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The Land-Tenure Regime in Ptolemaic Upper Egypt*

J. G. MANNING

> The land which was held by the temples, and, especially in the south, was in the hands of hereditary tenants or owners, some of whom belonged to the higher and lower clergy, probably escaped the pressure of the government and was cultivated in the old-fashioned way.
>
> M. I. Rostovtzeff, *Social and Economic History of the Hellenistic World* II, 1200

Introduction

PREVIOUS VIEWS OF THE land-tenure regime in Egypt under the Ptolemies have not neglected consideration of the balance between the state and the individual but they have tended to emphasise one area of the country, the Fayyum, and one aspect of economic organisation, the so-called royal economy imposed on the country by Ptolemy II.[1] Both emphases have been directed by the nearly exclusive use of the Greek papyri in constructing the historical narrative. We owe much of the basic picture of land-tenure in Egypt during the Hellenistic period to the influential work of Michael Rostovtzeff and Claire Préaux, scholars who both relied heavily on Greek sources from the Fayyum, among which the Zenon archive from Philadelphia, dating to the third century BCE, has occupied a prominent position.[2] The large number of documents illustrating the administration of

* This paper is part of a larger book project in which I am engaged entitled *Peasants, Local Power and the Ptolemies. Toward a Rural History of the Nile Valley in the Hellenistic Period.* The present discussion should be considered preliminary until a further account of all the evidence is rendered therein.

[1] On Ptolemy II Philadelphus as the innovator of the royal economy, see Turner (1984), 133–59.

[2] The economic structure of Hellenistic Egypt is summarised in Rostovtzeff (1941) I, 267–332. In addition to Turner (1984), see the recent critiques of Rostovtzeff's views by Samuel (1989), 51–65; Austin (1986); Préaux (1939) remains the standard reference work on the functioning of the royal economy. On the Zenon archive see Thompson, below, p. 125.

Proceedings of the British Academy, **96**, 83–105.

a large estate granted by Ptolemy II Philadelphus to one of his leading ministers can hardly be expected to offer a representative picture even for the Fayyum. This was, in any case an unusual region in many respects and the emphasis on it has crowded out of the picture the Nile Valley and Egyptian traditions of landholding, both of which are important aspects of any study of Egypt as a whole under the Ptolemies.[3] A better appreciation of the comparisons to be made between the evidence of the Greek papyri and that of the demotic should allow us to redress the balance and to approach a description of the economy and society of Ptolemaic Egypt which will take account of the way in which institutions and practices appear in documents from two different social and linguistic traditions.

Rostovtzeff and those who have followed him have argued, or in some cases assumed, that Ptolemaic governance of Egypt was characterised by strong 'state' control of Egypt's resources which, it is usually argued, was a tradition going back to the pharaohs. Tight and efficient management of Egypt's natural resources, and the elaborate taxation system placed upon these resources, in addition to a greatly increased degree of monetisation of the economy, stretched peasants and private economic activity to the point of breaking. Such a scheme of state control of resources under the Ptolemies is coming under increasing doubt as indeed it has for the Pharaonic period as well.[4] That Egypt was never as centrally, tightly, or uniformly managed as this argument holds is suggested by many general factors, not least the geography of the land and the nature of the long narrow river valley. The fundamental issue in controlling Egypt was management of water and its distribution. Although it has been held that this was most effectively accomplished by despotic regimes, I would rather argue that it was always a matter for local concern and therefore it is the behaviour of local and regional power structures which must be studied and brought into relation with national or state institutions to whatever extent the latter existed.[5] The tension between 'state' and local authority is a theme which runs through Egyptian history, and it became an increasingly thorny issue in the Hellenistic period with the political centre even further removed from the Nile Valley in the new city of Alexandria. I argue in this paper that the Ptolemies did not fundamentally alter the local institutional structures in the rural Nile Valley but adapted to what was already in place, grafting new administrative mechanisms on to traditional rural structures.[6] This contrasts sharply with the Fayyum, where royal interest

[3] Thompson, in this volume (chs. 5 and 6) stresses the atypicality of the Fayyum. Butzer (1976), 58, has pointed out the factors which make the Fayyum a 'distinct ecozone'. The royal focus on the Fayyum, crop experimentation and the burgeoning population in Alexandria all exerted new pressures on the Fayyum. On the suggestion of the importance of regional differences, see Crawford (1973), 223.

[4] See e.g. the comments of Butzer (1976), 50–1.

[5] Butzer (1976), 51; cf. Samuel (1989), 56.

[6] Préaux (1939), 429–31 described the administrative structure as consisting of several layers—

was more direct and government impact more profound because of the reclamation project which was followed by new settlements, the influx of new populations and experimentation in new crops, not the least of which were the olive and a new strain of wheat (*triticum durum*).[7] To describe merely the royal economy, then, is to describe only part of the picture of the land-tenure regime in Hellenistic Egypt. The symbiosis of old and new in Hellenistic Egypt allowed significant private economic activity. There continued to be a variety of landholding patterns and, operating underneath the royal economy, village and regional economies, what Braudel has termed the infra-economy.[8] Such a scenario suggests something far from a monolithic state economy. How these local economies were tied into the 'national' economy is perhaps the least-explored area of Hellenistic economic history. Furthermore, if Bingen is correct, Greeks had less access to land than has previously been thought, the corollary of which is a greater engagement in other types of economic activity.[9] This is another contrast to the Egyptian scene, where Egyptians and others continued to work land in traditional modes. But even on kleruchic holdings, Egyptian lessees played a prominent role, not being displaced from the land but in fact performing the bulk of the farming for the nominal Greek landholders.[10]

The Fayyum depression has been the focus of much of the scholarly attention accorded to rural history under the Ptolemies because of the Greek papyri, acquired either by excavation or purchase, from sites there and subsequently quickly published. The survival of Greek papyri in great numbers here may in part be explained by the royal emphasis on this part of the country in the early Ptolemaic period. But their use has led to an overemphasis of the notion of the hierarchical, smooth-running bureaucracy and a centrally administered economy.[11] Since official administrative records tend to be prominent among the Greek papyri, they may well offer a slanted and somewhat idealised view of the actual practice of the Ptolemaic administration.[12] This is not to diminish the importance which the early Ptolemies attributed to the Fayyum. Kleruchs, or reservist soldiers, although also present in Upper Egypt were settled in greater

[7] Cf. Rowlandson (1996), 29, 'royal interest in the *ge hiera* (sacred land) . . . is more evident in the Fayyum than in the Thebaid.' On the new crops, see Thompson, below, ch. 6.

