LAbor and debt in Roman Palestine

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Abstract

Rents and taxes played a crucial role in the re-allocation of the product of land-based labor in ancient agrarian societies. I look at two aspects of this allocation in Roman Palestine. First, I examine sharecropping as part of an organized system of household-based labor done by seasonal workers, some slaves, sharecroppers, fixed-rent tenants, and petty landowners. Second, I look at the function of debt and reciprocity ethos. Finally, I briefly consider three ideological aspects: the role of temple and piety in enforcing contracts, the question of trust, faith and fidelity, and the theme of the son and absent father.

Sharecropping

This paper is a reflection on sharecropping as one of the forms of land tenure that existed in Judaea and Galilee as in all of the Roman world. The evolution of land tenure has sometimes been envisioned in modern literature as a continuous, one-way transformation of freeholders into tenants and landless laborers, as a consequence of the constitution of latifundia-style properties. This is only part of the story. I start from the different thesis that the different forms of labor investment and land control formed a continuum, and that the evolution of these forms was not linear.¹ A better understanding of the nature of this dynamic and cross-generational interdependence between different forms of labor contracts will be helpful in the analysis of social disequilibriums and matters of social justice.

¹In rough order of decreasing power, with a lot of overlap: large and small landowning, fixed-rent tenancy, share contracts, seasonal and day labor, slavery.
Much comparative and theoretical work has been done on tenancy and especially on sharecropping. The aims are to understand the economics of sharecropping and its efficiency, as well as its flexibility, compared especially to wage-labor and fixed-rent contracts. Sharecropping worked as part of a system of production. Wage labor and slavery, as well as near slavery arrangements, were part of a continuous system of exploitation, or a kind of panoply always open to use and abuse.

In the extensive comparative literature, let me focus briefly on the situation in England and Scotland before 1500. Sharecropping in those kingdoms was a flexible strategy aiming at mitigating various risks, especially those stemming from climate, poor soils, and deficient markets. Sharecropping could easily be a subletting and an arrangement farmers wished to hide from landowners. Sublet leases were usually short-term and could be limited to single crops. Sharecropping, from the landowners' point of view, allowed sharing of risk and supplied food to the “manorial” house. The landowner could take advantage of variation in crop’s prize because of its storage capacities. More profit could

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2 A. F. Robertson, The dynamics of productive relationships: African share contracts in comparative perspective (Cambridge: Cambridge University Press, 1987). T. J. Byres, ed., Sharecropping and sharecroppers (London: Frank Cass, 1983) provides a wealth of theoretical views and concrete analysis of sharecropping in various times and geographical areas. Most helpful the first essay by T. J. Byres, “Historical perspectives on sharecropping,” in Byres, Sharecropping and sharecroppers, 7-40. A most surprising book is that by E. Griffiths and M. Overton, Farming to halves: The hidden history of sharefarming in England from medieval to modern times (New Y ork: Palgrave Macmillan, 2009). The surprise is that even though evidence for sharecropping in England and especially Wales and Scotland existed before, it was not exploited until recently by historians or economists who seem to have been content to accept the arguments of Arthur Young in the eighteenth century (and Marshall in the 1920s) that the success of pre-capitalist agriculture in England precluded a system of tenure taken to be backwards and much less productive (as in France). Did this widely-shared view have some influence on English-speaking exegetes and historians of Hellenistic and Roman Palestine?


4 Robertson, The dynamics of productive relationships, 7.

5 Griffiths and Overton, Farming to halves: The hidden history of sharefarming in England from medieval to modern times, 42. Regarding the possibility of a market in land in Mediterranean antiquity, the argument has been made recently by P. Temin, The Roman market economy (Princeton: Princeton University Press, 2013), 138-49. It is based on evidence of prices and their fluctuation (or rather evidence of change). One should contrast this hypothesis regarding the existence of a market in land with the evidence regarding the limits, political and otherwise, of this market, the role of land in the political and military system (Temin addresses the latter a bit), and the system of valuation (three basic categories of land, plus speculations on the type of labor to be used on it). Temin’s argument opposes that of Finley. 6

6 I suppose the same would be true of Roman Palestine wealthier families in walled towns
be squeezed out by direct supervision ("son" or manager of parable stories), especially in more stable times. But the main benefit of sharecropping, as we'll see in discussing debt, was guaranteed access to the labor of the sharecroppers' families, compensated at subsistence level.\(^8\)

