultural writers seldom mention child labour on the farm (but cf. Varro, *RR* II, 10, 1; Colum. 8, 2, 7; 11, 2, 44); yet we must surely assume it; women and children are attested in rural *familiae* (e.g. App., *BC* 1, 7, perhaps applying contemporary experience to the past; Petron. 53; Dig. 20, 1, 26, 2; 33, 7, 12, 7 and 27, 1); Columella encouraged his *ancillae* to bear children (1, 8, 19).<sup>3</sup>

This picture, based on the evidence taken primarily from literary and juristic sources, reflects only a part of the reality in Italy. In fact, Roman authors recommended employing children as shepherds, for work that did not require physical strength.<sup>3</sup> More significant is the phenomenon of child labour in agriculture, often outside the family, in the provinces. A child, like a slave, could be hired as an unskilled labourer in the fields. A further step in the exploitation of child labour was to give a child away to a creditor, in whose house he would live and be trained as a weaver, for instance, at the same time paying off the parents' debts. The evidence testifying to the use of the child in Roman Egypt both as unskilled labour in agriculture and as a means to pay back his parents' debts is to be found in papyrological sources.<sup>4</sup>

There are difficulties in using papyrological and epigraphic documents to examine the problem of child labour in agriculture. First, it is often impossible to know exactly whether the words *pais*, *paidarion*, *paidion* were used in their proper, normal meaning, denoting a child, or whether they referred to dependents or even slaves. There is an assumption that these words were used to indicate the status of dependents. Secondly, the age of these persons is seldom known. Both questions deserve a brief discussion.

There were different terms in Greek and in Latin denoting young people or minors of different ages, such as *παῖδες*, *παιδάρια*, *παιδιά*, *ἔφηβοι*, *νέοι* and *pueri*, *adolescentes* and *iuvenes*.<sup>5</sup> The general meaning of *παιδάριον* and *παιδιά* is minor, freeborn and slave. The term most frequently used for minors in papyrological documents in the

3 Varro *RR* II 10,1, quoting Cossinius: *Relicum enim in hoc actu quot et quod genus sint habendi pastores. Cossinius: Ad maiores pecudes aetate superiores, ad minores etiam pueros [ut] utrosque horum firmiores qui in callibus versentur quam eos qui in fundo cotidie ad villam redeant. Itaque in saltibus licet videre iuventutem, et eam bene armatam, cum in fundis non modo pueri sed etiam puellae pascant.* Columella, *De agric.* VIII 2,7 is more precise: *Parandi autem modus est ducentorum capitum, quae pastoris unius curam dispendant: dum tamen anus sedula vel puer adhibeatur custos vagantium, ne obsidiis hominum aut insidiarum animalium diripiantur.*

4 Some aspects of the use of child labour have been extensively discussed in modern works on children in general. Their use for work in the fields has been neglected, as has their role in working off the parents' debts. For a short review of the subject see Bradley, (above, n. 2); Th. Wiedemann, *Adults and Children in the Roman Empire*, Yale-New Haven-London, 1989, chapter V, 'Learning for Adult Life', 143-75. Cf. also the recent article by Beryl Rawson, 'Representations of Roman Children and Childhood', *Antichthon*, 31, 1997, 74-95. For child labour in agriculture in the Greek world see for instance M. Golden's conclusion, based also on some pictorial representations, (above, n. 1), p. 35: 'The agricultural labor of children — clearing stones from fields, breaking up clods of earth, tending animals — therefore carries an extra weight in any evaluation of their contribution to the family as an economic unit'.

5 Cf. M. Kleijwogt, *Ancient Youth: the Ambiguity of Youth and the Absence of Adolescence in Greco-Roman Society*, Amsterdam, 1994, 88.

context of agriculture is *παῖς*; the word ἀφῆλιξ, which denotes minors in some apprenticeship documents, appears also in texts relating to agriculture, but rarely.<sup>6</sup> The meanings of the two words, *pais* and *aphelix*, need not have been different.