[8] Braudel (1981), 24.

[9] See Samuel (1989), 59.

[10] Bingen (1978).

[11] Even in relation to the evidence of the Greek papyri, the role of state-directed authority over the countryside may be called into question. The annual survey of crops was not something dictated from Alexandria but was rather based on reports at the local level which were then sent to the city. See Vidal-Naquet (1967), but note that some of Vidal-Naquet's readings have been questioned (see the comments of Thompson below, p. 136).

[12] A large proportion of Ptolemaic Greek papyri derive from mummy cartonnage made from papyri obtained from government record offices; the Zenon Archive is an exception.

numbers in the Fayyum where they reclaimed tracts of land in exchange for service in the army when called upon,[13] and it was easier and politically more expedient to reclaim land there rather than seizing temple property in the Nile Valley.[14] The early Ptolemies were very keen to keep Egyptian temples and the native priesthood on their side. The use of new lands to settle soldiers was very important—it enabled the early Ptolemies to have a ready and, more importantly, a loyal fighting force (in contrast to other Hellenistic kings who more than once experienced soldiers defecting to the other side), and it also served as way of reclaiming land by forcing the kleruchs themselves to take on this task. A comparison with the Middle Kingdom Fayyumic reclamation project under Sesostris II and subsequent pharaohs of the Twelfth Dynasty links both, interestingly, with the establishment of new, northern-based regimes.[15]

I argue in this paper that in attempting to manage the countryside in Upper Egypt the Ptolemies adopted pre-existing institutions and left unchanged traditional patterns of landholding. The Nile Valley received less direct royal attention than the Fayyum (the history of the Delta is largely unknown in the Ptolemaic period) and thus remained as it had been before the arrival of Alexander. I conclude therefore that in Upper Egypt there was strong continuity in the land-tenure regime from pre-Ptolemaic times.[16] One feature of economic continuity in Upper Egypt was the private holding and transfer of land within the context of the temple estates.[17] After presenting some general considerations about the nature of the demotic Egyptian documents of land conveyance, I will discuss the status-titles of parties to land conveyances and will then focus on one demotic Egyptian family archive from third-century BCE Edfu (Apollinopolis Magna). I conclude this brief attempt at microhistory by discussing how more detailed analysis of the Egyptian demotic material might affect previous views of land-tenure in Egypt and how some of the evidence from Upper Egypt contrasts with that from the Fayyum. In order to write a history of land-tenure in Egypt in any period, I conclude, one must take into account

[13] For the contrast between kleruchs, who had themselves to reclaim the land given to them, and Egyptians holding old family estates, see Clarysse (1979b), 742 and cf. Samuel (1983), 45. On the large state-backed reclamation project under Ptolemy II and III, see Westermann (1917), Butzer (1976), 37.

[14] Shaw (1992), 281 has recently stated that Greeks in the early Ptolemaic period proceeded to seize Egyptian 'land, property and wealth' and that this constituted 'one of the greatest "take-overs" in all of antiquity.' This is certainly an exaggeration of the situation. There is no evidence of which I am aware that the Ptolemies ever seized temple land.

[15] See Hayes (1971), 510–11, Butzer (1976), 36–7.

[16] Such continuity with earlier periods contrasts with substantive structural change throughout Egypt under Augustus. See Bowman and Rathbone (1992); Rowlandson (1996), 29–31. On Rostovtzeff's view of 'continuance where possible', see Samuel (1989), 53.

[17] On private ownership of land, see also Turner (1984), 148; Manning (1996).

regional differences in geography, landholding patterns, and social customs as well as the relationship of these to the variable degree of political control exerted by the central government.

Upper Egyptian Conveyance of Land

There are approximately eighty demotic Egyptian conveyances of land from Upper Egypt and some additional sale receipts written on ostraka. They are a heterogeneous group of texts which, although couched in terms of sale, record many different types of transactions from true sales to mortgages, inheritance and forfeitures after a legal dispute. I focus on one type of documentation (conveyances) because it is the right to convey property which is a central element in any definition of private ownership of property. Whether the existence of such a right is a *sufficient condition* for the identification of the existence of private ownership of property is a question which might call for further discussion. Be that as it may, I argue in this paper that this degree of private control of real property was an important element in the local economies of the Nile Valley. In these documents there is almost always a temple context of the sales; parties involved had status on temple estates or were women who gained status through their husbands. Very few cases survive of the transfer of land from parents to their children by means of conveyance, yet we know that children regularly inherited land from their parents, and had an expectation of doing so, not always without problems.[18] That land was regularly handed down from parents to their children is attested in the boundary descriptions in conveyances of land which frequently mention 'the land of so-and-so which is [now] in the possession of his children'. The explanation for the paucity of conveyance documents recording family transfers is that transfer normally occurred not through conveyances but by inheritance, the usual mechanism of which was a written marriage agreement between husband and wife which established the line of inheritance. If the land was held jointly by several siblings there may have been no need to draw up documentation at all. Real divisions of land between siblings was effected through the deed of division (*sḫ dny.t pš̌*) of which only a very few survive. If I am right in arguing for a largely informal, family-based land-tenure regime here, the practice may be likened to the custom of *athariyya*-transfer in nineteenth century Egypt.[19] Such informal intrafamilial transfer of real property would serve to avoid 'transaction costs' such as the cost of writing up a document of conveyance and transfer tax on the transaction.[20]

[18] For a bitter family dispute over land at Asyut in the 2nd century BCE see Thompson (1934) and below, p. 88.
[19] Marsot (1984), 144.
[20] Silver (1995), 132.

