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FATHERLESS AMONG ΟΙ ΑΠΟ ΤΗΣ ΜΗΤΡΟΠΟΛΕΩΣ – A REVISION

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FATHERLESS AMONG ΟΙ ΑΠΟ ΤΗΣ ΜΗΤΡΟΠΟΛΕΩΣ – A REVISION*

In *ZPE* 194 (2015), Yanne Broux published an article ‘Re: Apatores’ in which she claimed that: 1. ἀπάτορες are not attested among οἱ ἀπὸ τῆς μητροπόλεως (and ἀπὸ τοῦ γυμνασίου) in papyri; 2. ἀπάτορες could not be admitted to the metropolite (and gymnasial) order.¹ The aim of this article is to provide examples of papyri attesting the presence of ἀπάτορες among οἱ ἀπὸ τῆς μητροπόλεως, and to prove that admission to the metropolite order depended on maternal status in the case of those who were considered technically fatherless (*sine patre filii*).

As Peter van Minnen has observed, metropolite status was created by the Romans at the beginning of the Roman rule in Egypt; it was further restricted during the reign of Vespasian (AD 72/73) so that payers of full λαογραφία could not obtain a partial exemption from taxes by marrying μητροπολίται.² The rules governing the metropolite order differed from those applied to οἱ ἀπὸ τοῦ γυμνασίου, as they were based on Roman, not Greek social practice (and law): freedmen of μητροπολίται could register both themselves and their children as μητροπολίται, although the children of couples of mixed civic (or rather fiscal) status were not admitted to the order.³ This opinion was followed by Yanne Broux;⁴ however she noticed an inconsistency in the Roman law regulating the status of *sine patre filii* and the fatherless children of female μητροπολίται. She rightly pointed out that in Roman law a fatherless, *incerto patre*, child born to a Roman mother followed her status and became Roman itself, but also claimed that the fatherless were denied the admission to metropolite status. Broux even suggested that the rules of admission to οἱ ἀπὸ τῆς μητροπόλεως and ἀπὸ τοῦ γυμνασίου were the reason the labels ἀπάτωρ and χρηματίζων μητρός had been created: these labels essentially made it easier to exclude the fatherless from the orders.⁵ Broux

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¹ Y. Broux, Re: Apatores. Identification Issues and Loss of Status in Roman Egypt, *ZPE* 194 (2015), pp. 212–214.

² P. van Minnen, ΑΙ ΑΠΟ ΓΥΜΝΑΣΙΟΥ: Greek Women and the Greek Elite in the Metropoleis of Roman Egypt, [in:] H. Melaerts, L. Mooren (eds.), *Le rôle et le statut de la femme en Égypte hellénistique, romaine et byzantine: acts du colloque international, Bruxelles–Leuven, 27–29 novembre 1997* [= *Studia Hellenistica* XXXVII], Paris 2002, pp. 337–353, pp. 340–341.

³ *Ibidem*, pp. 342–343.

⁴ Y. Broux, Creating a New Local Elite: The Establishment of the Metropolite Orders of Roman Egypt, *AfP* 59.1 (2013), pp. 143–153, pp. 145–146; Broux, Re: Apatores (cit. n. 1), p. 213.

⁵ Broux seems to recognise ἀπάτωρ and χρηματίζων μητρός as labels applied to both children born of unions of mixed civic status and those who, in Roman categories, are *incerto patre filii*. The former recognition of ἀπάτωρ and χρηματίζων μητρός was established by Herbert Youtie in: ΑΙΙΑΤΟΠΕΣ. Law vs. Custom in Roman Egypt, [in:] J. Bingen, G. Cambier, G. Nachtergaele (eds.), *Le monde grec: pensée, littérature, histoire, documents. Hommages à Claire Préaux*, Brussels 1975, pp. 723–740 (reprinted in: *Scriptiunculae posteriores*, vol. I, Bonn 1981, pp. 17–35). – In my opinion, these terms are false filiations applied only in situations in which a real one was not accessible. First, ἀπάτωρ and χρηματίζων μητρός unlike νόθοι (J. Vélissaropoulos-Karakostas, *Les nothoi hellénistiques*, [in:] E. Harris, G. Thür (eds.), *Symposion 2007. Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Durham, 2.–6. September 2007)*, Vienna 2008, pp. 253–274, p. 254) and *spurii filii* (Y. Broux, *Ancient Profiles Exploited. First Results of Named Entity Recognition Applied to Latin Inscriptions*, forthcoming) are never followed with patronyms (except for the doubtful case of Tamoustha *alias* Thamistis in *P. Lond.* II 324, p. 63 = *W. Chr.* 208, see M. Nowak, *The Fatherless and Family Structure in Roman Egypt*, [in:] D. F. Leão, G. Thür (eds.), *Symposion 2015. Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Coimbra, 1.–4. September 2015)*, Vienna 2016, pp. 99–114, pp. 108–112). Second, census returns provide us with further information: people labeled as fatherless were always declared by mothers, male relatives or spouses, but they never belonged to their fathers’ household. Therefore, the father is not indicated by a patronym and even more: he is never traceable. The majority of census returns including fatherless household members were identified by R. S. Bagnall and B. W. Frier (*The Demography of Roman Egypt*, Cambridge 2006²): *SB* XXII 15704, ll. 61–88 = 131-Ar-20 (Karanis, AD 138): Gaius Sempronius Diogenes σπούριος declared himself and his mother; *P. Mil. Vogl.* III 193a = *SB* VI 9495.1a = Ar-145-1 (Tebtynis, AD 147): Hero ἀπάτωρ declared by her mother; *P. Mil. Vogl.* III 194a = Ar-145-3 (Tebtynis, AD 146–147): Serapias ἀπάτωρ declared by her mother-in-law; *P. Berl. Leihg.* III 52B (ined.) = 145-Ar-19 (Philagris, AD 147): five siblings ἀπάτορες declared by the eldest brother; *P. Oxy.* LXXIII 4956 (Peenno, AD 146/147): Tnepheros χρηματίζουσα μητρός declarant; *P. Oxy.* LXXIII 4957 (Sesphtha, AD 147): Leontas χρηματίζων