I now turn to the evidence for the existence of sharecropping in Galilee and adjoining lands. Like for the whole Roman empire, so far, it is sparse and indirect. Indeed, in his study of rural labor, its structure, constraints, and evolution, Erdkamp writes: "Some flexibility in the access to land was provided by tenancy, but our understanding of the role of various kinds of tenancy in the Roman world is limited."\(^9\) He quotes Scheidel about how little we know of tenancy in the Roman world:

Erdkamp (n. 10), passim, has shown that, despite many assumptions often made, the literary sources shed little light on the social position of tenants or on the nature of tenancy contracts in the Roman world. The seeming predominance of wealthy tenants renting estates might reflect social bias, while small-scale tenants remain largely invisible. In any case, Scheidel points out, the data do not point to increasing small-scale tenancy before Severan times.\(^10\)

Needless to say, it is highly problematic to try to identify direct archaeological traces of tenancy, let alone sharecropping arrangements.\(^11\) The most visible, indirect, archaeological sign of the considerable appropriation of production over subsistence, partly done via sharecropping and other tenancy contracts, like Yodfat and in cities like Tiberias or Diocæsarea.


is the number, variety, style, and luxury of constructions by Herod and other kings. Herod’s constructions were not only means to defend the relative autonomy of his kingdom and maintain his control over it, but a way to show the required faithfulness and trustworthiness that needed to be on display at all times. They were part of his intensification of the region’s cultural adaptation to militarily acquired land control, which was part and parcel of Romanisation. Temple construction and Jerusalem’s development were part of this compulsory strategy. “Outwardly, these complexes were a proof of cultural adaptability and of loyalty to Rome and the non-Jewish world.”

When it comes to textual evidence, there are few written traces of this system in literary texts and in epigraphic or papyrological documents. In most cases, it appears that agreements regarding the amount of the shares, length of contract, and payment of local expenses, were customary and verbal, “according to the custom of the place.” But texts from different periods, which include the gospels, as well as comparable passages from Cato, Pliny, Columella, indicate the ubiquity of tenancy and especially sharecropping arrangements.

Let me use a passage from fourth-century Sifre Deut 32:9 for a discussion of the relative merits and difficulties of share tenancy versus direct tenure. The text reads:

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13 This display of trustworthiness was enforced from the top down to village level, as for instance the parable of the dishonest manager in Luke 16:1–8 indicates.


15 An example of modern author equating the absence of evidence with absence of this kind of structuring of labor is J. Toutain, The economic life of the ancient world (New York: Barnes & Noble, 1968), 41–43.

16 See mBM 7.1: 9.1; tBM 9.10, and especially tBM 9.14, quoted by D. Oakman in his SBL 2015 paper.

17 Pliny, Ep. 9.37; Columella, De re rustica 1.7.3.
A parable. [The thing is similar to] a king who had a field and gave it [fem. in Heb.] to tenants. The tenants began to rob it [fem.]. He took it from them and gave it to their sons. They began to be more evil than the first ones. He took it from their sons and gave it to the sons of their sons. They turned to be more evil than the first ones. A son was born to him. He said to them: ‘Get out of what is mine. It is not possible that you be in it [in its middle]. Give me my portion, that I may sell it.’

It illustrates the politics of land and labor control in antiquity. First, the absence, or at least the habitually distant habitation of the landowner, makes the story possible. In other words, the ultimate right holders were usually invisible, rarely appeared themselves, and sent authorized deputies and messengers. This aspect was built in at all levels of the society, from family to political system, military organization, and religious institutions and ideology. The reason for it is that in order to decrease risk to standard of living and to power over labor and land), any particular property in a village or region was part of a wide distribution of holdings. The problem with this development is that the broad alleviation of risks implied a loss of direct control over labor.

Second, the basic problem was one of trust. The ideal solution, as the end of the story indicates, would have been to have a son in charge (i.e. short of having oneself, or an extension of self: for instance a slave). The interests of the son and those of the workers are presented in talmudic stories in which the son “feeds” the workers miraculously (out of season). They were a way to reflect on the politics of the situation. The son represented a longer perspective on investment and a willingness to sacrifice or give of himself for this stabilization, in contradistinction to the need to have short labor contracts, per day, per year, and maximally for four-five years.