Given the amount of arable land under cultivation in Egypt, we know precious little about the disposition of much of it from documentary sources.[21] Such absence from the written record, may be explained, in part, by the accident of preservation. But I believe there is a second factor which also accounts for the lack of records. If small-scale family landholding was predominant, with land often jointly held within a family, it would have been unnecessary to convey land within the family, under normal circumstances, by written legal instrument.[22] Such conveyances record unusual transfers rather then the normal transfer of family property from one generation to the next. Physical division of family land did occur and highlighted the tension between individual rights in real property and the desire to keep family land from fragmenting. Since Egyptians practised partible inheritance, further pressure on family property fragmentation was certainly exerted by the upward demographic trend in the Hellenistic period.[23] We can observe the result of this tension between individuals and the family unit in a famous family dispute over inheritance of real property in Asyut in the second century BCE. The dispute was over the inheritance of the ownership of two plots of land held by two half-brothers. The land was originally controlled jointly ('without division', demotic *wš̌ pš̌*) and leased out. The phrase is often seen in the private legal papyri and indicates joint control, usually of family land. In the Asyut dispute, the land, divided into two parcels, was inherited by two half-brothers. At some point, we do not know exactly why (one of the brothers claimed he was being 'defrauded' and the ultimate tension may have been a problem in the division of the harvest from the land), a real division of the land was requested and a bitter court battle ensued, of which we have the verbatim record. The suit was brought by the eldest brother's wife on behalf of her children to lay claim to the rights to both plots of land as the inheritance guaranteed to fall to her children by her marriage agreement. Thus holding land as a family unit, while it made economic sense, may not always have reduced family tensions. Such tension over the division of family land in part also derived from the tendency in Egypt to divide the land into long narrow plots from the Nile to the desert edge. This was a function of irrigation and similar family tension over land has continued in Upper Egypt even into the recent past.[24]

While we do not have sufficient numbers of texts to make the bar graphs statistically meaningful (the Edfu graph represents, for example, one family archive), we can say that the sites best represented are the Upper Egyptian population centres which also had arable land in the immediate vicinity (Thebes, Pathyris, Apollinopolis Magna (Edfu); see Figure 4.1). Elephantine (Aswan),

[21] Butzer (1976), 83 estimates 10, 000 km^2 of arable land in the Nile Valley for the mid-Ptolemaic period (150 BCE).

[22] On such undocumented family land in the Byzantine period see Bagnall (1993), 149.

[23] Bowman (1996), 17; Butzer (1976), 91–2, with fig.13.

[24] Ammar (1954), 24.

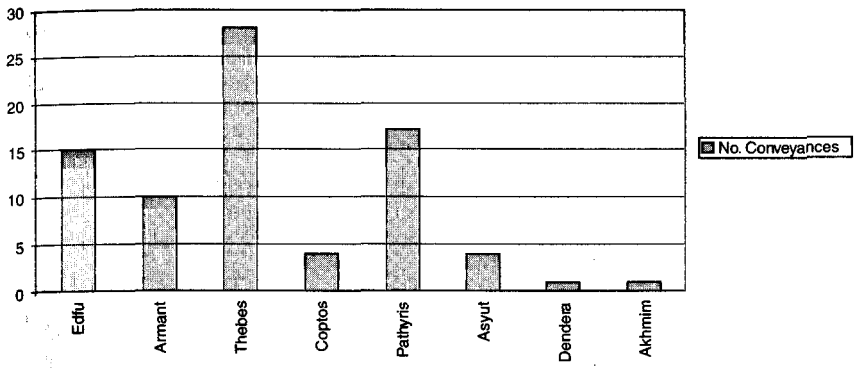

Figure 4.1 Upper Egyptian demotic conveyances of land by site.

otherwise a town of considerable importance in the Ptolemaic period, is conspicuous by its absence, indicative of the small amount of arable land in that region. As publication of demotic ostraka continues, I would expect the numbers of recorded sales (in the form of receipts from sales of land) particularly from Thebes to increase, perhaps significantly.[25] Under the heading of conveyance of real property come several varieties of land: arable land, gardens, building plots, tomb sites. The decline in the number of demotic conveyances in the course of the Ptolemaic period contrasts with the Greek evidence for conveyance of land, which is almost all datable to the second and first centuries BCE. The decrease in the demotic evidence in the first century BCE here is consistent with the standard view on the decline of demotic as a legal language (Figure 4.2).[26]

The size of the plot of land in demotic conveyances is generally small (Table 4.1).[27] There is, however, evidence that larger plots were in private hands in Upper Egypt and that both temples and priests claimed land as a heritable right.[28] The private Egyptian documentation often leaves out several important pieces of information such as the size of the conveyed plot or the origins of the property itself. In several cases the land was originally acquired by means of the royal auction, which is clearly stated in the document.[29] We may conjecture that,

[25] For new receipts, see Devauchelle (1983), 155 (ODL 92); Vleeming (1994), texts 53, 56.

[26] Lewis (1993); Bagnall (1993), 236.

[27] This conforms to the views of Rostovtzeff (1941), II, 289 and Préaux (1939) on *ktema*, private property.

[28] In the famous legal case of Hermias from the Theban west bank in the second century BCE, we read by way of an aside in the transcript of the trial that a priest of Amun had complained that a certain party had sold illegally 'about twenty arouras of grain-producing land (*ge sitophoros*) . . . although they were his ancestral property.' See *UPZ* II, 162, 4.2–3. For other sizeable plots held by Egyptian families, see Clarysse (1979b), 734.

[29] See further Manning (forthcoming).

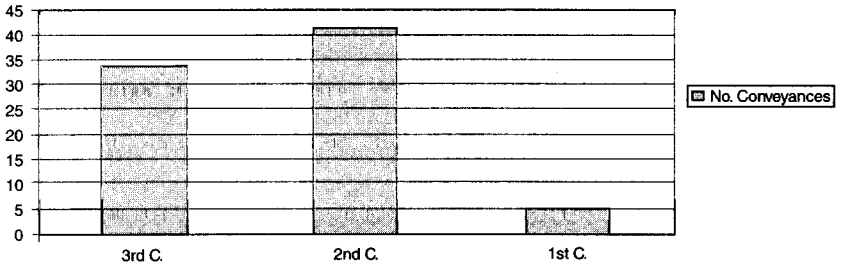

Figure 4.2 Upper Egyptian demotic conveyances of land by date.

Table 4.1 The number of demotic conveyances by size of plot.

size of plot	number of conveyances
five arouras or more	19
five arouas or less	43
unspecified size	17

as in ancient times, temple land may have been given out in payment to those who served the temple as well. I argue below, for example, that the Hauswaldt Papyri, from the third century BCE, suggest that herdsmen in the service of the temple in Edfu received land there in exchange for such service. The land seems to have been subsequently treated as 'private' since it could be passed on to children and sold, even to those without status on the temple estate.