*Pais* is a word with a wide range of meanings, as can be seen from the studies devoted to this problem.<sup>7</sup> The main difficulty in discussing *pais*, *paidarion* and similar terms arises from the supposition that they designated a social status. The term was used to denote a child or one's own child (son or daughter), but, like *paidarion*, it could also mean a dependent or slave. Moreover, in documents relating to agricultural work, it is not always possible to distinguish whether *pais*, *paidion* and *paidarion* designate a slave or a freeborn boy. D. Rathbone devoted some attention to the problem of the word *paidarion* in reference to status in his book *Economic Rationalism and Rural Society in Third Century A.D. Egypt*. In Table 5, p. 90, he lists the *paidaria* employed on the estate of Appianus. In discussing the problem (on p. 91) he admits, on the other hand, the ambiguity of this term and concludes: "The evidence for Sarapammon's family, however, shows that the *paidaria*, even if dependants of the Appianus estate, were not chattel slaves. Probably 'servant' is the best English translation, though the Italian 'garzone' is closer. A tentative explanation for the name is that they might have been abandoned infants, raised but not enslaved by the estate;" and again, in footnote 2 on the same page: 'The only clear use in the Heroninos archive of *paidia* in the sense of "offspring" is in P.Prag. Inv. IIIb. *Paidia* is probably used in the ordinary sense of "children", employed as casual labourers, in *Text* I recto. 67; I verso. 200; 2,64; *P.Flor.* 100.48; *P.Prag.Varcl* II 4.75.' If *paidarion* were to be taken in the ordinary sense of 'slave', this would raise problems because some of the listed persons received a salary, like the juridically free staff at Theadelphia (one of the estates of Appianus).

It is not easy to distinguish the status of a *pais* if it is not explicitly clarified. The words *pais*, *paidarion*, *aphelix* and the like in themselves do not indicate the status of a person. Indications such as having only one name cannot be taken as proof of social status. Apparently, for child labour, the status of children was less important because both poor families and slaves of the *familia* may have had the same economic position. For the Roman authority, on the other hand, only the fiscal aspect was important and thus we find only the number of those who were not in the tax lists under their own name; it was not even necessary to mention the personal names of people in categories like *coloni*, as can be seen from later Roman documents. However, it could be argued that the question of social status is not that important for the problem posed in this paper, since the real positions of children (*paides*) and slaves (*paidaria*) employed in agriculture and elsewhere were the same. Free boys, like slaves, belonged to the category of people who could be used as unskilled labour, helping in the fields, weeding, cutting reeds, gleaning and doing similar agricultural tasks.

It is difficult to define the age of *paides* whose labour was exploited in agriculture and cattle-breeding, and the same is true of those with other occupations — for instance, in trades. The age of those designated as *paides*, regardless of their status, is seldom given precisely in the documents relating to the work they did. Among the rare

6 See for instance D. Rathbone, *Economic Rationalism and Rural Society in Third-Century A.D. Egypt*, Cambridge, 1992, pp. 429-30 and Table 12.

7 See M. Golden, 'Pais, "child" and "slave"', *Ant. Class.* 54, 1985, 91-104.

exceptions is the inscription of a five-year old shepherd on the funeral monument TAM V/1, 317, dated 114/115 A.D. There is no clear information in legal texts concerning the age below which child labour was prohibited. The text in Dig. VII 7, 6, 1, can be used only as indicating the age of five years for slaves as the age below which *nulla opera esse apud dominum*; in CJ VI 43, 3, 1, ten years for slaves and *ancillae* is the age limit in *aestimatio*: *in servis quidem et ancillis maioribus decem annis, si sine arte sint, viginti solidis aestimandis, minoribus videlicet decem annis non amplius quam decem solidis computandis*. Ten years could have been the age at which the freeborn were able to start working as agricultural labourers in the Mediterranean world, as is suggested by Plato in Resp. VII 540e-541: in order to raise children for his ideal state, he recommends sending everybody over ten years old to the fields, removing the children from their parents' custody and giving them an appropriate upbringing. The only known fact of importance for the Roman state was the age limit when the freeborn became liable to pay taxes. The fiscal aspect and the tax liability of landlord or parents highlight the importance of the question of the age of children employed in agriculture.

The calculation of the age of a *pais* based on indirect indications can only be tentative. In terms of biological age, a child between 7 and 14 years could have been defined as a *pais*.<sup>8</sup> The evidence referring to winners in sports games indicates the subdivision of minors, albeit without mentioning exact ages. Minors were divided into παῖδες τῆς πρώτης ἡλικίας, τῆς δευτέρας ἡλικίας and τῆς τρίτης ἡλικίας (Syll.<sup>3</sup> 667, lines 75 ff.).<sup>9</sup> Even in this case, the precise age of a particular group is not known. Probably the division was not based on age alone, but on the minor's physical strength and stature.<sup>10</sup>

