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Tonio Sebastian Richter

## WHAT'S IN A STORY?

### CULTURAL NARRATOLOGY AND COPTIC CHILD DONATION DOCUMENTS\*

*Dedicated to the inalienable boys Julian Deckert and Alfred Knebel!*

VICTOR DID NOT SEEM SURPRISED IN THE LEAST. ... “Did you ever read *The Taming of the Shrew*?” “Of course.” “Well, you know the drunken tinker in the introduction who is made to think he is a lord, and whom they put the play on for?” “Sure,” I replied. “His name was Christopher Sly. He has a few lines at the end of Act One and that is the last we hear of him ...” ... “Exactly,” said Victor. “Six years ago an uneducated drunk who

\* The present paper forms the preliminary result of a series of lectures. Its preceding version was read on the The Inaugural Sather Conference ‘Papyrology: New Directions in a New Generation,’ Berkeley, University of California, 11–12 November 2005. I am most grateful to Professor Roger BAGNALL for inviting me to this productive symposium and to its participants for their questions and comments. An important impetus came from Arietta PAPACONSTANTINOŪ whose recent studies in the Coptic child donation dossier (A. PAPACONSTANTINOŪ, *Θεία οἰκονομία*. Les actes thébains de donation d’enfants ou la gestion monastique de la pénurie’, [in:] *Mélanges Gilbert Dagron. Travaux et Mémoires du Centre d’histoire et civilisation de Byzance* 14, Paris 2002, pp. 511–526 and ‘Notes sur les actes de donation d’enfant au monastère thébain de Saint-Phoibammon’, *JfP* 32 [2002], pp. 83–105) partly confirmed and likewise, challenged my own reflections on the topic. I am indebted to Prof. Adam JONES (University of Leipzig) who improved the English of my paper.

spoke only Elizabethan English was found wandering in a confused state just outside Warwick. He said that his name was Christopher Sly, demanded a drink and was very keen to see how the play turned out. I managed to question him for half an hour, and in that time he convinced me that he was the genuine article – yet he never came to the realisation that he was no longer in his own play.” ... “What about the other way?” Victor looked at me sharply. “What do you mean?” “Have you ever heard of anyone jumping in the other direction?” Victor looked at the floor and rubbed his nose. “That’s pretty radical, Thursday.” “But do you think it’s possible?” “Keep this under your hat, Thursday, but I’m beginning to think that it is. The barriers between reality and fiction are softer than we think; a bit like a frozen lake. Hundreds of people can walk across it, but the one evening a thin spot develops and someone falls through; the hole is frozen over by the following morning.” ... He sighed. “I suppose you think that’s incredible?” “Not at all,” I replied, thinking of my own experiences with Rochester, “but are you absolutely sure he fell...?” “What do you mean?” “He could have made the jump by choice. He might have preferred it ...” Victor looked at me strangely ... A thought crossed his mind. “You’ve done it, haven’t you?” I looked him straight in the eye. ... “Once,” I whispered. “When I was a very young girl. I don’t think I could do it again. For many years I thought even that was a hallucination.”

JASPER FFORDE, *The Eyre Affair*, London 2001, pp. 205–207

## 1. FRONTIER TRAFFIC BETWEEN REALITY AND FICTION

THE FRONTIERS BETWEEN REALITY AND FICTION apparently cross boundaries in space and time, but where they actually run is not quite easy to define. The figures of Jasper Fforde’s *The Eyre affair* seem to live rather close to them. Their manner of switching between factual and fictional realms, strange as it seems, remarkably recalls the opinion brought forth by a branch of literary studies about what actually happens between societies and their narrative resources. The extent of interdependence between individual as well as social experience, practice, and communication within a given culture and its narrative universe has been described

by Mieke Bal as follows: 'Like semiotics, narratology applies to virtually every cultural object. Not that everything is narrative; but practically everything in culture has a narrative aspect to it, or at the very least, can be perceived, interpreted as narrative. In addition to the obvious predominance of narrative genres in literature, a random handful of places where narrative "occurs" includes lawsuits, visual images, philosophical discourse, television, argumentation, teaching, history-writing.'<sup>1</sup> And Mark Currie goes even a step further, claiming 'that culture not only contains narratives but is contained by narrative in the sense that the idea of culture, either in general or in particular, is a narrative.'<sup>2</sup> Containing a narrative is just one remarkable feature of Coptic child donation documents. The study of this particular dossier might thus profit from a narratological approach, and I hope to show in the following that further work on Coptic child donation deeds actually needs to examine the *text world* of these documents and to consider its relationship with the *real world* they

<sup>1</sup> M. BAL 'Close Reading Today: From Narratology to Cultural Analysis', [in:] W. GRÜN-ZWEIG & A. SOLBACH (Hsgg.), *Grenzüberschreitungen: Narratologie im Kontext. Transcending Boundaries: Narratology in Context*, Tübingen 1999, p. 19–40, at p. 19.

<sup>2</sup> M. CURRIE, *Postmodern Narrative Theory*. Basingstoke – London 1998, p. 96. On cultural narratology, cf. also M. BAL, *Narratology. Introduction to the Theory of Narrative*, Toronto – Buffalo – London 1985 and IDEM (ed.), *Narrative Theory. Critical Concepts in Literary and Cultural Studies*, 4 vols London – New York 2004; A. ERLI & S. ROGGENDORF, 'Kulturgeschichtliche Narratologie: Die Historisierung und Kontextualisierung kultureller Narrative', [in:] A. NÜNNING & V. NÜNNING (Hsgg.), *Neue Ansätze in der Erzähltheorie. WVT-Handbücher zum literaturwissenschaftlichen Studium* Bd. 4. Trier 2002, pp. 73–113 and there in IDEM, 'Von der strukturalistischen Narratologie zur 'postklassischen' Erzähltheorie: Ein Überblick über neue Ansätze und Entwicklungstendenzen', pp. 1–33; GRÜN-ZWEIG & SOLBACH (Hsgg.), *Grenzüberschreitungen* (cit. n. 1); K. HALTTUNEN, 'Cultural History and the Challenge of Narrativity', [in:] V. BONNELL & L. HUNT (edd.), *Beyond the Cultural Turn: New Directions in the Study of Society and Culture*, Berkeley – Los Angeles 1999, pp. 165–181; S. JAEGER, 'Erzähltheorie und Geschichtswissenschaft', [in:] A. NÜNNING & V. NÜNNING (Hsgg.), *Erzähltheorie transgenerisch, intermedial, interdisziplinär. WVT-Handbücher zum literaturwissenschaftlichen Studium* v, Trier 2002, pp. 237–263; A. NÜNNING, 'Towards a Cultural and Historical Narratology: A Survey of Diachronic Approaches, Concepts, and Research Projects', [in:] B. REITZ & S. RIEUWERTS (Hsgg.), *Anglistentag 1999 Mainz: Proceedings*, Trier 2000, pp. 345–373; A. NÜNNING & V. NÜNNING (Hsgg.), *Erzähltheorie transgenerisch*, cit. and therein published, at pp. 1–22, IDEM, 'Produktive Grenzüberschreitungen: Transgenerische, intermediale und interdisziplinäre Ansätze in der Erzähltheorie'; G. PRINCE, *Narratology: The Form and Functioning of Narrative*, Berlin 1982, and E. VITZ, *Medieval Narrative and Modern Narratology: Subjects and Objects of Desire*, New York 1989.

reflect. Whether a narratological perspective might prove relevant to other fields of papyrological research or not is difficult to say; but certainly papyrology itself includes realms of both reality and fiction, as it were, namely documentary as well as literary texts.

## 2. COPTIC CHILD DONATION DEEDS, THEIR FORM AND CONTENT

Coptic child donation deeds were among the first Coptic documentary papyri known at all. Specimens were brought to Europe since the 1850s,<sup>3</sup> so that, by the time Walter Crum published his monumental edition *Koptische Rechtsurkunden des achten Jahrhunderts aus Djême*, Leipzig 1912, the child donation dossier had increased to 26 documents, *P. KRU* 78–103. Although dating from the 8th century, they are stylized according to patterns and customs of Byzantine private notaries (for an example, see *P. KRU* 96 in the *Appendix*).<sup>4</sup> The addressee of all 26 texts is the monastery of Phoibammôn near Jême. However, the catchment area of child donation goes beyond the town of Jême: cases of issuers naming

<sup>3</sup> Editions of Coptic child donation deeds: H. STOBART, *Egyptian Antiquities Collected on a Voyage in Upper Egypt in the Years 1854 and 1855*. Paris – Berlin 1855 (Pl. III = fac-similé of *P. KRU* 91); C. W. GOODWIN, 'Curiosities of Law. Conveyancing among the Copts in the Eighth Century'. *The Law Magazine and Law Review, or Quarterly Journal of Jurisprudence* 6 (1859), pp. 237–248. (first edition of *P. KRU* 81); E. REVILLOUT, 'Actes et Contrats des Musées égyptiens de Boulaq et du Louvre'. *Études Égyptologiques*, 5<sup>e</sup> livraison, Paris 1876 (first ed. of *P. KRU* 89b, 93, 94, 95, 96, 97, 98, 99, 100); G. STEINDORFF, 'Neue koptische Urkunden aus Theben'. *Zeitschrift für Ägyptische Sprache und Altertumskunde* 29 (1891), pp. 3–25. (first edition of *P. KRU* 92); W. E. CRUM, *Catalogue of the Coptic Manuscripts in the British Museum*. London 1905 (N<sup>o</sup> 375–378, 380–387, 389: descriptions of *P. KRU* 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89a, 90, 91); W. E. CRUM & G. STEINDORFF, *Koptische Rechtsurkunden des achten Jahrhunderts aus Djême (Theben)*, Leipzig 1912 (reprint Leipzig 1971): *P. KRU* 78–103; cf. the translation of the dossier in W. C. TILL, *Die koptischen Rechtsurkunden aus Theben (Sitzungsberichte der Österreichischen Akademie der Wissenschaften, Phil.-hist. Kl. 244)*, Wien 1964.