Thirdly, the tenants’ interest, though shared to some degree as customary contracts implied, was strongly opposed to that of the landlord. It was not necessarily to maximize their own position and limit their labor but primordially to secure subsistence. The situation in this regard could be very flexible, and labor investment by the family, including women’s and children’s labor.

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20 bTaanit 24a; compare the story of the fig tree in Mark 11:12–14, 20–25, with a very different twist from the Talmudic story.
21 See evidence for Hellenistic and Roman systems: in regard to length of contracts, see Pliny’s thoughts when thinking of how to exploit the property in Falernum he’s hoping to acquire. Also, Babatha archive. What were the reasons for such short verbal or customary contracts? The modern literature on sharecropping indicates contracts and arrangements were short cycled in many cases. Yet, “everything according to local custom.”
from a very young age, if maximized, would be beneficial for the sharecropper also.\textsuperscript{22} It was not their interest to invest more labor if the extra production was swallowed by debt or if the threat of eviction (in short contracts) became real. Short contracts made sense from the owner’s point of view as a source of pressure. But debts and arrears implied continuation in the position, unless other kinds of pressure could be exerted such as prison for debts. Again, all would depend on what each side contributed in terms of land, labor, seeds, animals, housing, and equipment.

Finally, the patience shown by the story’s landowner in reclaiming what is “his” is remarkable. I consider this forbearance to be part and parcel of landlords’ systemic attitude to debts, which I will analyze shortly. It is of the same nature as the implied forbearance of the landowner in the story of the dishonest manager of Luke 16:1–8. In the \textit{Sifre Deut} story, the lord’s claims are rejected a few years in a row. The story, taken allegorically, is featuring a most extreme example of distant landowner, the divinity, working across generations. He has a son who takes over and presumably—in the implied hearer’s understanding—will revert to direct management, with the hiring of workers or the use of slaves.

\section*{Debt}

The fact that sharecropping appears to be a frequent and persistent, if near invisible, form of contract, its efficiency therefore, and its flexibility as part of that efficiency need to be explained.\textsuperscript{23} One most important characteristic of product-sharing rents is their reinforcement by indebtedness.\textsuperscript{24} Four aspects of this question will be considered:

1. The investments necessary to keep the production up were sensitive to loss, whether by failure of crops, disease, injury to animals, family illnesses, or other causes. Traditionally, this was remedied at the local level by reinforced appeal to reciprocal solidarity. But if landownership

\begin{footnotes}
\footnotetext[22]{\textsc{Adams}, \textit{Social and economic life in second-temple Judea}, 46, on women’s labor in tasks other than direct agricultural production. On children’s labor, still massively used from age five or so and above, there is presently a vast historical and comparative literature.}
\footnotetext[23]{R. \textsc{Pearce}, “Sharecropping: Towards a Marxist view,” in \textsc{Byres}, \textit{Sharecropping and sharecroppers}, 43.}
\end{footnotes}
became more concentrated in fewer hands, and landowners gained status and were physically and culturally more remote, their interest in shouldering some of the risk became part of a very uneven, unreciprocal exploitation of local labor. The share accruing to the laboring family was by design not enough to feed them over a year. Also by design, the product of previous years was removed or “lifted” and could not be stored at the family or village level. That fear of hunger was the main engine of labor investment by the family that landowners and the community could securely rely on. It worked through liens on future harvests as collateral. In effect, it was a contract decreasing the value of the customary share arrangement.

2. Part of the exploitativeness stemmed from the difficulty of assessing revenue in rain-dependent agriculture. The best way to know if sufficient pressure was being applied to sharecroppers, tenants, tax-farmers and even client-kings—in a sort of pyramidal scheme—was to set tributes and rents, from top to bottom, in such a way that subjects would be indebted and come begging for relief, which could then be granted, and blessed as part of the divine economy. Remittance of debt was therefore part of the evaluation of the tax or rent basis. It was expressed in a religious language of debts and release that was part of a larger set of values centered on the temple. This was enforced by the role of the temple in regard to debt. Certain kinds of archives and an enormous mass of wealth were kept at the temple and, more generally, the temple and its sacrificial system provided the sacred guarantee for contracts in economic matters. Debts and sins were connected in the vocabulary: so debts were construed as part of what was owed to the divinity. This system was open to abuse on the part of the authorities in charge of the temple. But the divine guarantee normally put some pressure also