Another term used for minors in documents concerning agriculture, as well as in those concerning guardianship, is ἀφήλιξ. It appears as synonymous with the word *pais*. *Aphelix* appears in the monthly accounts of Heroninos on Appianos' estate.<sup>11</sup> In some texts both *pais* and *aphelix* are used together, the latter as an adjective explaining the former, which does not mean someone who is not yet an adult, but a proper child.<sup>12</sup>

Ἀφήλιξ might represent an official term for minors in the documents concerning taxability or guardianship. The age of ἀφήλικες was recorded in census records.<sup>13</sup> In some documents they are described as those below legal age (that is, below ἔννομος

8 J.-C. Couvenhes, 'Le stratège Derkylos fils d'Autoclès d'Hagnous et l'éducation des *paides* à Eleusis', *Cahiers du Centre Gustave Glotz* 10, 1998, 60, quoting (n. 69), among others, from the Corpus Hippocraticum.

9 IG II-III<sup>2</sup> 956. See P. Frisch, 'Die Klassifikation der παῖδες bei den griechischen Autoren', *ZPE* 75, 1988, 179-85. The subdivision was based, in his opinion, not on the age, but on the physical strength of the child.

10 About this cf. August Hug, 'Παῖδες', *RE Suppl.* VIII, 1956, 374 ff. and 385.

11 See Rathbone (n. 6 above), pp. 428-30: λύοντες δράγμ(ατα) ἐργ(άται) αφ( ) ιε ἐκ (δρ.) β (δρ.) λ-| χορτηγοῦντες ὄνοι Ἀπολ(λ?) αφ( ) ιε- καὶ ἄλλοι ὄνοι Κάσ(τορος) αφ( ) δ- In table 12, pp. 156-8, entitled 'Wages for unskilled labour', he enumerates among others, children (*paidia*), a youth (*neoteros*) and youngsters (*aphelikes*).

12 See for instance P.Oxy. 1647, l. 10 denoting the same person: ἀφήλικα δούλην and l. 37 τὴν παῖδα.

13 As for instance in M. Hombert and C. Préaux, *Recherches sur le recensement dans l'Égypte romaine*, Leiden, 1952, 15; see further below, n. 34.

ήλικία, νόμιμα ἔτη, or similar expressions).<sup>14</sup> Here, too, we encounter difficulties in determining age. The term *ennomos helikia* could designate biological maturity, which means a person of 14 or more, or even young people below 25. Both uses relate to taxes and the legal domain. If the term *pais* is connected with liability for *laographia*, *aphelix* refers to legal maturity: the latter could be a person dependent on his/her father or under guardianship. The difference in the meaning of *pais* and *aphelix* may lie in this context: the former was a child below the age liable to *laographia*, and the latter a boy or young man still dependent on his father or guardian, which means that he was not personally liable for taxation.

It is necessary in each case to ascertain whether the word refers to a child or a slave. The texts discussed below show that there is no reason to interpret the terms *pais*, *paidarion*, *paidion* as determining status. *Pais* and *aphelix*, like other similar terms, were probably used in texts to do with farming in their fundamental meaning: minors who were not liable for taxation.

### **The use of child labour on a large scale in agriculture: P.Lond. 131 and P.Fay. 102.**

The employment of children on a large scale in the fields is documented in the lists of the workers used on the big estates in Roman Egypt. Two of these are especially valuable for evaluating child labour, P.Lond. 131 and P.Fay. 102, the former enumerating tasks and wages on the estate of Epimachus, who owned an estate in the nome of Hermopolis in A.D. 78-9, the latter dealing with the wages paid on different days for farmwork on the land owned by Gemellus at Apias, Dionysias, and Senthis, in A.D. 105.

These two texts, chosen to demonstrate child labour on farms, give us the opportunity to compare types of farmwork and the wages of different categories of the labour force, adults or *ergatai* on the one hand, and children or *paides* on the other. Two arguments speak in favor of the assumption that the words *paides* and *paidaria* in these documents refer to freeborn minors, and not slaves: first, they were paid for their labour and their wages were less than those of the *ergatai*; secondly, they were employed for less important tasks, in keeping with a child's strength, and not heavy labour.