<sup>4</sup> On the formulary and its varieties, cf. especially A. BIEDENKOPF-ZIEHNER, *Koptische Schenkungsurkunden aus der Thebais (Göttinger Orientforschungen IV. Reihe: Ägypten, Bd. 41)*, Wiesbaden 2001, and the unpublished doctoral thesis by I. HORWITZ, *The Structure of the Coptic Donation Contract*, Philadelphia 1940 (*non vidi*).

their home towns indicate some twenty kilometres.<sup>5</sup> The documents are datable between 734 and 785.<sup>6</sup> Usually, they are issued by the children's fathers.<sup>7</sup> Six documents are formally issued by both parents,<sup>8</sup> four of them only by the mother.<sup>9</sup> Those women might have been widowed<sup>10</sup> or divorced or even unmarried.<sup>11</sup> Remarkably enough, two documents seem to be issued jointly by a number of men (*P. KRU* 80 and 98).

In all cases but one, a single male child is donated; on one occasion it is a pair of boys (*P. KRU* 99), perhaps twins. Only one text identifies the age of the donated child: the disease preceding his donation broke out when he was three years old (*P. KRU* 78.15). One boy had already attained adulthood and agreed to his donation (*P. KRU* 79). In another case, the boy to be donated had temporarily evaded his destination, escaping to Cairo, some hundred kilometres north (*P. KRU* 93), so he might not have been all that young. But usually the boys seem to be rather young children. For practical reasons, we may assume they were no longer being suckled; hence, the attested instance of three years could actually represent something like a minimum age.<sup>12</sup>

At the beginning of the deed corpus, almost all documents have a remarkable preamble, voicing an idea about property and its use. One

<sup>5</sup> T. G. WILFONG, *Women of Jême. Lives in a Coptic Town in Late Antiquity Egypt*, Ann Arbor 2002, pp. 99–104, esp. 103–104.

<sup>6</sup> BIEDENKOPF-ZIEHNER, *Koptische Schenkungsurkunden* (cit. n. 4), pp. 121–122; PAPA-CONSTANTINOU, 'Notes sur les actes' (cit. n. [\*]), pp. 89–92.

<sup>7</sup> *P. KRU* 78, 82, 87, 88, 89, 93, 94, 96, 99, 100, 101 (? – or, perhaps, the grandfather), 102, 103 (?).

<sup>8</sup> *P. KRU* 84, 85, 90, 91, 92, 97.

<sup>9</sup> *P. KRU* 79, 81, 86, 95. The female issuer of *P. KRU* 86 names herself an ελεγεθηρα, 'respectable' woman, and acts together with her sister.

<sup>10</sup> So clearly in *P. KRU* 79,19 where the female issuer speaks of παμακαριος υηδαί 'my late husband', but for unknown reason, a following blankett has been left empty: the husband's name has not been entered.

<sup>11</sup> This possibility has already been suggested by F. DE VILLENOISY, 'Des donations d'enfants à l'époque copte. Thèse soutenu à l'école du Louvre le 11 février 1888', *Revue égyptologique* 6 (1888), pp. 30–36, at p. 30, and A. STEINWENTER, 'Kinderschenkungen an koptische Klöster', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte KA* 11 (1921), pp. 175–207 at p. 179.

<sup>12</sup> Cf. the similar conclusion by PAPA-CONSTANTINOU, *Θεία οίκονομία* (cit. n. [\*]), pp. 99–100.

variety reads:<sup>13</sup> ‘The royal laws command that everybody shall do with his property whatever he wants. Hence, I attended to the conformity with the laws etc.’ In this argument, child-donating is passed off as a particular item of the general rights of ownership. The second variety reads:<sup>14</sup> ‘Since God’s law engages and encourages everybody to do the good and the useful, whatever he wants, with his property, and no power ruling at any time shall prevent anybody from doing the useful for the salvation of his soul ...’. According to its argument, God’s law generally breaks earthly law. These preambles, preventive as they are, probably point to a latent juridical problem with child donations which will be touched upon later (see below § 3.4).

The next paragraph in the documents is the *narratio*, a story about what had happened before and what moved the issuers to make their decision: The child to be donated had been struck down by severe illness. The despairing parents, who had (or had not) broken an earlier vow of donation, besought Phoibammon and made (or renewed) the vow to give their boy to the monastery, if he should ever get well again. On a primary level, the function of the *narratio* corresponds to similar narrative entities in legal documents, usually preceding the legal clauses proper in order to recall the past history of a business transaction or legal act. In Coptic documents, the two levels of time involved in any legal agreement are linguistically referred to by the conjunctions *επειδη* ‘since, after’ and *τενοϋ* ‘now’. The *narratio* of a Coptic acknowledgement of debt, for instance, reads as follows:<sup>15</sup> ‘Since (*επειδη*) I requested you, and you obliged me and you gave me so-and-so much, now (*τενοϋ*) I am willing etc.’ However, compared with such a ‘mini-narrative’, as it were, comprising no more than one or two facts/sentences, the child donation *narratio* appears excessive in pure length and richness of details. Moreover, these details

<sup>13</sup> E.g. *P. KRU* 87, 94, *ῥτ.*: ΝΝΟΜΟC ΝΒΔCΙΛΕΚΟΝ ΚΕΛΕΥΕ ΝΤΕΙΡΕ ΕΤΡΕΠΟΥΔ ΠΟΥΔ ΡΠΕΤΕΡΝΔϞ ΖΜΠΕΤΕΠΩϞ ΠΕ ΔΙΟΥΔΖΤ ΟΥΝ ΝCΔΤΑΚΟΥΛΟΥΘΙΑ ΝΝΝΟΜΟC.

<sup>14</sup> E.g. *P. KRU* 100 *ῥτ.*: ΕΠΕΙΔΗ ΠΝΟΜΟC ΜΠΠΟΥΤΕ ΓΕΛΕΥΕ ΔΥΩ ΦΠΡΟΤΡΕΠΕ ΝΟΥΟΝ ΝΙΜ ΕΤΡΕΠΟΥΔ ΠΟΥΔ ΡΠΔΓΔΘΟΝ ΜΠΠΕΤΝΔΝΟΥϞ ΕΤΕΡΝΔϞ ΖΝΝΕΤΕΝΟΥϞ ΝΕ ΔΥΩ ΜΝΛΔΔΥ ΝΕΖΟΥCΙΑ ΕΦΝΔΡΧΕΙ ΚΑΤΑ ΚΑΙΡΟC ΝΔΚΩΛΥ ΝΛΔΔΥ ΝΡΩΜΕ ΝΕΡΠΠΕΤΝΔΝΟΥϞ ΖΔΠΟΥΧΔΙ ΝΤΕCΨΥΧΗ.

<sup>15</sup> E.g. *O. Vindob. Copt.* 23: ΕΠΕΙΔΗ ΔΙΠΔΡΑΚΑΛΕΙ ΜΜΟΚ ΔΚΜΟΟΨΕ ΖΔΤΔΖΗ ΔΚΧΙ CΝΔΥ ΠΡΟΛΟΚΟΤΗ ΝΔΙ ... ΤΕΝΟΥ ΤΟ ΝΖΕΤΕΜΟC ...

are by no means restricted to events and actions, but include also direct and indirect speech passages conveying thoughts, wishes, moral values and knowledge of the first-person protagonists.<sup>16</sup> Therefore it seems all the more remarkable that no single version of this *narratio* is really individual, that almost all the colours are stereotyped. The story of *P. KRU* 96 in the *appendix* below, for instance, occurs also in *P. KRU* 89 and 100, with very slight differences only.

The business clauses proper concern the monastery's titles and the children's state and duties. The monastery's rights are defined in terms of ownership, such as: 'The monastery is master of the boy' (*P. KRU* 79, 80, 81, *ἐκ.*), or 'Nobody else shall be master of the boy during all the days of his life except the monastery' (*P. KRU* 81,26), and so on.<sup>17</sup> Certain phrases, like 'to acquire him and to re-acquire him and to direct him and to manage him' (*P. KRU* 80, 93), are taken literally from the formulae employed in property sales.<sup>18</sup> Sometimes the monastery's responsibility

<sup>16</sup> Forming part of the so-called 'character domains' of the narrator, in terms of narrative theory and possible world theory (cf. M-L. RYAN, *Possible World, Artificial Intelligence, and Narrative Theory*. Bloomington/Indiana 1991; S. STRASEN 'Narratologie und *possible-world theory*: Narrative Texte als alternative Welten' [in] NÜNNING & NÜNNING (Hsgg.), *Neue Ansätze* (cit. n. 2), pp. 185–218; C. SURKAMP, 'Narratologie und *possible-worlds theory*: Narrative Texte als alternative Welten', [in:] NÜNNING & NÜNNING [Hsgg.], *op. cit.*, pp. 168–169): 'Character domains' are statements revealing the narrator's knowledge-world, obligation-world *ἐκ.*, such as 'We reflected in our hearts about God. «I do not wholly desert anybody on earth»' (*P. KRU* 91.7–8); 'as I knew the mercy of God and the healings which his Saint has done in his *topos* many times' (*P. KRU* 80.22); 'We besought the angel of the holy altar that he ... might pray for him (the sick child) before Christ, and he (Christ) would give him health' (*P. KRU* 84.19–20); 'And this does not just happen to me, it has happened since the time of Samuel the prophet, whom his parents donated to the temple of the Lord' (*P. KRU* 85.29–31); 'as is told about her (i.e., Anna) in the book of the kings' (*P. KRU* 89.25, 100.39); 'I will tell you this great miracle of God, who is with his Saints' (*P. KRU* 80.15–16); 'In this time, ... God brought a severe illness upon my dear son, according to my sins' (*P. KRU* 81.17); 'I thought of the great amount of my wicked deeds' (*P. KRU* 89.1, 100.14–15); 'Forgive me the violation which I have done in my foolishness' (*P. KRU* 86.23–24).

<sup>17</sup> The boy's state is often described by means of comparison: He is to become 'just like an old (i.e. an adult?) servant/slave' (*P. KRU* 98.7), 'just like a servant/slave bought for money' (*P. KRU* 82.16; 97.19); 'just like all servants/slaves of the monasteries' (*P. KRU* 81.27); 'just like the children of all monasteries' (*P. KRU* 92.13); 'just like anybody who is vowed to a monastery' (*P. KRU* 99.12–13).