Within the sphere of the temple estate, land was bought and sold by private individuals, men as well as women. With the exception of one case, there seems to have been no temporal restriction on conveyances. The exceptional case limits the transfer of a very small empty plot of land to a term of 99 years.[30] Alternatively, transfers of this length of time may have been a device to prevent fragmentation of temple property by nominally keeping it within the temple estate at least over the long term. The nature of the plot, an empty one suitable for building a house, probably played a role in limiting the transfer as well since there are other cases of building plots conveyed for a term of 99 years.[31]

There is great variation in the socio-economic background of the parties to conveyance of land in Upper Egypt (Table 4.2). The Edfu texts, for example, concern a family archive of herdsmen attached to the local temple while the texts from Pathyris concern soldiers stationed there. Rostovtzeff assumed that those who farmed temple land were slaves of the god.[32] In understanding non-

[30] *P. Warsaw* 148.288; see Pestman (1977), text 10. Pestman has argued that this may be an indication that the vendor, a priest, was making an illegal transfer.

[31] Taubenschlag (1955), 270.

[32] Rostovtzeff (1941) I, 280.

Table 4.2 Titles of parties in demotic land conveyances from Upper Egypt.

status title of vendor	number of conveyances	status title of purchaser	number of conveyances
temple/religious	32	temple/religious	26
woman	15	woman	17
Greek/soldier	12	Greek/soldier	16
others	8	other	4

priestly staff of the temples as 'slaves' or tied peasants, he was no doubt translating the Egyptian word *b3k* which has the meaning of 'slave' as well as 'servant'. There is no reason to assume that temple staff or tillers of temple land provided forced labour, and although many parties in demotic conveyances and leases of land did use the title *b3k* + divine name, Greeks, Nubians, soldiers, and women were all parties to conveyances of land located within a temple estate. I have argued elsewhere that in these legal contexts the term *b3k* was an honorific title used to indicate a particular status of relationship to a temple estate.[33] Before this title its holder's occupation (herdsman, farmer, etc.) is given. The frequency of men with this kind of title in land conveyance documents suggests that they were in some economic relationship with the temple. The form which this relationship took may have been the land given to them in exchange for their service to the temple estate. The linking of the holding of land to social status has a long history in Egypt and while the title consisting of occupation + servant of a particular god occurs almost exclusively in Hellenistic Egyptian legal papyri, its origins probably date to the Saite period and it can thus be viewed as another continuity between the Pharaonic and the Hellenistic periods.[35]

The frequent appearance of these temple workers in Egyptian land conveyances suggests that this type of transfer of land occurred within a defined social milieu and within a specific community. Status titles in demotic conveyances of land suggest that there was a relationship between the holding of temple land and personal status on the temple estate. Having status on the temple estate meant that one had access to land and had perhaps, as an added benefit, protection from the government.[35] Those who had status on temple land may have benefited from personal protection from the government in a similar way to 'royal farmers'. The availability of some valuable evidence in Egyptian documents for an area in which Egyptian temples were clearly dominant as institutional landholders offers the opportunity to analyse these relationships in the land-tenure pattern in some detail. I approach this by concentrating on one town site in Upper Egypt and on one family archive from that town.

[33] Manning (1994).
[34] Hughes (1952), 46.
[35] Manning (1994), 168.

Edfu and the Edfu Nome

The town of Edfu (Apollinopolis Magna) had always been a central place in Egyptian history and its political and economic importance continued into the Hellenistic and Roman periods. In addition to its religious significance, the political and economic importance of the town was assured by its strategic location at a bend in the Nile, affording considerable cultivable land in the immediate area of the town. The bend at the Nile here, in addition to the confluence of caravan routes from the eastern and western deserts, made Edfu an important military post as well as economic hub in southern Upper Egypt. The road, built or improved by Ptolemy II, ran from Edfu to Berenike on the Red Sea coast.[36] Heavily fortified town sites in the Edfu region which are attested well before and after the Ptolemaic period suggest that Edfu had always been a strategic place.[37] In 237 BCE the rebuilding of the local temple was begun for the local cult of Horus the Behdedite, and the temple became a very important site for the cult of kingship, a subject of some concern to the new royal family in Egypt. There can be no doubt at all this great project is central to the need of the Ptolemaic regime to construct a good relationship with the Egyptian religious establishment in this area. The reasons for so doing are emphasised by the fact that soon after the building project was begun work was halted by the rebels who instigated the great Upper Egyptian revolt which broke out in 207 BCE.[38] The Ptolemies apparently lost complete control of southern Egypt until 187 BCE when the area was retaken by force and more permanent means of control were set up. Access to the gold-mining regions and the flow of elephants for the Ptolemaic army would have been the principal economic concern of the Ptolemies in the third century, but the region was always intended to be a part of Egypt despite an economic policy largely dictated by the needs of Mediterranean trade. The nome should not be characterised as 'situated in poor country' as Kees suggested; on the contrary, it must have been agriculturally significant since there was considerable arable land in its vicinity.[39] Agricultural production was apparently sufficient in Edfu for a man in the Second Intermediate Period (*c.*1700 BCE) to boast that he fed his village 'and the entire country' in a period of famine.[40] The physical nome itself was probably the most stable in Egypt, with natural boundaries to the north and south, the Gebel south of El-Kab and the limestone quarries at Gebel es-Silsileh respectively.[41] Edfu, at the crossroads of caravan routes from the eastern and western deserts, lay well

[36] Meredith (1953), 95, n.1.
[37] Bagnall (1976), 34–9; Jaritz (1986), 37–9.
[38] See most recently Pestman (1995).
[39] Bietak (1979), 111.
[40] Stela Cairo 20537, ll. 5–6, cited by Vernus, *Lexikon der Ägyptologie* VI (1986), 328.
[41] Meeks (1972), 143.

within the Nubian contact zone.[42] Just south of the town, up to Gebel es-Silsileh, the desert comes right up to the river bank, leaving no agricultural land on the east bank and virtually none on the west. The cultivable strip of land is so narrow that surveys of plots and boundary descriptions do not mention the east–west dimension but merely the length of the plot along the Nile.[43]