P.Lond. 131 is the longest text recording data on hired labour, including that of *paides*. It consists of farm accounts that a bailiff named Didymus son of Aspasius prepared for his employer, Epimachus son of Polydeuces, who owned an estate in the nome of Hermopolis in the tenth and eleventh years of the reign of Vespasian. The accounts are arranged by month beginning with the month of Thouth, which corresponds roughly to September. In her study of this text, Anna Świderek distinguishes three categories of employees on the estate: (1) anonymous workers with their daily wages; (2) a limited number of workers cited by name, often including their father's name, whose daily wage is not mentioned in the accounts; (3) anonymous *ergatai*, whose daily wage is also not mentioned in the accounts.<sup>15</sup> Children (*paides*) appear in the first group. The

14 For this see R. Taubenschlag, "Ἐννομος ἡλικία nel diritto dei papiri", *Aegyptus* 12, 1932, 141-44. Cf. A. Berger, *RE* XV, 1932, s.v. 'Minores', 1862 ff.

15 A. Świderek, *La propriété foncière privée dans l'Égypte de Vespasien et sa technique agricole d'après P.Lond 131 recto*, Wrocław 1960, 100. See also I. Biezuńska-Małowist *L'esclavage dans l'Égypte gréco-romaine II: période romaine*, Wrocław-Warsawa, 1977, 76 ff.

only one with a name is a boy sent to Ibiou Panase to convey a letter to Hernion for his son who was at Koptos (l. 218). The difference between adult men and children employed in agriculture is evident not only in wages, but also in the type of tasks that were done. A variety of tasks were undertaken by *paides* according to this text: they tended asses in the fields, lines 30 and 35 — in the latter case, they were probably the children of the *onelates* who was hired together with his own animals;<sup>16</sup> they had to break up clods of earth, to weed fields, to pull out or cut reeds, or pick rushes, to prepare and transport manure into the fields, to cut down and strip palm-branches, to sweep up and collect fallen leaves, to prepare the vines before they were pruned by the vinegrowers. Boys were employed in threshing, but not often (only twice).

The list of agricultural operations performed by *paides* recorded in this document, however long, includes few of those performed by adults. Children were not employed in irrigation works, in sowing, in digging and repairing channels. They were exempt from work that required physical strength or skill. Only adult workers did work on irrigation and on the machines for watering, only they sowed, and only they harvested.

In the agricultural tasks enumerated in P.Lond. 131 children (παῖδες) were divided into groups of three to ten, and were employed in weeding and in other work, or, individually, in preparing vines before the adult men pruned them; in this latter task they often appeared independently or together with an adult and under his supervision. The adults in question were a certain Ambryon, a gardener mentioned many times with a group of *paides*, with six, seven, nine and ten children, and Phibis, the vinegrower, together with Horus.<sup>17</sup>

The number of *paides* employed on the estate of Epimachus in P.Lond. 131 is impressive: altogether, 197 are mentioned in the preserved part of the text. An even higher number of *paides* appears in a list of wages paid on different days for agricultural labour in P.Fay. 102 from 105 A.D.<sup>18</sup>

In P.Fay. 102, both men and boys were commonly employed in the operation called τινάσσειν, 'shaking'. As the number of bushels collected is recorded after each total of daily wages paid (σφυρίδες), it seems reasonable to suppose that they had been engaged in threshing wheat. Wages are also paid to boys who work as διαλέγοντες πτώμα (gleaning?) and to girls who winnow (παρθένοι λικνίζουσαι). There are three categories of manpower in the list in this document: men (ἐργάται), young men (νεώτεροι) and boys (παῖδες). There are in P.Fay. 102 two groups of *paides*: παῖδες and ἄλλοι) παῖδες. The reading ἄλλοι) could be changed to ἀλλότριον), *externi*. If we assume that the second group were ἀλλότριον), i.e. *externi*, παῖδες in the first group might mean those registered in the village under the name of their parents in the ἀπολογισμοὶ τῶν ἀφηλίκων. Some of them could have been the children of the employers and *ergatai* of

16 Lines 34-5: Παῶτος ὀνηλ(άτου) τ(ίμης) / ( = τρεῖς ἡμισυ) ἀκολουθ(ούσι) τοῖς αὐτοῖς ὄνοις παῖδ(ες) β'.

17 For instance lines 40-1: Ὀρο(ς) Ὀρο(υ) καὶ Φῖβ(ις) βοτανίζ(ουσιν) ἐν τῷ χωρίῳ Ἀμβρύου(ν) καὶ παῖδες σ' τ(ίμης)... etc. and further, lines 42-3, ἀντλ(ούσιν) ὁμοίω(ς) Ὀρο(ς) καὶ Ἐπίμαχο(ς) καὶ Φῖβ(ις) ἄλλο(ς) α' ἀντὶ Ἀμβρύου(ν) βοτανίζου(ν) μετὰ τῶν παῖδ(ων) ἐπασφαλ(ίζουσι) τὸ χῶμα Ἰνδίου(ν) (ἀρουρῶν) β'.