<sup>18</sup> Cf. STEINWENTER, 'Kinderschenkungen' (cit. n. 11), p. 185 + n. 9. Cf. also clauses like those: 'If he – God forbid! (*ἄπερ μὴ γένοιτο*) – will marry, his children whom he will beget

for feeding and clothing the child is explicitly mentioned (e.g. *P. KRU* 87, 90, 103). If parental rights of disposal have thus been replaced by ownership rights similar to property titles, the question arises as to what civic state these donated boys were in.<sup>19</sup> In this regard, however, the Coptic texts are ambivalent. Just like the Latin term *servus*, the Coptic word  $\sigma\delta\alpha\gamma\omicron\omicron\omicron$  could designate slaves as well as personally free servants.<sup>20</sup> Certain expressions, such as ‘all the days of his life’, or ‘just like a  $\sigma\delta\alpha\gamma\omicron\omicron\omicron$  bought for money’ give the impression of an entire loss of freedom. And at any rate, both general and detailed accounts of the boys’ duties clearly show that these children could not expect any education, nor were they expected to become monks one day: their only role was to perform simple donkey work and verger services.<sup>21</sup> Yet there is an obvious incoherency within the documents. Apart from the above-mentioned claims we also find clauses concerning cases where that donated boy after coming of age would leave the monastery, would live and work outside the monastery’s walls, would marry and have children.<sup>22</sup> Some of these clauses deal with a

shall serve ( $\lambda\epsilon\iota\tau\omicron\upsilon\rho\gamma\epsilon\iota\upsilon$ ) the holy *topos* of Phoimammôn like himself’ (*P. KRU* 95.22–23); ‘anybody who will make a claim against the deed shall pay the price of one slave ( $\omicron\upsilon\varsigma\omega\mu\alpha\tau\iota\omicron\omicron\omicron\ \eta\rho\omega\mu\epsilon$ , lit. “a human body”)’ (*P. KRU* 95.29).

<sup>19</sup> On this issue cf. especially STEINWENTER, ‘Kinderschenkungen’ (cit. n. 11) and PAPA-CONSTANTINOU, ‘Notes sur les actes’ (cit. n. [\*]), pp. 92–102.

<sup>20</sup> A. STEINWENTER, *Das Recht der koptischen Urkunden (Handbuch der Altertumswissenschaften* IV.2), München 1955, pp. 16–18.

<sup>21</sup> E.g., taking care of the water of the basin (*P. KRU* 93.32), of the lamp of the altar (*P. KRU* 93.33); of ‘the holy illumination of the monastery’ (*P. KRU* 92.14), of ‘the bread for passing strangers’ (*P. KRU* 93.34); of sweeping and sprinkling (*P. KRU* 79.47, 80.38, 93.32:  $\omega\omega\wp$  and  $\eta\omicron\gamma\kappa\kappa$ ; cf. T. S. RICHTER, *Rechtssemantik und forensische Rhetorik. Untersuchungen zu Wortschatz, Stil und Grammatik der Sprache koptischer Rechtsurkunden* [Kanobos 3], Leipzig 2002, pp. 153–154); of fieldwork (*P. KRU* 83.7). On late antique and early medieval parallels of the service for the altar lamps, cf. STEINWENTER, ‘Kinderschenkungen’ (cit. n. 11), p. 202; PAPA-CONSTANTINOU, *Θεία οἰκονομία* (cit. n. [\*]), p. 514 and R. WULF, ‘Wachszins’, [in:] *Handwörterbuch zur deutschen Rechtsgeschichte* 5 (1998), pp. 1074–1076.

<sup>22</sup> E.g., *P. KRU* 80.40ff.: ‘If it happens that the superior wants to dismiss him (*i.e.* the donated boy) and he goes and works, then the wages of his handicraft shall fall to the superior every year forever, and he (*i.e.* the superior) shall take it for the lampoil of the altar.’; *P. KRU* 89.42 ff. (similar *P. KRU* 96.79ff.): ‘if the little boy dislikes being servant to the monastery, the place where he was healed, then he shall give all he acquires by his handicraft to the monastery’. PAPA-CONSTANTINOU, *Θεία οἰκονομία* (cit. n. [\*]), p. 512 empha-

rent called ΔΗΜΟΣΙΟΝ, to be paid by the former servant to the monastery.<sup>23</sup> As in Byzantine Greek papyri, ΔΗΜΟΣΙΟΝ in Coptic documents usually designates public taxes in general or property tax in particular.<sup>24</sup> But, as Arietta Papaconstantinou has argued, in the clause under discussion the term may rather mean a kind of church tax.<sup>25</sup> Be that as it may, such a relationship to the monastery could still be called clientship, but not bondage.

### 3. APPROACHES TO INTERPRETING COPTIC CHILD DONATION DOCUMENTS IN TERMS OF SOCIAL HISTORY, HISTORY OF RELIGION, AND HISTORY OF LAW

Up to now, a number of Egyptologists, Coptologists, and law historians have made efforts to reconstruct the social, religious, and legal setting of this unique dossier. It is impossible to survey this discussion in great detail, but I want to give a brief sketch of four scenarios which have played prominent roles in this discussion.

sized the fact that none of the documents contains both types of statements, the requirement of eternal service to be done by the boy, and the explicit limitation of the contract. But I am not quite sure if this difference should be interpreted, as PAPAConstantinou does, in terms of two different degrees of commitment. I am inclined to reconstruct the legal situation of the boys from a synopsis of all documents, assuming the conditions were always the same, although the words of recording them could vary, be more or less detailed, explicit, &c.

<sup>23</sup> E.g., *P. KRU* 81.21ff.: ‘and he shall serve the holy monastery, be it by the service of his body, or be it, that he gives his *dēmosion* for the lamps of the holy place, so that he will be servant/slave (σδγον) of the monastery during all the days of his life (or) he gives his *dēmosion* to the monastery every year.’; *P. KRU* 92.19ff.: ‘... so that he spends his entire life in this monastery as a servant/slave (σδγον) or even (ήγγονν), when he comes of age (ήλικία), that he gives you his *dēmosion* according to what you will agree with him’; *P. KRU* 99.13ff.: ‘If they want to live within the monastery, they shall serve it ... or – likewise desirable! –, if they want to live outside, they shall give their *dēmosion* to the monastery, and it shall be used for the expenses of the *prosphora* and the illumination of the altar.’

<sup>24</sup> For the Coptic evidence (but without distinction of these two semantic varieties), see H. FÖRSTER, *Wörterbuch der griechischen Wörter in den koptischen dokumentarischen Texten*, Berlin – New York 2002, pp. 171–173.

<sup>25</sup> PAPAConstantinou, ‘Notes sur les actes’ (cit. n. [\*]), pp. 102–105.

### 3.1. *Oblatio puerorum*<sup>26</sup>

This Christian practice developed in the fourth and fifth centuries and was finally elaborated by Benedict of Nursia in terms of liturgy and church law. Having survived the following centuries in the Visigothic and Franconian church, the custom fell into disrepute and disuse during of the monastic reform movement from the 11th century onwards.<sup>27</sup> The *oblatio puerorum*, a major source of monk recruitment over centuries,<sup>28</sup> was

<sup>26</sup> Cf. H.-J. BECKER, s.v. ‘*Oblatio puerorum*’, [in:] *Handwörterbuch zur deutschen Rechtsgeschichte* III (1984), pp. 1170–1171; J. DUBOIS, ‘*Oblato*’, [in:] *Dizionario degli Istituti di Perfezione* vol. 6 (1980), pp. 654–666; M. EDER, ‘*Oblaten*’, [in:] *Die Religion in Geschichte und Gegenwart* VI (4 ed. 2003), pp. 448–450; S. HAERING, ‘*Oblaten*’, [in:] *Lexikon für Theologie und Kirche* VII (1998), pp. 963–966; M. DE JONG, *Kind en klooster in de vroege middeleeuwen*, Amsterdam 1984; EADEM, *In Samuel’s Image: Child Oblation in the Early Medieval West. Brill’s Studies in Intellectual History* 12, Leiden 1996; M. LAHAYE-GEUSEN, *Das Opfer der Kinder. Ein Beitrag zur Liturgie- und Sozialgeschichte des Hohen Mittelalters (Münsteraner theologische Abhandlungen 13)*, Altenberge 1991; W. LASKE, *Das Problem der Mönchung in der Völkerwanderungszeit (Rechtswissenschaftliche Arbeiten 2)*, Zürich 1973; J. ORLANDIS, ‘La oblación de los niños a los monasterios en la España visigótica’, [in:] IDEM, *Estudios sobre instituciones monásticas medievales*, Pamplona 1971, pp. 53–215; P. A. QUINN, *Better than the Sons of Kings. Boys and monks in the early middle ages (Studies in History and Culture 2)*, New York 1989; J. R. RIEFENHOFF, *Zur Frage des Ursprungs der Verbindlichkeit des Oblateninstituts. Ein Beitrag zur Geschichte des mittelalterlichen Bildungswesens (Münstersche Beiträge zur Geschichtsforschung 74/75)*, Münster 1939; A. RÜTHER, ‘*Oblate*’, [in:] *Lexikon des Mittelalters* IV (1993), pp. 1336–1337; J. N. SEIDL, *Die Gott-Verlobung von Kindern in Mönchs- und Nonnenklöstern oder de pueris oblati*, München 1872; I. STEGEMANN, ‘Die Verbindlichkeit der *Oblatio* nach der *Regula Beneciti*’, [in:] H. S. BRECHTER (Hsg.), *Benedictus Vater des Abendlandes 547–1947*, München 1947, pp. 119–138; J. WEITZEL, ‘*Oblatio puerorum*. Der Konflikt zwischen väterlicher Gewalt und Selbstbestimmung im Lichte eines Instituts des mittelalterlichen Kirchenrechts’, [in:] N. BRIESKORN (Hsg.), *Vom mittelalterlichen Recht zur neuzeitlichen Rechtswissenschaft. Bedingungen, Wege und Probleme der europäischen Rechtsgeschichte (Rechts- und staatswissenschaftliche Veröffentlichungen der Görres-Gesellschaft N.F. 72)*, Paderborn 1994, pp. 59–74.

<sup>27</sup> Basilios still required confirmation/rejection of the oblation by the promised when they had come of age, but *Regula Benedicti*, chapter 59, claimed the irrevocability of the *oblatio*, and the 4th synod at Toldeo 633. (ch. 49) stressed: *monachum aut paterna devotio aut propria professio facit*. The 2nd Trullan synod 692. fixed 10 years as the minimum age of *pueri oblati*. The synod of Aachen 817. required confirmation of the oblation by the *oblatus*. At last, the monastic reform movement (Cluny, Hirsau) principally refused the oblation of children.