One good reason for concentrating on this region in the context of land-tenure is the fact that we happen to possess more information about the disposition of land in the southernmost nomes than in other areas of Egypt in the third century BCE, principally because of the so-called Edfu Donation text. The Donation text, recording a cadastral survey of land in the sacred domain of the god Horus of Edfu, documents several separate but related events: first, donations of land to the temple of Horus by pharaohs at the time of the origins of the temple; second, donations of the 'sacred domain' of Horus by several pharaohs subsequent to the land being donated; third, survey of the temple domain lands, probably by the first Ptolemy early in his reign sometime before 305 BCE; fourth, a fictional donation of land by Ptolemy Alexander I; and last, inscription of the cadastral survey, at this time merely an historic 'relic' some time between 107 and 88 BCE.[44] A distinction must be made between the actual endowment of the land to the temple and the donation of the sacred domain, a purely symbolic, religious act. In fact, as Meeks points out, the royal act of Nectenebo and Darius recorded in the Donation text was the gift to the temple of its sacred domain rather than the land itself which the temple had had in its possession for some time. Such royal ritual of 'donation' was performed at the beginning of a reign as a sign of renewal. As in the Satrap Stela of Ptolemy, in which the first Ptolemy while still satrap 'donated' temple property originally given by the Pharaoh Khababash in the fourth century BCE, the religious acts recorded by such texts are a record of Pharaonic piety rather than a statement of Ptolemaic largesse to an Egyptian temple.[45] Subsequent pharaohs merely 'reiterate' a donation of a previous king.[46] The donations of land as recorded occurred in the reigns of Nectenebo I and Darius I.

So much for the donation of land and the royal ritual of donation of the temple's sacred domain. As for the land survey, like the donation ceremony, it would have occurred on a periodic basis to account for changes in land patterns over

[42] Kees (1961), 308.

[43] For a survey of land giving only the width of plots along the Nile, see *P. Heidelberg* 1289 published in Spiegelberg (1920), 27, 57 and plate; Thompson (1925), 151–3. Presumably the length of the plots extended from the Nile to the desert.

[44] For the chronology of events see Meeks (1972), 131–5. Mr Thorolf Christensen is at present working on a Greek text of uncertain date which appears to be a survey of land in the Apollinopolite nome. The text, *P.Haun.*inv.407, may materially alter our views of the Edfu Donation text and the degree to which it reflects the reality of the land-tenure picture in the third century BCE.

[45] Meeks (1972), 133.

[46] The language used in the Donation text is *whm*, lit. 'to repeat'. See Meeks (1972), 62, n. 41.

the normal course of time in the Nile Valley. The text as we have it is most likely to reflect the state of the temple domain according to a cadastral survey probably carried out under Ptolemy I while still satrap.[47] It is important to keep in mind that the building of the Ptolemaic temple at Edfu did not begin until 237 BCE. Although Meeks' arguments seem sound regarding the actual date of the survey, one could make an argument that the proper context of the re-survey of temple land occurred in the reign of Ptolemy II, which saw fundamental changes in the economic organisation of Egypt.[48] A text which might be brought to bear in this argument is the so-called Karnak Ostrakon, found at the sacred lake in Karnak temple, Luxor. It records, in a demotic translation of an original Greek text, an order by Ptolemy II (year 28 = 258 BCE) to survey Egypt 'nome by nome' and 'field by field.'[49]

The Edfu Donation text provides us with valuable information about temple estate land in Upper Egypt which we would otherwise not have except through the text of an Egyptian land survey. Such surveys of course have a long history in Egypt but the Edfu text is unique in being inscribed on the outer retaining wall of the temple in hieroglyphic Egyptian rather than in Greek or demotic Egyptian, the latter two languages being used for documents recorded on papyrus.[50] The estate of Horus consisted of several tracts of land and was concentrated in the Edfu nome. The plots were surrounded by land belonging to other temples in the south or by royal land. Some of the temple land was stated to be for wheat-growing. The economic interdependence of the temple estates which the cadastral survey suggests was perhaps reinforced by temple rituals such as the visitation of the sacred bark of Hathor of Dendera to the Edfu temple each year.[51]

The Donation text records 'the total [amount of land] of the domain (*ḥtp-ntr*) of Horus the Behdedite, the great god, lord of heaven, from the origins up to year 18 of the son of Re Nectenebo II [the last year of his reign], [total size of] fields: 13,209 1/8 *arouras*.' What follows is a list of fields controlled by the temple throughout the Pathyrite, Esna, Edfu, and Ombite nomes. Land in the Edfu nome itself comprised three-quarters of the total amount of temple domain land.[52] The text concludes with a recapitulation of the donations under the various kings who donated land to the temple. The cadastral survey thus does not account for all the land in these nomes. The fields are generally specified as either island land or high land, the two basic Egyptian categories of land.

[47] Meeks (1972), 134.

[48] See above n. 1.

[49] For the text see Bresciani (1983); for a translation and further bibliography see Burstein (1985), 122–3.

[50] On land surveys, see Crawford (1971), 5–38.

[51] For the ritual see Alliot (1949–1954), 297–99.

[52] Meeks (1972), 147.

In the private conveyances of land from Edfu discussed in the next section, it is always specified that island land is in the temple domain while high land is royal land. A plot of land is named, it is occasionally called 'wheat-bearing land', its size is given, and its boundaries at the four compass points are specified. In demotic land conveyances the boundaries on all four sides are also given, but in the private legal texts it is individuals who are named as holders of adjacent plots. Again, the differences between the survey and private documentation is one between public, institutional interests and those of private persons, and neither type of text confirms or denies the existence of private property by itself. Both private and institutional interest in land was concurrent. Land which was found to be waterlogged was subtracted from the area of a given plot. The survey covers the four southern nomes in Upper Egypt.

As Meeks has keenly observed, the estate of Horus at Edfu appears to have been stable throughout periods of political instability and change in the country, the second Persian occupation and then the coming of Alexander and the Ptolemaic dynasty. Although we do not know the extent to which the temple of Horus actually controlled or adminstered all the land specified in the Donation text, that the temple estate continued into the Ptolemaic period is strongly suggested by private land conveyances contained within a family archive known as the Hauswaldt Papyri from Edfu during the third century BCE.