18 This text is mentioned briefly by Th. Wiedemann (above, n. 4), 155, together with P.Fay. 91 and quotations from Christian literature, e.g. the apocryphal Gospel of Pseudo-Matthew 13.

the estate, others might have come from neighboring villages or from the towns. As is clear from a letter of recommendation published by L. Varcl in 1952,<sup>19</sup> there was a tendency to employ the children of people working on the estate. We may note that the children of Ponticus in this letter were not unknown to the estate: Πολλάκις σοι ἐνετειλάμην περὶ τῶν παιδῶν Ποντικῶ, τοῦ ἐν παρακαταθήκην (*sic*) ἔχειν, οὐ γὰρ εἰσιν τῆς οἰκίας ἀλλότριοι, ὡς καὶ σὺ ἐπίστασε (*sic*) – ‘I told you many times they are not unknown to the house, as you know.’ There is reason to believe that there was a difference between *paides* registered in the *apologismoi aphelikoi* in the village and those from elsewhere. For the former, parents were responsible for taxes.

The proportion of the groups in P.Fay. 102 is worth noting. On most days, the group of *paides* was predominant. The proportion is 18 *ergatai* : 12 *neoteroi* : 11 *paides* + 28 *alloi* or *allotrioi paides* on the first day; 21 *ergatai*: 13 *neoteroi*: 15 *paides* + 44 *all. paides* on the second; 8 *ergatai* + 1 *allos ergates*: 52 *paides* on the third; 4 *ergatai*: 1 *pais*: 7 *all. paides* on the fourth; 16 *ergatai*: 2 *all. neoteroi ergatai*: 1 *pais* + 20 *all. paides* on the fifth day; 15 *ergatai*: 1 *all. neoteris ergates*: 1 *pais* + 22 *all. paides* on the sixth day; 2 *ergatai*: 1 *pais* + 7 *all. paides* on the seventh; and 20 *paides*: 20 *διαλέγοντες πτώμα* + 15 *all. paides* on the eighth day.

Wages for *paides* on the list in P.Lond. 131 were not always the same. There was a diversified, rational system of payment. Wages depended on the season, the kind of work performed, the duration (until evening, in l. 334), on the area of land worked (four arourae in the Indius' estate, l. 441) and even on personal ability. *Paides* were most often paid 2 to 2.5 obols; in the months Hathyr and Tybi, when there was much work to be done, they got as much as 3 obols.<sup>20</sup> The wage of 4 obols, recorded in l. 263, for two boys, for manuring, is exceptional. The difference in ability must have been the reason for the difference in pay in lines 300 f., in the case of three boys who, although performing the same operation, were not paid equally. Two were given 4, one was given 3 obols; and in l. 444, 7 out of 9 boys were paid 2.5, and the other two, 2 obols a day. Children were employed to take care of a donkey, for a wage of 2.5 obols (for the same duty two workmen were paid 3 obols apiece), lines 29, 35, 52-5, and 3 obols, line 340; and in manuring for 4 obols, line 263. For weeding fields, the wage was mostly 2.5 obols (lines 41, 59, 62, 72, 76, 78, 85, 432, 440, 441, 443, 444), in some cases 3 obols (lines 341, 476, in line 334 for those who worked until the evening); the wage of 2 obols for weeding is recorded for three boys in line 374; for pulling out reeds in lines 391 and 397; for cutting down and stripping palm-branches, and for sweeping up the fallen leaves and carrying them off, in lines 385, 394, 400, 404, 412, 419, 481, 486. The same job paid 2.5 obols in lines 386, 425, 429. The wage for digging was 3 obols (lines 274, 280, 282, 300, 314). The salary paid to an adult for the same work was 5 obols. For preparing vines for pruning, the wage was usually 3 obols, lines 375, 379, 389, 386, 393, 399, 403, 411, 435; just once only 1 obol, l. 38; and twice it was 4 obols, lines 424, 428.

The rate of wages paid in P.Fay. 102 for men was 6, for young men 5, and for boys 4, for ‘other (or external) boys’ 3.5, 3, 2.5, 2 obols and even 1 obol, similar to those in 78-9 A.D. in P.Lond. 131. A higher rate of 7 or 8 obols for a man seems to have been paid in

19 P.Varcl. Gr I l Hb (= SB 9466). L. Varcl, ‘Pismo pro rebjata Pontika - iz korrespondencii Geronejna’ (in Russian), *Archiv orientální* 20, 3-4, 1952, 424-7.