<sup>28</sup> An earlier German rendering of *oblatio puerorum* was ‘Mönchung’, a *nomen actionis* derived from the a verb *mönchen* i.e. ‘to monk somebody’; cf. LASKE, *Das Problem der Mönchung* (cit. n. 26).

typically conducted by men (or families) of rank who donated one of their children to the monastery usually together with a gift of money replacing the child's share of the parental inheritance – an investment of potential human resources and money in order to earn social prestige and religious capital.<sup>29</sup> The *pueri oblati* enjoyed a high-quality education before they finally became monks.<sup>30</sup> It was the law historian Artur Steinwenter who pointed to similarities between the *oblatio puerorum* in the Latin western church and the Coptic child donation:<sup>31</sup> the parents' vow, the donation itself, and the conceptual connection of their own practice with the vow of the Old Testament figure Hanna, the mother of Samuel. But Steinwenter also conceded the limits of comparison, when he wrote:<sup>32</sup>

‘Warum aber in Djême die Kinder nicht als künftige Mönche, sondern nur als Klosterknechte dargebracht werden, das erfahren wir aus all diesen Analogien nicht, und so müssen wir uns, wenn anders nicht leere

<sup>29</sup> Cf. DE JONG, *In Samuel's Image* (cit. n. 26), pp. 267–289, esp. her concluding remark p. 288: ‘One thing is clear: it was the opposite of abandonment. Those donating children strove to create lasting ties with the sacred and therefore attempted to retain the ties with their children rather than relinquishing them. Although it was obvious to all concerned that God was not an equal exchange partner, it was also evident that those giving away their children or land followed God's precepts, and would therefore benefit both in this world and the next.’

<sup>30</sup> From the so-called *nutrii*, the monasteries' own ‘breed’, rised the flower of the contemporary intellectual elite, such as Bonifacius, Beda Venerabilis and Hrabanus Maurus.

<sup>31</sup> STEINWENTER, ‘Kinderschenkungen’ (cit. n. 11), pp. 192–195. It is also through him that Coptic evidence was recently quoted by LAHAYE-GEUSEN, *Das Opfer der Kinder* (cit. n. 26), p. 20: ‘Dieses Verständnis der Unabdingbarkeit eines elterlichen Gelübdes teilten auch die koptischen Christen, deren Praxis der Kinderschenkung A. Steinwenter am Beispiel des Klosters Djême (*sic*) untersucht hat. Seiner Meinung nach unterschied sich die Praxis der Kopten von der abendländischen *oblatio puerorum* dadurch, daß die Kinder nicht für den Stand des Mönches bestimmt waren, sondern den Status eines auf Lebenszeit an das Kloster gebundenen Knechtes erhielten. Neben religiösen Motiven spielte die wirtschaftliche Not der Eltern eine entscheidende Rolle für diese Form der ‘Verpfändung’ ihres Nachwuchses an die Mönche. Bedeutsam ist, daß hier die Verbindung von sozialen und religiösen Faktoren sichtbar wird.’

<sup>32</sup> STEINWENTER, ‘Kinderschenkungen’ (cit. n. 11), p. 207. Cf. also *ibidem*, p. 204: ‘Die Kinderschenkungen aus Djême sind ihrem Wesen nach religiöse Oblationen – gefördert durch die wirtschaftliche Not. Während aber die *oblatio puerorum* des allgemeinen Kirchenrechts meines Wissens nur die Widmung für den Mönchsstand ...bedeutet, wird in Djême das dem Kloster gewidmete Kind verknechtet.’

Vermutungen aufgestellt werden sollen, damit bescheiden, daß die Frage mit den heutigen Mitteln der Forschung noch nicht gelöst werden kann.'

Unlike Steinwenter, I think this issue can be resolved (see below, § 5).

### 3.2. Hierodulism

François de Villenoisy compared the donation of children as attested by the Coptic documents to older Egyptian evidence of people committing themselves to temples.<sup>33</sup> Walter Otto included our dossier in his studies on hierodulism in Hellenistic and Roman Egypt,<sup>34</sup> and Heinz-Josef Thissen subtitled his essay on Coptic child donation documents: 'Zur Hierodulie im christlichen Ägypten'.<sup>35</sup> The present writer too has elsewhere emphasized connections between Coptic child donation deeds and Demotic self-dedication documents.<sup>36</sup> 'Hierodulism' in Ptolemaic and Roman Egypt included several forms (and degrees) of self-commitment of adult persons to their favourite gods and temples. Even this brief definition reveals a substantial difference between pre-Christian hierodulistic practices and the donation of young boys by their parents. Moreover, the concepts of hierodulism and hierodules, although playing a role as phenomenological categories in modern religious studies, actually seem to correspond with neither a coherent concept nor a well-defined social entity in Egypt.<sup>37</sup> Hence, whether or not one calls the boys of

<sup>33</sup> DE VILLENOSIS, 'Des donations d'enfants' (cit. n. 11) and IDEM, *Revue égyptologique* 7 (1896), pp. 199–200.

<sup>34</sup> W. OTTO, *Beiträge zur Hierodulie im hellenistischen Ägypten* (*Abhandlungen der Bayerischen Akademie der Wissenschaften*, N.F. Heft 29), München 194, pp. 31–32.

<sup>35</sup> H.-J. THISSEN, 'Koptische Kinderschenkungsurkunden. Zur Hierodulie im christlichen Ägypten', *Enchoria* 14, (1986), pp. 117–128. Also STEINWENTER, *Das Recht* (cit. n. 20), p. 17 spoke of 'halbfreie Hierodulen'

<sup>36</sup> RICHTER, *Rechtssemantik* (cit. n. 21), pp. 136–142, excursus 'Die Anrede des heiligen Urkundendestinatärs und die göttlichen Destinatäre demotischer Urkunden'.

<sup>37</sup> This is the result of a research by R. SCHOLL, 'Zur Bezeichnung *ἱερόδουλος* im griechisch-römischen Ägypten', [in:] *Acti XVIII CongIntPaP*, Neapel 1984, pp. 977–983, and IDEM, '*ἱερόδουλος* im griechisch-römischen Ägypten', *Historia* 34 (1985), pp. 466–492, on the word *ἱερόδουλος* as used in Greek papyri from Egypt. According to him, persons called

Phoibammôn 'hierodules', at any rate the heuristic value of the concept seems rather limited.

### 3.3. *Child-Exposure*

In antiquity, as in many pre-modern societies, child-exposure was practised as an instrument of family planning alongside contraception, abortion and infanticide.<sup>38</sup> In comparison with abortion, the health risk to the

'hierodules' were not generally limited as to their liberty, nor had they specific responsibilities or duties to the temples of their choice. Of course the matter is tricky enough and includes different phenomena such as the Demotic self-dedication documents issued by persons looking to a god for protection (cf. M. CHAUVEAU, 'Un contrat de 'Hiérodoule'. Le P. Dém. Fouad 2'. *Bulletin de l'Institut Français d'Archéologie Orientale* 91 [1991], pp. 119–127; W. CLARYSSE, 'A Demotic Self-Dedication to Anubis', *Enchoria* 16 [1988], pp. 7–10, OTTO, *Beiträge zur Hierodulie* [cit. n. 34]; J. RAY, *The Archive of Hor. Texts from Excavations 2nd memoir*, London 1976; H.-J. THISSEN, [Self-Dedications], [in:] R.W. DANIEL, M. GRONWALD & H.-J. THISSEN, *Griechische und demotische Papyri der Universitätsbibliothek Freiburg. Papyrologische Texte und Abhandlungen* 38, Bonn 1986, pp. 79–97; H. THOMPSON, 'Self-dedications', [in:] *Actes du Ve Congrès international de Papyrologie, Oxford, 1937, Bruxelles 1938*, pp. 497–504; IDEM, 'Two Demotic Self-Dedications', *The Journal of Egyptian Archaeology* 26 [1940], pp. 68–78) as well as the case of the famous *κάτοχοι* in the Serapeum of Memphis (cf. L. DELEKAT, *Katoche, Hierodulie und Adoptivfreilassung* [Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte 47], München 1964; OTTO, *op. cit.*; K. SETHE, *Sarapis und die sogenannten κάτοχοι des Sarapis. Zwei Probleme der griechisch-ägyptischen Religionsgeschichte* [Abhandlungen der Gesellschaft der Wissenschaften zu Göttingen, Philologisch-Historische Klasse N.F. 14,5], Berlin 1913 [reprint Nendeln 1970]; D. J. THOMPSON, *Memphis under the Ptolemies*, Princeton 1988, pp. 212–265; U. WILCKEN, 'Zu den κάτοχοι des Serapeums', *AJP* 64 [1914], pp. 184–212.).