No explanation has been offered either for the survey being placed on the temple wall or for the date of its inscription on the wall. One possibility I would suggest is that the temple authorities (i.e. the native priesthood) placed the text in 'public view' in order to assert the temple's claim to the land in a time of political disturbance, perhaps in this case connected with trouble in the 130s BCE. Such public display of an administrative document has parallels in the Ptolemaic period.[53] This pseudo-epigraphic text, then, couches the royal donation in historic terms in order to increase the cachet, and thus the authority, surrounding the donation.

The Hauswaldt Papyri

In 1909, a group of demotic papyri was purchased for the Egyptian Museum in Berlin by Georg Hauswaldt from an antiquities dealer in Qena. The texts were preliminarily published by Wilhelm Spiegelberg in 1913 under the name of the

[53] A similar text is the so-called Famine Stela, translated by Lichtheim (1980), 94–103. The text records a donation of revenue of Djoser from the Third Dynasty to the temple of Khnum at Elephantine in exchange for the god's promise to relieve the country from a famine. It used to be thought that the text dated to the Old Kingdom but more recent work confirms some scholars' suspicions that the text is actually Ptolemaic in date but couched as an Old Kingdom donation, presumably with the intention of using the claim to antiquity to increase its authority.

Hauswaldt Papyri.[54] Though long since available to historians, the documents have not really received the attention they deserve. The texts comprise a family archive of herdsmen and record land conveyances and marriages from 265 to 208 BCE.[55] What is unique about this archive is the number of private conveyances of land, mostly couched in the form of sales (Table 4.3).[56]

The content of each Egyptian family archive is different and thus it is not possible to make general conclusions or assumptions about typical transactions within Egyptian families. In the case of the Hauswaldt Archive, most of the transactions relate to the holding of land, and the land conveyance 'theme' of the archive may be likened to the Adler Papyri, a family archive from second-century BCE Pathyris.[57] In demotic Egyptian legal texts, there were two separate texts which together comprised a real conveyance of property. These two documents were termed the *sḫ ḏb3 ḥḏ* (= Greek *prasis*), a 'document in exchange for money', which recorded the *post facto* agreement to sell, and a *sḫ (n) wy* (= Greek *sungraphe apostasiou*), a 'document of quitclaim' which recorded the vendor's agreement to cede all claim to the conveyed property and guaranteed to expel any third-party contingent interest in the property. Both these instruments could be written separately to pledge land and to cede land. In the Hauswaldt Papyri, the real sales of land had both documents written on the same sheet of papyrus side by side. Only the month and year are specified, but it is to be presumed that the 'sale' and 'cession' occurred simultaneously and thus I use the term 'real sale' or 'conveyance' for these transactions.

A 'typical' *sḫ ḏb3 ḥḏ* in the Hauswaldt archive may be summarised as follows:

> Regnal year of Ptolemy, protocol of priests in the Ptolemaic dynastic cult. Vendor has declared to buyer: 'You have satisfied my heart with the purchase price of my land, located within the temple estate of Horus (or within the royal fields). Names of the neighbours, or a landmark (the desert edge, a canal etc.) South, North, East, West. This is your property, no one else has any claim on it and I give you all the legal documents pertaining thereto. I will swear an oath to guarantee your rights. 16 witness-names to the agreement written on the verso.

A typical *sḫ (n) wy* document maybe summarised:

[54] I have recently completed a re-edition of these papyri which will appear in *Demotische Studien*.

[55] The demotic word '∃*m*, usually translated 'herdsman,' has been interpreted in other ways, from an ethnic to a geographic designation. See the summary of the evidence in Manning (1994), 150–6.

[56] I use the term sale for the Egyptian documents consisting of two texts, a writing for money (*sḫ ḏb3 ḥḏ*) and a cession (*sḫ n wy*). These Egyptian documents were used to record transactions other than sale and thus I use the general term 'conveyance' when referring to transactions involving these texts.

[57] On each family archive having a different theme see Pestman (1985), 289. The Adler Papyri were published by Adler *et al.* (1939).

Table 4.3 Types of document in the Hauswaldt Archive.

type of document	number of texts
marriage agreement	4
sale of land[1]	11
cession of land	1
mortgage & forfeiture of land	1
group acquisition of land	1
gift of land	1

[1] There are several other fragmentary land conveyances in the archive

> Regnal year of Ptolemy, protocol of priests in the Ptolemaic dynastic cult. Vendor has declared to buyer: I am far from you with respect to the sold property, located within the temple estate (or within the royal fields). Names of the neighbours, or a landmark South, North, East, West. I have no right to this property. As for anyone who claims an interest in this land I shall expel them. You have a legal claim on me to execute the legal rights in these documents. 16 witness-names to the agreement written on the verso.

With the exception of one text, we do not know the amount of land conveyed but I make the assumption that small plots were involved. The one exception, *P. Hauswaldt* 3, conveys a plot with an area of 1/4 aroura. The data from most of the Egyptian conveyances of land lend support to the thesis that generally quite small plots of land were involved in private conveyances.[58] In the case of the Hauswaldt Papyri themselves, the fact that the location of the land involved in these private conveyances was the far south end of the Edfu nome, just below Gebel es-Silsileh, where the breadth of the cultivable land is quite narrow, lends additional support to the likelihood of small plot conveyance.

The type of land involved in the conveyances was termed 'high land' within 'the land of pharaoh', and 'island land' within 'the land of Horus of Edfu', with a courtyard in between (Figure 4.3).[59] The distinction between high and island land is generally believed to relate to the way in which water reached the land. High land is thought to be higher-lying land irrigated by artificial means while island land, lying closer to the Nile and lower on the floodplain, was irrigated by the flooding of the Nile. This explanation of the distinction involves some difficulties, not the least of which is that the Nile floodplain does not rise smoothly from the river to the desert but is convex in shape.[60] Nevertheless, the Hauswaldt Papyri clearly show that island land lay closer to the river than did high land.

[58] For the reading of 1/4 aroura see Manning (1994), 153, n. 32.

[59] The courtyards (termed *inḥ n ḫpr*) may have been mud-brick walled enclosures to protect the palm trees from pests and blown sand.

[60] Butzer (1976), 15; Manning (1995), 264. Similar conclusion were reached by Vleeming (1993), 46–7.