20 Świderek (above, n. 15), 100-1.

connection with loads (γόμος) and sheaves (δράγμα) of wheat and barley. A significant increase of wages is recorded in the documents from Appianus' estate in the 50s of the third century.<sup>21</sup> *Paides* were also employed in the fields near Hermopolis Magna, as the Archive of Sarapion<sup>22</sup> testifies for the period from 90 to 133 A.D., but the wages are known only in exceptional cases.<sup>23</sup>

In P.Fay. 102, wages were paid to girls for the task of winnowing (παρθένοι λικνίζουσαι). This is a unique testimony referring to girls working outside the home.<sup>24</sup>

There are other papyri testifying to the employment of children in the fields. Rathbone, for instance, lists among the people paid for unskilled labour four children (*paidia*) with the wage of one drachma and five obols for helping at harvest time,<sup>25</sup> two youths (*neoteroi*) for reaping hay (*lachanos*),<sup>26</sup> and youngsters (*aphelikes*) for untying sheaves.<sup>27</sup> Child labour is also recorded in the documents of the Sarapion archive<sup>28</sup> and other papyri. The practice of child labour also occurred in Egypt before Roman imperial times. Children mentioned in a document joined to P.Tebt. 108<sup>29</sup> were employed as waterers.<sup>30</sup> A wage for children is recorded in P.Tebt. 209, probably dating from the time of Ptolemy XII Auletes ('Neos Dionysos'), around 76 B.C.

The wages received by children for farmwork were modest when compared with those given to boys for labour performed during their apprenticeship. For instance in P.Oxy. 2586, dated A.D. 253, a minor was paid two obols a day only during the first six months, whereas he would receive six obols a day in the second year, and ten obols a day in the following year, two drachmae in the next, and in the final year 2 drachmae 4 obols a day.

To conclude:

1. Child labour was exploited in the fields of Roman Egypt, but the children were paid for their work.

2. The fact that *paides* as well as *aphelikes* were employed to perform certain types of farmwork that did not require any particular physical strength or special ability

<sup>21</sup> Rathbone (n. 6 above), p. 108.

<sup>22</sup> Ed. J. Schwarz, *Les archives de Sarapion et ses fils. Une exploitation agricole aux environs d'Hermoupolis Magna (de 90 à 133 P.C.)*, Cairo 1961.

<sup>23</sup> For instance No. 65, lines 7-9: Μεσορή γ' Ἀχιλλεῖ παιδ(ι) (δραχμαί) . / τῶι (αὐτῶ) ἄλλας (δραχμαῖς) . / προσθ( ) δημοσίω(ν) (δραχμαί) ρ.

<sup>24</sup> Roman literary evidence offers some examples of the use of girls as shepherds, for instance Ovid, *Fasti*, IV 511.

<sup>25</sup> Rathbone (n. 6 above), Table 12, p. 156, citing his Text I (of which the recto = P.Prag.Varcl II 3 and 10 = SB 9408,2 and 9409,7, and the verso = P.Varcl II 3 and II 17 = SB 9410,7) recto 67 and verso 200, 203; P.Varcl II 4.74 (= SB 9409); and perhaps id. 8.17.

<sup>26</sup> Cited by Rathbone, *ibid.*, from P.Flor. 321.49-50 and P.Varcl II 16.6.

<sup>27</sup> Cited by Rathbone, *ibid.*, from his Text I recto 62, although in Text I itself, on page 428, he left the abbreviation αφ( ) open.

<sup>28</sup> Schwarz (n. 22 above), lines 65, 68 and 84.

<sup>29</sup> P.Tebt 108 itself is from 93 or 60 B.C., but the editors do not discuss the dating of the other documents joined to it.

<sup>30</sup> P.Tebt. I, p. 467: καὶ ἐν τῷ Ὀπλοημου( ) ἐπαρδευ(ταῖς) β ἀπό κ ἔως λ ἡμερῶ(ν) ια παῖδ(ες) κβ ἀνά ξ, / Ἀτκ.



suggests that they really were minors. The lower wages recorded for them, as compared to adults, in P.Lond. 131, and for *neoteroi* in P.Fay. 102, point to the same conclusion.

3. The use of the qualification *pais*, *aphelix* or similar terms in the lists of farmworkers was important for fiscal reasons: minors were not obliged to pay poll tax or did not pay it themselves. *Paides* and similar terms in the lists of workers on the big estates had significance only as designating persons who were under age for whom the landowner was not required to pay taxes.