<sup>38</sup> On child-exposure and infanticide in antiquity, cf. I. BIEŻUŃSKA-MAŁOWIST, 'Die *expositio* von Kindern als Quelle der Sklavenbeschaffung im griechisch-römischen Ägypten'. *Jahrbuch für Wirtschaftsgeschichte* 1971/II, pp. 129–133; J. BOSWELL, 'Expositio and oblatio. The Abandonment of Children and the Ancient and Medieval Family'. *American Historical Review* 89 (1984), pp. 10–33, IDEM, *The Kindness of Strangers: The Abandonment of Children in Western Europe from Late Antiquity to the Renaissance*. New York 1988; D. ENGELS, 'The Problem of Female Infanticide in the Greco-Roman World'. *Classical Philology* 75 (1990), pp. 112–120; E. EYBEN, 'Family Planning in Antiquity', *Ancient Society* 11/12 (1981/1982), pp. 5–82; W. V. HARRIS, 'The Theoretical Possibility of Extensive Infanticide in the Greco-Roman World'. *Classical Quarterly* 32 (1982), pp. 114–116, IDEM, 'The Roman Father's Power over Life and Death', [in:] R. S. BAGNALL & W. V. HARRIS (edd.), *Studies in Roman Law in Memory of A. Arthur Schiller* (Columbia Studies in the Classical Tradition 13), Leiden 1986, pp. 81–95; IDEM 'Child-Exposure in the Roman Empire', *The Journal of Roman Studies* 84 (1994), pp. 1–22; M. KLEIJWEGT, *Ancient Youth* (Dutch Monographs on Ancient History and

mother may have been lower, and there was the possibility of selection with an overall tendency favouring healthy, male children.<sup>39</sup> The advantage of exposure as compared to infanticide was the more or less realistic hope entertained by parents forced to do this by economic reasons, that their child would be found and reared, be it only to be brought up as a slave.<sup>40</sup> As is well-known, in Greek and Roman law the exposure of chil-

*Archaeology* 8), Amsterdam 1991; and IDEM, 'Kind', [in:] *Reallexikon für Antike und Christentum* xx (2004), Stuttgart 2004, pp. 865–947; F. KUDLIEN, 'Kindesaussetzung im antiken Roman: ein Thema zwischen Fiktionalität und Lebenswirklichkeit'. *Groningen Colloquia on the Ancient Novel* II (1989), pp. 25–44; O. MONTEVECCHI, 'I paragrafi 41 e 107 dello Gnomon dell' Idios Logos: implicazioni socio-culturali e demografiche', [in:] *Atti XVIII CongIntPap.* Neapel 1984, pp. 965–974; R. MOTOMURA, 'The Practice of Exposing Infants and its Effects on the Development of Slavery in the Ancient World', [in:] T. YUGE (ed.), *Forms of Control and Subordination in Antiquity*, Leiden 1988, pp. 410–415; S. B. POMEROY, 'Copronyms and the Exposure of Infants in Egypt', [in:] *Studies Schiller*, pp. 147–162; R. SALLARES, *The Ecology of the Ancient Greek World*, London 1991; M. SCHMIDT, 'Hephaistos lebt – Untersuchungen zur Frage der Behandlung behinderter Kinder in der Antike', *Hephaistos* 5–6 (1983/1984), pp. 133–161; S. WEST, 1998. 'Whose Baby? A Note on P. Oxy 744', *ZPE* 121 (1998), pp. 167–172; L. WIERSCHOWSKI, 'Der historisch-demographische Kontext der severischen Abtreibungs- und Kinderaussetzungsverbote'. *Laverna* 7 (1996), pp. 92–102; J. WIESEHÖFER, 'Kindesaussetzung', [in:] *Der Neue Pauly* VI (1999), pp. 468–470; on wet-nursing contracts cf. J. HERRMANN, 'Die Ammenverträge in den gräko-ägyptischen Papyri'. *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte*, RA 76 (1959), pp. 490–499; M. MANCA MASCIADRI & O. MONTEVECCHI, *I contratti di balitico (Corpora papyrorum graecarum 1)*, Milano 1984.

<sup>39</sup> Cf. HARRIS, 'The Theoretical Possibility' (cit. n. 38) contra ENGELS 1980. The often-quoted papyrological reference *P. Oxy.* IV 744 (interpreted with A. DEISMANN, *Licht vom Osten*, Tübingen 1923 (4 ed.), pp. 134–136; 'When you give birth, if it was male, let it [living], if it was female, expose it'), recently has been challenged by WEST, 'Whose Baby?' (cit. 38).

<sup>40</sup> According to by HARRIS, 'Child-Exposure' (cit. n. 38), there are two main types of exposure: Exposure A 'in which the exposer hoped, more or less realistically, that the child would be rescued' vs. Exposure B: 'in which the expected result was death.' Exposure A 'was the fate of very many of the infants who were exposed for economic reasons,' while 'illegitimate and physically compromised were usually subjects to Exposure B', HARRIS, *op. cit.*, p. 11, wrote: 'The survival chances of an exposed infant depended on five variable factors, in addition to luck: (1) his or her initial physical condition; (2) how much the exposer did to help the infant to survive – and here there was a range of intentions, from lethal to desperately hopeful; (3) whether the community included persons willing to invest in bringing up the child as a slave (there were clearly places in Egypt and Asia Minor and probably in Achaea and Syria and Italy, where it was common for exposed infants to be collected); (4) the level of demand for slave labour; and (5) gender – boys were probably more likely to be rescued than girls.'

dren was a legal prerogative of the father.<sup>41</sup> It was not until the legislation of the Christian emperors from the late 4th century onwards that exposure as well as infanticide were re-evaluated and became criminalized.<sup>42</sup> An interpretation of the Coptic child donation as a disguised, christianized sort of exposure<sup>43</sup> seems plausible in view of the obviously hard lot of the donated children, as is displayed in the business clauses. However, this view overlooks some well-known social data concerning child-exposure in antiquity, such as the fact that exposure exclusively involved (and meant by definition) the abandonment of new-born, entirely helpless children, besides the fact that usually boys were more likely to have the privilege of growing up in their families.

### 3.4. *Sale of dependants*

Sale of dependants, especially of children and wives, was also a common practice in antiquity, usually motivated by famine, a fate which whole villages could be suddenly confronted with in pre-modern societies based on a subsistence economy.<sup>44</sup> The Coptic child donation deeds are shaped

<sup>41</sup> Cf. HARRIS, 'The Roman Father's Power' (cit. n. 38), M. MEMMER, '*Ad servitutum aut ad lupanar* ... Ein Beitrag zur Rechtsstellung von Findelkindern nach römischem Recht – unter besonderer Berücksichtigung von §§ 77, 98 *Sententiae Syriacae*', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte RA* 108 (1991), pp. 21–93, and WIERSCHOWSKI, 'Der historisch-demographische Kontext' (cit. n. 38).

<sup>42</sup> Cf. MEMMER, '*Ad servitutum aut ad lupanar*', p. 68: 'Valentinian, Valens und Gratian bedrohen im Februar 374 die Kindestötung mit der Todesstrafe (*CTh.* 9.14.1 = *C.* 9.16.8). Einen Monat später pönalisiert Valentinian den Tatbestand der Kindesweglegung.' *Ibid.*, p. 70: 'Die strafrechtliche Verbotsbestimmung des Valentinian scheint nur die Aussetzung der eigenen Kinder erfaßt zu haben. Die *expositio* des Sklavenkindes blieb erlaubt. ... Der aussetzende *dominus vel patronus*, der das Kind gewissermaßen dem Tode ausgesetzt hat, wird der Rechte an diesem für verlustig erklärt.'

<sup>43</sup> Cf. H.-J. THISEN, 'Koptische Kinderschenkungsurkunden' (cit. n. 35), pp. 123–124.

<sup>44</sup> On judicial issues of sale and mortgage of children in antiquity, cf. B. KIENAST, 'Kinderkauf, -verkauf', [in:] *Reallexikon der Assyriologie* v (1976), pp. 598–601; D. LIEBS, 'Sklaverei aus Not im germanisch-römischen Recht', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte RA* 118 (2001), pp. 286–311; MEMMER '*Ad servitutum aut ad lupanar*' (cit. n. 41); I. SCHNEIDER, *Kinderverkauf und Schuldknechtschaft. Untersuchungen zur frühen Phase des islamischen Rechts. (Abhandlungen für die Kunde des Morgenlandes 52/1)*, Stuttgart 1999. Sale of dependants has been suggested as an explanating pattern by STEINWENTER, 'Kinderschenkungen' (cit. n. 11), pp. 188–190, who referred to REVILLOUT, '*Actes et Contrats*' (cit. n. 3).

by the form of sales, and Byzantine legislation<sup>45</sup> related to the sale of children seems to be reflected in the preambel, if we are right in interpreting its half-true claims as a sort of diversionary tactic. The close restrictions made by the *Codex Justinianus* 4.43.2 strongly limiting the sale of dependants<sup>46</sup> and permitting parents as well as the children themselves to withdraw from the business<sup>47</sup> might partially explain the above-mentioned in-

<sup>45</sup> On that cf. MEMMER '*Ad servitatem aut ad lupanar*' (cit. n. 41), pp. 72–73: 'Mit eindringlichen Worten heben Valentinian II., Theodosius und Arcadius hervor, daß nur bei Vorliegen echter Not der Kinderhandel tolerierbar sei ... *CTh.* 3.3.1 dehnt die konstantinische Regelung bezüglich Neugeborener auf alle Kinder aus; nunmehr dürfen Kinder jeden Alters von ihren Eltern verkauft werden. Das verkaufte Kind fällt in die Gewalt seines Erwerbers. Der Text läßt jedoch erkennen, daß das Kind zwar unter der Gewalt des Käufers steht, es aber niemals die *ingenuitas* verloren hat. Der Verkauf löst sich in eine *locatio operarum* auf; der Erwerber muß sich damit begnügen, lediglich die Dienste für eine gewisse Zeit zu erhalten. Die *interpretatio* bekräftigt einmal mehr, daß die Verdingung nicht zur endgültigen und lebenslangen Sklaverei führen konnte – *non poterit in perpetua servitute durare*. Sie gesteht demjenigen die Rückkehr zur Ingenuität (im Sinne von Vollfreiheit) zu, der seine Dienstpflicht erfüllt hat – *servitio suo satisfecerit*.' *Ibidem*, p. 78: 'Während einer Hungersnot im Winter 450/51 kam es in Italien vermehrt zu Verkäufen von Kindern. Deshalb war es notwendig geworden, daß Valentinian III. die Unverjährbarkeit der *libertas* und *ingenuitas* wieder bekräftigte (*Nov.* 33, a. 451). Die Konstitution ist ein leidenschaftliches Plädoyer gegen den Kinderhandel an sich und für die Freiheit verkaufter Kinder: ... Nur ausnahmsweise – im Falle der Not – ist ein Verkauf möglich. Verkaufte Kinder fallen nicht unter das Joch der Sklaverei, wohl aber erleiden sie ein *mutatio status*: Sie stehen vorübergehend unter der Gewalt des Erwerbers.'

<sup>46</sup> Cf. MEMMER '*Ad servitatem aut ad lupanar*' (cit. n. 41), pp. 80–81: 'Justinian dehnt die Verbotsbestimmung von 374 [cf. above, n. 42] auf den *dominus* aus, der den *partus ancillae* aussetzen läßt. Die Aussetzung neugeborener Kinder wird im justinianischen Recht als Mord qualifiziert. [*Nov.* 153, *praefatio* (a. 542)]. ... Das ausgesetzte Kind darf nicht in die Sklaverei gezogen werden. ... Damit ist jedem Findelkind die Freiheit gesichert. ... Der Finder hat keine Rechte an diesem Kind. Sein Verhalten ist aus dem *officium pietatis* heraus zu erklären, und dieses verbietet, daß er Vorteile aus der Aufnahme zieht [*C.* 8.51(52).3.2].'