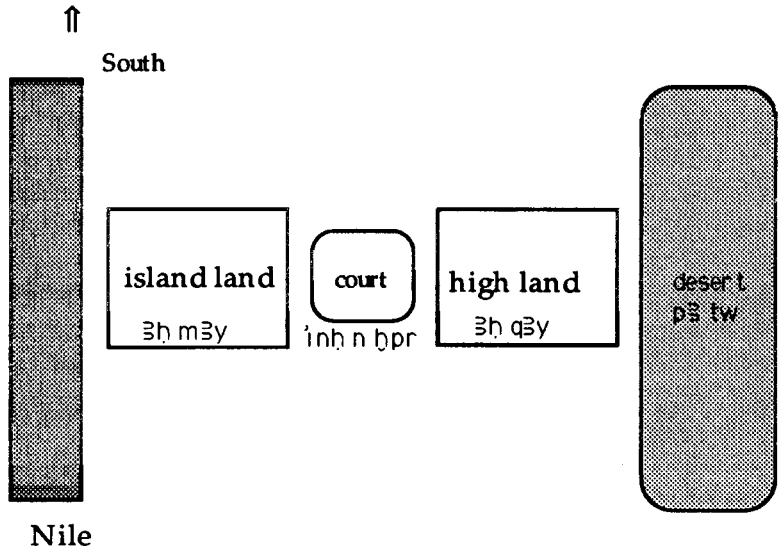

Figure 4.3 The configuration of the land in the Hauswaldt conveyances.

Each conveyance of land transfers concurrently temple and royal land from one individual to another with no reference made to the king or to obligations to the Crown in the form of crops to be grown. Royal land in the Fayyum would not have been the subject of private conveyance but it may be that the terminology used in the Egyptian texts is an archaic usage of the terms 'royal' and 'temple estate' land, an old bifurcation in land terminology which predates the Ptolemies and is used, for example, in the Edfu Donation text. Could it be that such usage of the terms 'royal' and 'temple estate' land in the third century BCE is simply the old Egyptian terminology carried into the legal papyri and does not necessarily correspond to the same meaning as the Greek fiscal terms *hiera ge* (and *hiera prosodos*) and *basilike ge*? Rather than positing a completely different land-tenure scheme for the Nile Valley, I am suggesting that the conveyance of both royal and temple land in the Hauswaldt Archive may be reflecting older terminology which directs the flow of rent or taxes rather than reflecting the absence of direct control of the king or the temple estate.[61]

One of the special features of these papyri is the frequent mention of palm and sycamore trees conveyed in the texts. Since the men in the papyri bore the title 'herdsman' one is tempted to connect the conveyance of palm trees with the occupation of herding.[62] Certainly, temples had sacred herds as part of their

[61] On the conservative and formal nature of demotic, see Ray (1994).

[62] The connection being the use of palm leaves as fodder, Wright (1976).

endowment and Edfu may have had some specific connection with herding, an activity which the very narrow cultivable strip to the south of the town might have encouraged.[63] Additionally, some of the conveyances in the Hauswaldt Papyri involved men with Nubian ethnic designations (Blemmyes and Megabarians). Nubians were a common sight in this part of Egypt in ancient times and they may have served both temple estates in the role of herdsmen and the Ptolemies as guides in the eastern desert, an area of concern for the Ptolemies both for the flow of gold and the much-vaunted but not very successful war elephants.[64]

As stated above, we can localise fairly specifically the plots conveyed by the Hauswaldt documents. The Edfu Donation text mentions names of fields at the southern end of the Edfu nome, on the west bank, just below Gebel es-Silsileh, and these same locations occur in the specification of the plots of land in the Hauswaldt Papyri. We can therefore link through time the fourth-century donations of land to the temple, the re-survey of the land in the early Ptolemaic period, and the same fields, still referred to as lying within the temple domain of Horus, in third-century private conveyances.[65] According to one of the Hauswaldt documents (*P. Hauswaldt* 18), a market-place was located here so we can presume that a small village was in the vicinity. Thus the occupation and social status of the parties to the Hauswaldt land conveyances, the localised area of the land being conveyed, the emphasis on fruit tree production, all suggest that the conveyances of land occurred within a specifically defined social group in one rather small region.

Conclusions

That familiar historical theme of continuity and change is very much to the point in considering the land-tenure patterns of Hellenistic Egypt. In the third century, the land regime was altered by the Ptolemies where they could do so without discomfort or disruption to suit their needs. The area most affected by development and change was the Fayyum depression. In the Nile Valley, life, and the land-tenure regime, continued much as it had before the arrival of Alexander. I have argued that the Fayyum experienced substantive physical and social changes by reclamation, new crop and animal experimentation, and new populations. The Nile Valley, more removed from the centre of political control in Alexandria, and long used to the natural basin irrigation system, was altered

[63] There are several sales of oxen from the Saite and Persian periods from Edfu, for which see Cruz-Uribe (1985), and festivals at the Edfu temple mention an abundance of cattle (de Rochemonteix and Chassinat, *Le Temple d'Edfou* IV.3–1–8). For fourth-century BCE 'herdsmen, servants of Horus of Edfu' involved in selling cows, see Menu (1981), with the comments of Vleeming (1984).

[64] On eastern desert nomads as guides see Burstein (1989), 61.

[65] For the location, see the 'Hauswaldt zone' on the map.

much less by the Ptolemies. Rather, they hoped to control it enough to extract grain levies.