### **Nomime helikia and taxation**

*Nomime helikia* must have been connected with tax liability.

If we assume that both *pais* and *aphelix* referred to minors, discussion of *nomime helikia*, linked often with the term *aphelix*, could help in determining the age limit distinguishing minors from adults. The term νομίμη ηλικία as has been suggested,<sup>31</sup> would apply to the age of fourteen. This qualification was important, above all, for fiscal purposes. There are, however, some difficulties in discussing the tax liability of *aphelikes*. The generally accepted view is that no evidence has ever appeared that *aphelikes* were subject to λαογραφία and that the entire tax structure of Roman Egypt contradicted such a concept.<sup>32</sup> There is evidence confirming this opinion, for instance BGU XI 2087, col. II lines 4-7 (I cent. A.D.): υ[ι]δ[ος] Πασοκνοπαίς Θέωνος ἀφῆλιξ μήπω τε[ρ]λ[ω]ν τ[ὸ] τέλεσμα λαογραφία[ς], ἀναγεγραμμένος δὲ διὰ τοῦ εἰκονισμοῦ ἐπὶ κ[ώ]μης Βακχιάδος. The formulation used to describe an *aphelix*, as μήπω καταλέξας εἰς λαογραφίαν, BGU 1068 lines 7-8, or ἐαυτὴν νεωτέραν τῶν νομίμων ἐτῶν, ἐν ἀφηλικῶν ἀξιοῖ τῇ τάξει γενέσθαι, P.Oxy. 2111 (ca. A.D. 135), lines 16-17, indicates that the child was still not of an age to be registered in the tax records personally. In the procedure known as the κατ' οἰκίαν ἀπογραφὴν, *aphelikes* appear in the census rolls together with their parents.<sup>33</sup> There were separate lists of minors, ἀπολογισμοὶ ἀφηλικῶν, as future taxpayers,<sup>34</sup> as is clear from P.Mich. 603.5-10: ἐπεὶ συνεθέμεθα ὑμῖν χωρὶς τῆς κατ' οἰκίαν ἀπογραφῆς συνθεῖναι μόνα ἀντίγραφα λαογραφιῶν [κ]ατ' ἄνδρα καὶ λόγους κατοίκων καὶ ἀπολογισμοὺς ἀφηλικῶν καὶ ἐκτὸς συνόψεως — *Whereas we agree with you, apart from the house-by-house registration, to draw up single copies of the population lists arranged person-by-person, lists of catoeci and lists of minors and those excluded from the tax estimate.* We should assume that this referred to persons below the age of 14, not yet of the age when they would be required to pay taxes personally. However, the suggestion that ἀφῆλιξ designated minors

31 A. Zambon (above, n. 2); I. Biezuńska-Małowist, 'Les enfants-esclaves à la lumière des papyrus', in J. Biebauw (ed.) *Hommages à Marcel Renard II* (Coll. Latomus 102), Brussels, 1969, 92, see also n. 25.

32 G. Browne, *P.Mich. 577*, pp. 1-2. See Sherman LeRoy Wallace, *Taxation in Egypt from Augustus to Diocletian* (Princeton, 1938), 400 n. 55.

33 See Hombert and Préaux (above, n. 13), p. 15; P.Brux. Inv. E 7616, lines 19-22: Σαραπάμμων ὁ ἐξ ἀμφοτ(έρων) υἱὸς ἀφῆλιξ (ἐτῶν) 5 ἄσημ(ος) etc. See also p. 117.

34 Cf. for instance BGU 971, lines 6-7: [ἀπογραφῆ ἐπ' ἀμφόδου ...] ... ἐπὶ τοῦ προκειμένου ἀμφόδου) Ἐρμο[υθιακῆς καὶ ἀπεγρα(ψάμεθα) τοὺς ἐπικρινομένους ἡμῶν] υἱὸς δύο Ἀπολιγράριον καὶ Ἀμμώμιον. Cf. also many other examples, like BGU 2087 and P.Oxy. 2111, quoted directly above.

under fourteen who were not obliged to pay taxes cannot be generalized. There is, though, evidence that speaks of *aphelikes* paying *laographia*:

1. There is an ostrakon, Wilcken, *Ostraka*, II, 52 of A.D. 98, relating to an *aphelix* paying 8 drachmae into an account (ἐπὶ λόγου) for *laographia*.<sup>35</sup>