<sup>47</sup> Cf. MEMMER '*Ad servitatem aut ad lupanar*' (cit. n. 41), p. 82: 'Die erste Stoßrichtung führt zu einer mehrfachen Einschränkung des Kinderhandels: als alleinige *causa* ist der Kauf erlaubt, die unentgeltliche Hingabe [*i.e.*, donation!] bewirkt ebensowenig wie die Aufnahme eines Findelkindes. Ferner dürfen nunmehr neugeborene Kinder verkauft werden ... und drittens werden nur die aus der Not heraus verkauften Kinder dienstpflchtig. Der zweite Maßnahmenbereich greift das Widerrufsrecht auf, das stark erweitert wird: Nicht nur die Eltern können die Auslösung durchsetzen, sondern auch das verkaufte Kind und sogar jeder Dritte. Die Lösung wird – wie schon unter Konstantin – an die Erstattung des Preises oder die Stellung eines Ersatzsklaven gebunden [cf. the same requirement in

coherency within the business clauses. However, there is only sparse evidence of the main motive for the sale of dependants, sudden economic pressure<sup>48</sup> or indebtedness, in the documents themselves.<sup>49</sup>

All these scenarios share the notion that the main interest was on the part of, and the first activity came from, the donators, the children's parents. By contrast, Arietta Papaconstantinou has recently emphasized the activity and the interest at the monastery's end, pointing to parallels in the realm of the Byzantine and western churches, and arguing that the monastery's authorities 'used the cult of saints to its advantage, as a counterbalance to economic difficulties encountered under Early Islamic rule'.<sup>50</sup>

Any reconstruction of the social and religious setting of the child donation documents has to handle information not only taken from the business clauses, but also communicated in the *narratio*. The latter however, vividly told and detailed as it is, proves to be largely stereotyped, as mentioned above. The various ways of handling this information thus depend on different attitudes towards the 'boile-plate' quality of the *narratio*. Heinz-Josef Thissen, who considered child donation a christianized sort of child exposure, did not conceal his heavy distrust of the *narratio*,<sup>51</sup> and Arietta Papaconstantinou even views it as a means of intimidation employed by the monastery's authorities for inducing people to do what they would not have done otherwise,<sup>52</sup> while Sofia Schaten, who argues

the penalty clause of *P. KRU* 95, quoted above, n. 27].<sup>7</sup> So, the aim of this legislation actually was to convert exposure, type 'A' (cf. above, n. 51), into sale of children.

<sup>48</sup> This has been taken for granted as a constituent of the setting of child donation by STEINWENTER, 'Kinderschenkungen' (cit. n. 11), p. 204 and THISSEN, 'Koptische Kinderschenkungen' (cit. n. 35), p. 124.

<sup>49</sup> A hint to this direction is *P. KRU* 89.28–29, where the issuer complains about  $\pi\beta\alpha\rho\sigma\ \nu\eta\rho\iota\sigma\epsilon\ \epsilon\tau\rho\iota\sigma\omega\mu$  'the burden of the financial (?) demands (?) which is upon us'.

<sup>50</sup> PAPACONSTANTINOY, *Θεία οἰκονομία* (cit. n. [\*]), p. 511.

<sup>51</sup> THISSEN, 'Koptische Kinderschenkungen' (cit. n. 35), p. 119: 'Hier sei zunächst vermerkt, daß der in dieser Urkunde geschilderte Ablauf des Geschehens: Gelübde – Vegessen des Gelübdes ... – Krankheit des Kindes usw., der so individuell wirkt, sozusagen die «Standardausrüstung» aller Kinderschenkungen darstellt.'

<sup>52</sup> PAPACONSTANTINOY, *Θεία οἰκονομία* (cit. n. [\*]), p. 522: 'Si l'utilisation de formulaires-types est courante dans la pratique notriale, elle est plus inattendue pour les parties du document censées rapporter une histoire «personnelle».' *Ibidem*, p. 526: 'Il est vrai que le

for a purely religious intention of the donators, takes it to be more or less reliable,<sup>53</sup> to cite two extremely divergent views.<sup>54</sup> Anyway, the overall tendency of these attitudes, different in scope and detail as they are, is to treat the issue as an alternative, reality *or* fictitiousness. In the following I will argue against this view, trying rather to balance out features of reality *as well as* fictitiousness within the *narratio*.

#### 4. THE NARRATIO, ITS STRUCTURE, AND ITS NARRATIVE PATTERNS

Treating the *narratio* as what it looks like, just a story,<sup>55</sup> we find its plot, i.e., the structure of narrative constituents advancing the story, occurring in two versions, a long and a short one; additionally an abridged short version exists.<sup>56</sup>

caractère stéréotypé des documents, rédigés pour l'essentiel par les notaires sur la base des indications fournies, occulte la réalité des sentiments parentaux. Les éléments de pathos et d'affectivité obéissent à une topique qui n'a rien de personnel, et que l'on retrouve d'un texte à l'autre.'

<sup>53</sup> S. SCHATEN, 'Koptische Kinderschenkungsurkunden', *Bulletin de la Société d'archéologie copte* 35 (1996), pp. 129–142, at p. 135: 'Betont wird [sc. by THISSEN] ... insbesondere die wirtschaftliche Not der koptischen Bevölkerung ..., wonach sich Eltern genötigt sahen, ihre Kinder einem Kloster zu schenken. Jedoch widersprechen die individuellen Vorgesichten, die zur Schenkung der Kinder geführt haben, dieser Annahme.'

<sup>54</sup> STEINWENTER, 'Kinderschenkungen' (cit. n. 11) is ambivalent. One time he writes (p. 181): 'daß nahezu alle diese Schenkungen *sich als* Erfüllung eines Gelübdes *geben*.' Short time later he says (pp. 181–182): 'Allerdings *kam es* nicht allzu selten *vor*, daß hinterdrein die Eltern das Gelübde reute und sie sich der Erfüllung entzogen, bis diese ihre Sünde durch Gott gestraft wurde, indem das Kind schwer erkrankte.' [italics by T. S. R.]. E. WIPSYCKA, 'Donation of Children', [in:] *The Coptic Encyclopedia* III (1991), pp. 918–919, at p. 918 wrote cautiously: 'There is no reason to distrust the sincerity of those declarations, although the possibility exists of other economic and social motives on the part of the parents.'

<sup>55</sup> Note some explicit references to 'story-telling' in the child donation document, such as:  $\Upsilon\text{N}\Delta\text{T}\Delta\text{M}\omega\text{T}\text{N}\ \epsilon\text{N}\epsilon\text{I}\text{N}\text{O}\varsigma\ \nu\omega\pi\eta\text{R}\epsilon\ \mu\text{I}\text{N}\text{O}\Upsilon\text{T}\epsilon\ \epsilon\text{T}\text{Z}\text{N}\text{N}\epsilon\text{Q}\epsilon\text{P}\text{E}\text{T}\text{O}\Upsilon\Delta\Delta\text{B}$  (P. KRU 80.15) 'I will tell you these great miracles of god who is in his Saints';  $\text{T}\text{I}\text{N}\Delta\text{T}\Delta\text{M}\omega\text{T}\text{N}\ \Delta\text{K}\chi\text{I}\text{B}\text{I}\Delta$  (P. KRU 79.19) 'I will tell you exactly'.

<sup>56</sup> The long plot is six times attested (P. KRU 80, 86, 89, 96, 97, 100), the short plot six times in its full version (P. KRU 84, 85, 88, 91, 93, 102) and four times in its abridged version (P. KRU 78, 79, 81, 98). In six documents the *narratio* is not preserved (P. KRU 83, 90, 92, 95, 101, 103), while four documents (P. KRU 82, 87, 94, 99) go *medias in res* without a *narratio*.

	<b>Motive</b>	<b>Narrative function</b>
1.	Birth of the child and first vow	<i>Exposition</i>
2.	Intention to break the vow	<i>Rising action</i>
3.	Illness and deadly peril	<i>Complication</i>
4.	Walk to the monastery and second vow	<i>Climax</i>
5.	Recovery of the child	<i>Reversal</i>
6.	Return from the monastery	<i>Falling action</i>
7.	Donation of the child	<i>Catastrophe</i>

Fig. 1. Plot structure of the long plot

The long plot (fig. 1) forms a regular, classically structured narrative:<sup>57</sup> telling the story of the child's birth and the parents' first vow, an *initial position* is outlined. The story starts *moving* when the parents decide to break their vow, and it gets *complicated* by the subsequent illness of the child. The underlying causality between these two incidents, an important feature of narrativity,<sup>58</sup> is sometimes explicitly stated in direct speech: 'I discussed it with his mother, saying: «Perhaps it is (because of) our vow which we have broken.»' (*P. KRU* 89.9; 96.31–34; 100.22–23). In the second vow of the parents the story reaches its *utmost point of suspense*; the healing of the child marks the *turning point*; the action *falls* when the parents return to their home, and the *end position* is reached when they decide to donate their child to the monastery.

<b>a) Full version</b>	<b>b) Abridged version</b>
1. Birth of the child	1. Birth of the child
2. Illness of the child	2. Illness of the child
3. Vow	3. Vow
4. Recovery of the child	<i>(Business clauses forming the vow's content)</i>
5. Donation of the child	

Fig. 2. Plot structure of the short plot.

<sup>57</sup> The elements are classified here according to FREYTAG's pyramid, an application of Aristotle's poetological analysis of the suspense economy of tragedies to narratives, cf. G. PRINCE, *A Dictionary of Narratology*. Lincoln – London 2003, p. 36.

<sup>58</sup> Cf. PRINCE, *A Dictionary of Narratology* (cit. n. 57), p. 11 s.v. 'causality'.

The short plot (see fig. 2) lacks the first vow within the exposition: instead, the disease of the child is sometimes motivated by the general level of sin attained by the parents at that time. The abridged short plot lacks an element quite important for the narrative consistency of the story: the healing of the child is not narrated. But it is actually taken for granted, since the parents' vow contains (or, consists of) the usual business clauses regulating the child's service in the monastery. So, the 'I' of the story, the narrator, returns the issuer without any formal break between *narratio* and business clauses. In the case of the long plot and the complete short plot on the other hand, the decision of child-donating works as a formal link between the narrative and the legal act, between a *textual universe* and the *real world*.