Although the use of demotic conveyance documents from one region alone no doubt yields a skewed vision of the total picture of land-tenure in Upper Egypt just as using Greek papyri alone does for the Fayyum, the nature of the documentation from Upper Egypt suggest a general picture of continuity in these traditions of landholding which the Ptolemies had no need to change. The temples were endowed with estate land at their foundation from which income was derived to maintain the cult, and this practice of temple estate land seems to have continued under the Ptolemies. In the Fayyum, however, and perhaps in the Delta, on newly reclaimed land, the Ptolemies exerted direct control, giving it out to kleruchs in exchange for military service, leasing it to 'Royal Farmers' and ceding it as large gift estates (*doreai*) to high officials. Although Greeks certainly lived throughout the Nile Valley, their presence in Upper Egypt was much less marked than in the north. This appears to be truer of the third century than the second but caution is called for since the capricious survival of textual evidence may give a misleading impression.[66] In Edfu, a 'Greek born in Egypt' (*wynn ms n kmy*) appears as a money-lender to whom several plots of temple land were handed over upon default of the loan.[67] Although the numbers of Greeks may have been smaller, the Ptolemies did have a continuing interest in Upper Egypt and over time more Greeks (albeit, perhaps, defined by less rigorous ethnic criteria) settled in the valley. After the Theban revolt was put down in 186 BCE, towns were garrisoned at the narrowest point in the Upper Egyptian valley, at Krokodilopolis and Pathyris, which also led to an increase in the number of Greeks in the valley.[68]

Ptolemaic policy toward the temples gave them special status and privileges, for the Ptolemies needed the élite Egyptian priesthood on their side and they no doubt hoped to use it to win over the hearts and minds of the Egyptian peasantry. The kings had neither the manpower nor the motive to take over or seize the assets of temples. A more nagging problem is the extent to which the temples actually controlled endowment land, an issue which will have to be addressed in future work. That there was a close association between king and temple is clear. The temples certainly received income directly from sale of land in necropoleis owned by them and high priests were involved in land sales within their temple estates as well.[69] Temples were the local centres of power and had the infrastructure, in the form of organised personnel, to control their hinter-

[66] For Greeks in Thebes, a 'small minority', see Clarysse (1995).

[67] *P. Hauswaldt* 18, 212/211 BCE.

[68] After the Theban insurrection was put down, the Ptolemies made a concerted effort to restore order by taking back illegally seized land and auctioning off the property. On this process, see Clarysse (1979a).

[69] On temple income derived from sales of plots, see Vleeming (1994), 115–16.

lands. The difference, then, between temple and royal land may have been one of management (and rent collection?) and not reflective of who 'owned' the land. There is no evidence for the old view that temple land was managed by the Crown in the same way as royal land, nor was royal power asserted on non-royal land except when the land became derelict or taxes were not paid.[70] The Ptolemies did introduce officials in charge of monitoring the temples' finances — the *epistates*, the *praktor* — but these officials were grafted on to existing structures whose local character did not change.[71]

The evidence of non-official Egyptian documents from the Nile Valley suggests a revision in the 'estatist' model of Hellenistic Egypt; this is often attributed by historians to the influence of Rostovtzeff but, as the quotation at the beginning of this article shows, the matter is not so simple. Rostovtzeff's concluding remarks in *The Social and Economic History of the Hellenistic World* on the status of temple land in Upper Egypt does not harmonise with the model of centralised state control which was the essential feature, in his view, of Ptolemaic Egypt. If the Ptolemies allowed 'continuance where possible' and if having status on temple land was an economic safety valve allowing holders to 'escape the pressure of the government', then we can hardly characterise Hellenistic Egypt as a centralised bureaucracy in which 'everything was for the State.'[72]

I have argued in this paper that the system of control under the Ptolemies was informal rather than centralised, and regionally variable rather than uniform throughout Egypt. The Ptolemies adapted in a practical manner to the realities of Egypt. Although they developed a large bureaucracy, its responses in exploiting the countryside were to a great extent adaptive to existing local conditions and practices.[73] The dominant force in the Egyptian countryside had been in the past and continued under the Ptolemies to be represented by the native temple and its landed estates. As in other parts of the Hellenistic world, a multitude of diverse economic relationships continued to exist (including what amounted, in my view, to effective private ownership of real property) and regional differences continued to play an important role.[74] Within this regional diversity, I have argued that personal status on the temple estate of Horus at Edfu played an important role in the local economy of that area. I have focused on one area in the south — Edfu and its hinterland — and on one type of document — conveyance of real property — in order to demonstrate this regional diversity, and I have used it to highlight an implicit contrast with the Fayyum depression. The social and economic history of Edfu in the Ptolemaic period suggests a strong degree of continuity with pre-Ptolemaic Egypt.

[70] On crown management, see Shelton (1971), 115 n.1; Keenan and Shelton (1976), 17.

[71] Local variations in temple organisation of land-tenure appear to have been maintained. At Akoris (Tehneh), for example, there was an official in charge of leasing out temple lands (*ḥry ꜣḫ*, 'overseer of field') who does not seem to occur in other temple estates, see *P. Loeb.*

[72] Rostovtzeff (1920), 164.

The Ptolemies, in setting up new economic structures designed to extract as much wealth from the countryside as possible for their grain trade in the Mediterranean, imposed a system of controls on the land which, while looking effective on paper, was rather more reactive than planned. The Ptolemies could more easily impose the new royal system on reclaimed areas than on old temple estates in Upper Egypt which had long-standing relationships with each other; the royal economy was mediated in the Nile Valley by old social and institutional structures. The importance of family landholding and small-scale possession of land has been underestimated in the modern reconstruction of the Hellenistic economy. At one level, above the household economy, inter-village and inter-regional connections strengthened local social cohesion and this was left undisturbed by the Ptolemies. Regional ties were reinforced by cultic connections between the temples in the Nile Valley, at Dendera and Edfu, for example. In the case of the temple of Khnum of Elephantine, where virtually no agricultural land existed, access to land in the Edfu nome was accorded. Such economic interconnections pre-dated the Ptolemies.[75] This is not to say that other areas did not have coherent social cohesion. Inter-village connections based on landholding were also strong in the Fayyum.[76] But strong regional social ties probably affected the way the Ptolemies dealt with the region and may be one reason why reclamation of land in the Fayyum was an important economic strategy for the early Ptolemies.

As always in Egypt, local conditions and local power-bases dictated methods of control of the land and thus, to some extent at least, the land-tenure system. In Upper Egypt, the large temples continued as managers of their estates, with support staff given land in exchange for service. Tenure on the land was not precarious, as long as taxes were paid.

[73] Samuel (1989), 54.

[74] For the Seleucid empire, see the remarks by Sherwin-White and Kuhrt (1993), 69.

[75] Demotic papyri from Edfu from the fourth century BCE demonstrate that soldiers from Elephantine owned houses in Edfu. From the Pharaonic period, a letter from the Ramesside period known as *P. Valençay* 1 (Katary (1989), 214–15) mentions a mayor of Elephantine who had to farm a plot of land in Edfu as part of his official duties.

[76] Bagnall (1995), 50–1 summarising Hobson (1984).

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