2. Further evidence is in P.Mich. 577, dating from the time of Claudius or Nero: the writer of the letter asks the recipient to exact the payment of poll tax from ἀφήλικες who are in arrears. Browne in his edition cites other examples of this kind, such as P.Col. II,1, recto 2, ii.33; v.13, 20, 22; viii.24, giving the same explanation that the taxpayer involved had just been inserted in this tax list from the register of *aphelikes*. The reference to him as *aphelix* would show that he had just been removed from the list of ἀφήλικες and transferred to the poll-tax register, as suggested by the editor. He admits the contradiction with ἔτων τόσων, a phrase which implies variation in the length of the period of indebtedness, but he solves it by associating η Λ ἔτους with παραγεγραμμένων, i.e., 'registered for debt in the eighth year'.<sup>36</sup>

This interpretation might be accepted as possible; however, there remains the difficulty that in spite of possible registration in the list of taxpayers, they were called *aphelikes*, P.Mich. 577, lines 3-6: ἀφελίκων παραγεγραμμένων πρὸς <τὰ> ἔτη η (ἔτους) λαογραφίας ἔτων τόσων δραχμαὶ αἶδε — 'For the poll-tax on *aphelikes* registered in virtue of their majority in the registers of year 8, for x years, x drachmas'.

It appears that this and similar cases can be explained in another way, by supposing either that taxes on *aphelikes* were paid indirectly, by parents or a guardian, or that the term ἀφήλιξ could also denote a young man who was older than fourteen but legally dependent, which means that he was under *patria potestas* or under *tutela*. In apprenticeship contracts, the weaver tax for *paides* or *aphelikes* was usually paid by parents (for instance P.Oxy. 275 or P.Tebt. 385). In a contract of apprenticeship (P.Tebt. 384) it was agreed that not only were the weaver taxes to be paid by the mother of the apprentice, but the *laographia* as well. That means that δημοσία, mentioned many times in apprenticeship contracts, comprised different taxes, including *laographia*.<sup>37</sup> In this case, the apprentice was also described as one οὐδέπω ὦν τῶν ἔτων.<sup>38</sup> The supposition that *aphelikes* could mean persons under *tutela* might be supported by P.Oxy. 2111, from about 135 A.D., in which the νομίμη ἡλικία was linked with the *lex Laetoria*, regulating the relationship of minors and their guardian.<sup>39</sup> This was a woman who claimed relief from taxation under the *Lex Laetoria* (which protected minors of both sexes below the age of twenty-five years) because she was younger than prescribed by law: ἑαυτὴν νεωτέρα τῶν νομίμων ἔτων, ἐν ἀφελίκων ἀξιοῖ τῇ τάξει γενέσθαι.

35 Wallace (above, n. 32), 400 n. 55 wonders about his having made a payment at the time when he could still be designed as ἀφήλιξ. Browne's observation (P.Mich. 577, n. 6) that the reading is not certain does not solve the problem.

36 P.Mich. 577, p. 2

37 K. Bradley (above, n. 2) focused in his studies of apprenticeship documents from Egypt on the preparation of children, both freeborn and slave, for future life.

38 P.Oxy. 275, lines 8-9: οὐδέπω ὄντα τῶν ἔτων, and because of that his father is obliged to pay taxes for him, ὑπὸ τοῦ πατρὸς Τρύφωνος πρὸς ὃν καὶ εἶναι τὰ δημοσία πάντα τοῦ παιδός, lines 15-7.

39 M. Kaser, *Das römische Privatrecht* I<sup>2</sup>, Munich, 1971, 276-7.

This would be but a tentative solution to the problem. One might suggest that taxes had to be paid for *aphelikes*, both slaves and free born, as well, but that it was the father, mother or guardian who was under the obligation to pay them. That means that in the documents the term *aphelix* could be used to denote not only minors below fourteen, but also young people below 25 years who were in some way dependent on parents or under guardianship and whose *laographia* payment was therefore incumbent not upon themselves, but upon the persons on whom they were dependent. Their age was important only for fiscal purposes; however, it was not important to know their specific age, but the category or group to which one belonged, in this case the group of those below fourteen, or not personally liable for taxes.

In conclusion, one may suggest that *aphelikes* could even be older than 14, but still below 25, and still dependent on their father or under guardianship. *Paidēs* could be boys under 14, *aphelikes* below 25. The latter were perhaps obliged to pay taxes, not personally, but through their father or guardian. That means they could not conclude work contracts or be employed in the fields on their own account.

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