However, the child donation *narratio* is not only embedded in the overall structures of narrative as a genre, but is inspired and shaped by patterns from narrative resources of the Christian community of Egypt. It is the narrator himself who points out to us a religious and narrative prototype, when he says: 'He who had listened to the prayer of Anna the prophetess, the mother of Samuel the prophet, has also listened to us.' (P. KRU 89.30–32; 96.51–53; 100.30–32). Or, in a similar vein: 'And this happens not just to me, it has happened since the time of Samuel the prophet, whom his parents donated to the temple of the Lord' (P. KRU 85.29–31), or when the narrator modestly confesses: '... since *we* do not attain the measure of the blessed Anna, the prophetess and mother of the prophet' (P. KRU 100.37–38). It is the *Old Testament* story about the childless Anna from the *First Book of Samuel*, Chapter 1, who promises: 'O Lord, ... if thou ... wilt give unto thine handmaid a man child, then I will give him unto the lord all the days of his life'. But this biblical narrative is not yet the immediate pattern of the *narratio*. Still more directly, it is squeezed, as it were, into a contemporary narrative matrix. This is at least allusively referred to when the narrator says: 'I will tell you *this great miracle*',<sup>59</sup> as that matrix story, attested in a number of versions,<sup>60</sup> is a miracle

<sup>59</sup> ἡΝΑΤΑΜΩΤΗ ΕΝΕΙΝΟΘ ΝΩΠΗΡΕ ΜΠΟΥΤΕ ΕΤΩΝΝΕΠΕΤΟΥΔΑΒ (P. KRU 80.15); similarly, ΔΙΟΥΩΝΩΨ ΕΒΟΛ ΕΡΩΤΗ Ω ΝΑΚΗΗ ΔΥΩ ΝΕΩΠΗΡΕ (P. KRU 80.26–27).

<sup>60</sup> *Panegyrikos on St. Viktor Stratêlatês* ed. W. BUDGE, *Coptic Martyrdoms*, London 1914; *Panegyrikos on St. Viktor Stratêlatês*, ed. O. VON LEMM, 'Zu einem Enkomium auf den hl. Viktor', *Zeitschrift für Ägyptische Sprache und Altertumskunde* 48 (1911), pp. 81–86; *Vita of Apa*

story. I quote it according to a panegyrikós on Viktor stratêlatês. Passing over the exposition and rising action, I start with the complication: ‘Suddenly a large stone fell from a corner of the house; it fell down upon the boy, and he died at once. When his parents heard this, they tore their clothes, they came and cried with loud voices, and found the child dead. Oh, how great was the grief at this hour! They shouted: «Woe is us, our beloved son! We are guilty of your death, since we have made and have broken a vow to donate you to the monastery of the Saint» ... But his father composed himself in a great, strong faith. He took the child on his shoulders, while his mother and his servants followed him, and brought him into the martyrion of St. Viktor. He laid him down at the altar and cried: «Lord Jesus, I know you are almighty, and you gave us this child. Now, do not act according to our foolishness, but have pity on our tears and bring back the soul to him, and we will be servants to you until the day of our death.» And due to the prayers of St. Viktor, the boy opened his eyes immediately, and great joy befell the father of the boy and his mother at this hour ... And he stayed together with his wife and his son in the monastery until the day of his death. And the child became a famous ascetic; later he held the rank of a presbyter.’

What does it mean – in terms of reality versus fictitiousness – that the child donation *narratio* proves to be shaped by narrative patterns from the sphere of biblical and contemporary literature? First, pace Sofia Schaten, it is obviously impossible to gather from the plot of the *narratio* reliable information about what actually happened. Are Heinz-Josef

*Matthaios the Abbot*, ed. E. AMÉLINEAU, *Fragments de la vie de Matthieu le pauvre*, [in:] *Mémoires de la mission archéologique française au Caire* IV, pp. 719–720; for the same story in the *Synaxar*, cf. *Patrologia Orientalis* III pp. 399–400. *Vita of St. Moses of Abydos*, cf. R. G. COQUIN, ‘Moses of Abydos’, *CoptE* V, pp. 1679–1680. Already VON LEMM, *op. cit.*, p. 86 and A. STEINWENTER, ‘Zu den koptischen Kinderoblationen’, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte KA*. 12 (1922), pp. 385–386, pointed to such ‘parallels’. SCHATEN, ‘Koptische Kinderschenkungsurkunden’ (cit. n. 53) took them as a further evidence of what actually happened when child donations happened (132): ‘Gerade die Vita des Hl. Viktor zeigt in einer Wundererzählung, die diesem Heiligen zugeschrieben wird, den typischen Werdegang einer Schenkung: Gelübde der Eltern, Erkrankung des Sohnes, Brechen des Gelübdes, Tod des Kindes, Rettung durch den Heiligen, Eintritt in das Kloster.’ PAPACONSTANTINOÛ, *Θεία οἰκονομία* (cit. n. [\*]), treating these narrative patterns at full length, based on them her conclusion, the monastery had (ab-)used the cult of saints to its economic advantage.

Thissen and Arietta Papaconstantinou then right in considering the *narratio* a tissue of lies, used merely as a pious cover-up for entirely different facts? I believe not, because the *narratio* actually does records things that were undoubtedly real. The fathers, couples, widows or unmarried women, the children, their horrible diseases, and the monastery itself, these all did really exist, and taken together they form such broad a base of reality that it seems justified to read each individual version of the *narratio* as a *non-fictional autobiographical narrative*. Admittedly, these autobiographies were not *written* by their protagonists, surely illiterate people,<sup>61</sup> and they may not even have been *told* by them. Yet this does not in any sense contradict their classification as non-fictional autobiographical narratives. They just belong to the category of 'group autobiographies',<sup>62</sup> autobiographical first-person narratives composed by more than one person, and consequently going beyond the perspective, knowledge and self-consciousness of the protagonist; but still they are autobiographical, at least no less autobiographical than, say, what a psychoanalyst would consider the autobiography of his patient.<sup>63</sup> As for the shaping of these autobiographies by narrative patterns from literature, this is considered a particular, almost unavoidable feature of any autobiographical narration.<sup>64</sup>

<sup>61</sup> Cf. PAPACONSTANTINOY, *Θεία οἰκονομία* (cit. n. [\*]), p. 521.

<sup>62</sup> M. CHAMBERLAIN & P. THOMPSON, 'Introduction. Genre and Narrative in Life Stories', [in:] IDEM (edd.), *Narrative and Genre. Routledge Studies in Memory and Narrative* 1, London – New York 1998, pp. 1–22, at p. 11.

<sup>63</sup> CHAMBERLAIN & THOMPSON, 'Introduction' (cit. n. 62), p. 9: 'When Freud had completed Dora's narrative, was it hers, or Freud's?'

<sup>64</sup> CHAMBERLAIN & THOMPSON, 'Introduction' (cit. n. 62), p. 14; cf. also G. ECHTERHOFF & W. HIRST, 'Remembering in a Social Context: A Conversational view of the Study of Memory', [in:] G. ECHTERHOFF & M. SAAR (Hsgg.), *Kontexte und Kultur des Erinnerns: Maurice Halbroachs und das Paradigma des kollektiven Gedächtnisses*, Konstanz 2002, pp. 75–101; R. PASCAL, *Design and Truth in Autobiography*, London 1960; H. WHITE, 'The Narrativization of Real Events', [in:] W. J. T. MITCHELL (ed.), *On Narrative*, Chicago 1981, pp. 249–254; P. J. EAKIN, *How Our Lives Become Stories: Making Selves*, Ithaca – London 1999; D. W. LEHMAN, *Matters of Fact. Reading Nonfiction over the Edge*, Columbus 1997; L.-Å. SKALIN, 'Three Types of Plot Structure: The Relation between Narration and Experience', [in:] C. WAHLIN (ed.), *Papers from the Symposium on Narratology 1994, Stockholm, Frankfurt/M. – Berlin 1996*, pp. 125–140; H. WHITE, 'The Historical Text as Literary Artifact', [in:] B. RICHARDSON (ed.), *Narrative Dynamics. Essays on Time, Plot, Closure and Frames*, Columbus 2002, pp. 191–210.

## 5. EXPERIENCE AND GENRE:

THE TRUTH AND FUNCTION OF A NON-FICTIONAL  
AUTOBIOGRAPHICAL NARRATIVE

Obviously, seeing reality versus fictitiousness as the two alternatives is not an appropriate perspective on the child donation *narratio*. Indeed, the point of autobiographical narrating lies just in the dead angle of this perspective, because autobiographical narratives are never not real and never not fictional. This is what Mary Chamberlain and Paul Thompson have called 'the anomalous position of autobiography within traditional genres'.<sup>65</sup> The question 'How far should it be read as a narrative of real experience, and how far as a form of fiction?'<sup>66</sup> is answered by them as follows: 'Any live story, whether a written autobiography or an oral testimony, is shaped not only by the reworkings of experience through memory and re-evaluation but also always at least to some extent by art. Any communication had to use shared conversations not only of language itself but also the more complex expectations of 'genre': of the forms expected within a given context and type of communication'.<sup>67</sup> These reflections lead me to the hypothetical conclusion that the child donation *narratio* may have borrowed from popular genres in order to express personal feelings on certain issues which could not otherwise be addressed. But what feelings and what issues could not otherwise be addressed? I would like to focus once again on the most remarkable discord within the documents: the emotiveness and religious solemnity of the *narratio*, forming a conspicuous contrast to the trivial fate of child servants of a monastery. Moreover, this very discrepancy between textual fiction and reality marks a clear difference between the *narratio* and its narrative patterns, since Samuel as well as the promised children of the miracle stories became *real* servants of *God*: priests, monks, a 'famous ascetic'. It is just this discord which Steinwenter addressed and in the question why the children at Jême were donated not as future

<sup>65</sup> CHAMBERLAIN & THOMPSON, 'Introduction' (cit. n. 62), p. 3.

<sup>66</sup> CHAMBERLAIN & THOMPSON, 'Introduction' (cit. n. 62), p. 3.

<sup>67</sup> CHAMBERLAIN & THOMPSON, 'Introduction' (cit. n. 62), p. 1.

monks but as servants of the monastery.<sup>68</sup> I suspect that the reason Steinwenter was seeking is a sad one. I am afraid the children of Phoibammôn were no appropriate candidates. This assumption is supposed by some non-stereotypical ornaments woven into the prefabricated texture of the *narratio*. For instance, a boy who is apparently born after seven months<sup>69</sup> and whose disease is called ‘demonic’;<sup>70</sup> a child who had been thrown into the fire, it is told, by the Devil (perhaps an epileptic fit?), and who almost burnt;<sup>71</sup> a boy who ran away from home (*P. KRU* 93.15–17); a number of children obviously living with male or female single parents (*P. KRU* 79, 80, 81, 86, 95). Is it permitted to generalize from these few clues? The result would shed light on the misery of overexerted, discouraged parents of children who had become a burden, parents thus being in a complex dilemma of emotional, social and religious components. The narrative matrix would have served to integrate difficult lives by means of its intrinsic power, the ‘persuasive power of coherent narrative’,<sup>72</sup> the therapeutic energy of a well-constructed story possessing a kind of immediate narrative truth and permitting us ‘to make sense out of nonsense’.<sup>73</sup> The interaction and communication between the monastery and the issuers of child donation

<sup>68</sup> STEINWENTER, ‘Kinderschekungen’ (cit. n. 11), p. 207, see above, § 3.1 with n. 42. The same crucial question was one of the starting points of PAPAConstantINOU’s reappraisal of the whole subject: ‘s’il s’agissait d’actes purement religieux, pourquoi les enfants n’embrassaient-ils pas la vie monastique?’ (PAPAConstantINOU, *Θεία οἰκονομία* [cit. n. (\*)], p. 516).

<sup>69</sup> *P. KRU* 86.18–19: ΔΥΧΠΕ ΟΥΩΗΡΕ ΩΗΜ ΝΡΟΥΤ ΝΔΙ ... ΖΗΠΕΦΜΕΖCΔΩΦ ΝΕΒΟΤ.

<sup>70</sup> *P. KRU* 86.36–37: ΔΦΖΕ ΕΖΡΔΙ ΕΥΩΩΝΕ ΝΔΔΙΜΩΝ.

<sup>71</sup> *P. KRU* 97.7–9: ΠΔΙΔΒΟΛΟC ΡΕΖΤ ΠΩΩΗΡΕ ΕΤΜΜΔΥ ΕΖΟΥΝ ΕΠΚΩΖΤ ΔΦΡΩΚΖ ΝCΔΒΗΛ. Even after his ‘salvation’ and reconvalescence from this accident, the boy was weakly: *P. KRU* 97.53 ff.: ‘He [i.e., God] will not permit that anybody shall bring Pesynthios out of this *topos*, since the illness which befell him has made him weak (ΕΒΟΛ ΧΕ ΔΠΩΩΝΕ ΝΤΔΦΤΔΖΟΥ ΔΔΦ ΝΩΩB)’

<sup>72</sup> CHAMBERLAIN & THOMPSON, ‘Introduction’ (cit. n. 62), p. 9.

<sup>73</sup> CHAMBERLAIN & THOMPSON, ‘Introduction’ (cit. n. 62), p. 9; cf. *ibid.* on the (re-)discovery made by psychoanalysis ‘that a well-constructed story possesses a kind of narrative truth that is real and immediate and carries an important significance for the process of therapeutic change.’ Cf. also R. F. BAUMEISTER & L. S. NEWMAN, ‘How Stories Make Sense of Personal Experiences: Motives that Shape Autobiographical Narratives’, *Personality and Social Psychology Bulletin* 20 (1994), pp. 676–690; J. BRUNER, ‘The narrative construction of

documents, resulting in the child donation *narratio*, would have been a medium providing the parents themselves and their community with a concept to think about, and a language to talk about otherwise disturbing, isolating experiences.<sup>74</sup> So, to speak with Fforde's protagonist Thursday Next, they 'could have made the jump by choice,' they 'might have preferred it.'<sup>75</sup>

This hypothesis, whilst certainly not contrary to that of Arietta Papaconstantinou, yet implies a somewhat different emphasis. It takes into account an original interest on the parents' part, and tries to interpret the interaction and interlocution forming the child-donation procedure to the monastery of Phoibammôn as a symbiotic, reciprocal sort of social activity, rather than a merely unilateral 'stratégie de pression et d'intimidation'<sup>76</sup> induced by the monastery to its own economic advantage only. The crucial issue here which remains to be considered is the overall interdependence between individual as well as social experience, practice, and communication within a given culture and its narrative universe – the key question of cultural narratology!

reality', *Critical Inquiry* 18 (1991), pp. 1–21; R. CHAMBERS, *Story and Situation: Narrative Seduction and the Power of Fiction (Theory and History of Literature 12)*, Minneapolis 1985; ECHTERHOFF & HIRST, 'Remembering in a Social Context' (cit. n. 64); PASCAL, *Design and Truth* (cit. n. 64); J. STRAUB, 'Geschichten erzählen, Geschichte bilden: Grundzüge einer narrativen Psychologie historischer Sinnbildung', [in:] IDEM (Hsg.), *Erzählung, Identität und historisches Bewußtsein: Die psychologische Konstruktion von Zeit und Geschichte* 1, Frankfurt 1998, pp. 81–169; WHITE, 'The Narrativization' (cit. n. 64), IDEM, *The Content of the Form. Narrative Discourse and Historical Representation*, Baltimore 1992.

<sup>74</sup> Note that this description comes quite close to how PAPACONSTANTINOY, *Θεία οἰκονομία* (cit. n. [\*]), p. 526, characterized the function of the *narratio*, although with another scope: 'Il est vrai que le caractère stéréotypé des documents, rédigés pour l'essentiel par les notaires sur la base des indications fournies, occulte la réalité des sentiments parentaux. Les éléments de pathos et d'affectivité obéissent à une topique qui n'a rien de personnel, et que l'on retrouve d'un texte à l'autre'. Admittedly I would prefer to think 'la réalité des sentiments parentaux' no intrinsic entity but quite a complex construct formed and influenced a great deal by social and religious constituents.

<sup>75</sup> Cf. passages identifying the narrators' fate with that of their famous predecessors, such as: 'and this does not just happen to me, it has happened since the time of Samuel the prophet, whom his parents donated to the temple of the Lord' (*P. KRU* 85.29–31).

<sup>76</sup> PAPACONSTANTINOY, *Θεία οἰκονομία* (cit. n. [\*]), p. 526

**APPENDIX**

**P. KRU 96:  
DONATION OF A BOY BY HIS FATHER  
TO THE MONASTERY OF PHOIBAMMÔN NEAR JÊME,  
REPRESENTED BY ITS SUPERIOR SURUS**

## 1. PROTOCOL

*Invocation and date*

† In the name of God, the Almighty! Written in the month Mesorê, (day) 26, Ind(iction year) 13.

*Intitulatio of the issuer and address of the consignee*

I, Phoibammôn, the son of Athanasios, who causes a writing assistant to sign for him and has requested trustworthy witnesses to witness this unfringible, undestructable donation deed which cannot be troubled by the laws, I am writing to the *dikaion* of the holy martyr Saint Phoibammôn in the rocks of Jême, represented by you, Surus, the most godfearing diacon, and everybody who comes after you in the same monastery of Saint Phoibammôn as its superior:

## 2. DEED CORPUS

*Preamble*

Since God's law engages and encourages everybody to do the good and the useful, whatever he wants, with his property:

*Narratio*

After the mercy God has ordered and my son was born, I thought of my sins and decided that, if he would live, I would give him to the monastery of Apa Phoibammôn for the salvation of my soul. But when the little boy

grew up and made good progress, I intended to break my vow that I had settled with God and his Saint. After that, the little boy fell into a great and very severe disease, and we had much grief about the little boy and we were envious to see all the healthy little children who are the consolation of their parents. We discussed – I and his mother – that perhaps God and his Saint had done this for us, since we had infringed the alliance that we had formed with him. We consulted together: ‘Let’s set off and take the little boy and go to the holy monastery and request the holy martyr: «Forgive us the boldness we have done!» Perhaps he will ask God and he gives healing to the little boy.’ Then we took the little boy and brought him into the holy monastery, We always besought God and his Saint, the holy Phoibammôn, we cried and besought the martyr: ‘Forgive us the sin we have done!’, and we always received the holy Communion together with the little boy, and after a period of one month, he who had listened to the prayers of the blessed Anna, the mother of Samuel the prophet, also listened to us. He gave healing to the little boy, and we went back home, praised God and reflected: ‘This little boy was counted among the dead before he received healing. But now, he has got well. So he may become a servant of the holy monastery, the place where he received healing.’

### *Business clauses*

When we came here today, we thought: ‘Lest somebody from our village attempts to make difficulties for the little boy!’ (and) I started to issue this donation deed, and I forwarded it to our father, the Bishop, and the superior, that he may keep it in the library of the holy monastery, so that, if somebody should prevent the little boy from being a servant to the monastery, it can be brought and shown. If they read it, they will refrain from this big crime. Whoever among the Christians should dare to demand this little boy from the holy monastery, he will be under the judgement that the Lord has spoken through the mouth of Moses the Hierophant concerning those who would hinder the vow of the Lord. Furthermore, if the little boy dislikes being servant to the monastery, the place where he has been healed, then he shall give all he acquires by his handicraft to the monastery according to what will be agreed with the future superior.

## 3. FINISHING CLAUSES

*Dismissio of the deed, stipulation and witness signs*

As a safeguard for the *dikaion* of the holy monastery I have issued this donation deed, it is sure and valid at any place where it will be shown. It has been read to me by the notary, I enjoyed it and I confirmed it by writing assistants and trustworthy witnesses. I dismissed it in accordance with the laws † † I, Patlôle, the son of Abraham from the Epoikion And(roniku), I am witness † † I, Koumête, the son of Paphora, I am witness † † I, John, (the son of) Sanagap from the Epoikion And(roniku) I am witness † † I, Senouthios, (the son of) Johannake from Hermonthis, I am witness †

*Completion note of the notary*

† (*Greek:*) Written by me, Elisaïos, the most humble priest, from Hermonthis.

*Tonio Sebastian Richter*

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