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26 Also by design, the ancient ideology of plenty, versus the ideas of punishment, failure, and need to restrict one’s consumption. Ancient ideas of fullness are very different from modern ideas of scarcity of resources and unlimited nature of desires, which have come to dominate economic thinking since the seventeenth century. When made to bear together on markets, they provide the justification for self-regulating prices. Both ancient and modern ideologies were and are abused.

on the wealthy not to push their advantage, or at least on those who identified themselves as “sons of Abraham” or “sons of Israel”, since the whole of the biblical tradition put the stress on the idea of a merciful divinity, who must be imitated. In the often cited example of Herod the Great’s expenditures on the temple, or generosity in times of famine, one needs to remember that he was at the same time increasing his control over the land and diverting wealth towards his Roman masters as rents, taxes, and so-called gifts.

3. Was the size of the acreage contracted for kept artificially small, at the limit of subsistence? It may well be that this was an unintended effect of demographic expansion and the partition inheritance mode. Yet, comparative studies indicate that the size of the tenant farm was an important factor in extracting maximum labor. One needs also to factor in the fact that there was still some supervision needed which was to be paid (as compared to fixed rent tenancies). It was mostly reduced to harvest time, when many local agents (including priests) had an interest in the harvest (tithe being a percentage too, or a kind of share).

4. Finally, one must consider the legal, moral, and religious hold the landowner had over the majority of the factors that were needed for production (land, seeds, housing, animals, tools, versus labor of the family). This power could in turn be exercised in further exploiting efficiently, contrary to neo-classical view of sharecropping’s inefficiency, the cropper’s labor via “gifts”, as Marshall long saw (1961: 640, see the 1911 edition):

Whenever payments of all kinds made by the cultivator left him a margin beyond the necessaries of life for him and his family, together with those comforts and luxuries which were established by custom, the landlord was likely to use his superior strength to raise the payments in some form or other.

The social configuration therefore could add to the uncertainty and fear already present in the basic relationship, as a shared element. The large landowner, on the other hand, could mitigate much of his fear by distributing the risk and buying properties exposed to different climatic and political risks.

To conclude on this part of the paper: compared to wage labor, sharecropping increased the intensity of labor input because of the vested interest in a larger harvest by arrears-burdened families. Even though the situation of

28 A. Bhaduri, “Cropsharing as a labour process, size of farm and supervision cost,” in Byres, Sharecropping and sharecroppers, 89–91.
landownership and tenancy could be extremely complex, too formal an analysis of sharecropping simply as rent and labor remuneration is not enough. It was a particular form of surplus appropriation.\(^{29}\)

**Piety, trust, absent landowners and kings**

In examining the centrality of the temple, torah, and of piety and purity, I take my cue from Jensen’s invitation to study Galilee as part of a larger “Land of Israel” in which the socio-economic issues were not separated from religious aspects.\(^{30}\)

*Piety*

Was there actually an intensification of religious sentiment, an increase in halakhic strictness and purity practices, as Jensen argues, on the basis especially of Andrea Berlin’s work?\(^{31}\) One needs to account for the particular material and textual data from the Hasmonean and Herodian periods, which encompasses both Judaea and Galilee. The important question, once accepted that the purity wave, in Jensen’s expression, spread in both Judaea and Galilee, is what to make of it.\(^{32}\) Was it a pure religious and ideological concern (called “vertical”), or was it a covert resistance mode to social and economic pressures (“horizontal”)?\(^{33}\) I don’t think these aspects can be separated. The so-called “vertical” religious motivations put pressure on everyone in the society, including elites forced to do Rome’s bidding.\(^{34}\)

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\(^{29}\) Pearce, “Sharecropping: Towards a Marxist view,” 53, defines it as “a method through which surplus labour is transferred to the landlord in the form of surplus product. (The notion of surplus implies output, or the labour required to produce that output, in excess of that quantity necessary to provide some subsistence level of consumption plus the investments necessary to sustain it.)” The level of consumption in ancient societies could be squeezed voluntarily in various forms of strikes, as several stories such as the socially dangerous fasting of John the Baptist intimate.


\(^{33}\) Jensen agrees with Regev, Bilde, McLaren, Hengel, and Deines in insisting more on the vertical aspect.

\(^{34}\) And it is difficult to see them as fanaticism: Jensen, “Purity and politics in Herod Antipas’s Galilee: The case for religious motivation,” 29.
It is clear that “no Roman authority could ever raise an eyebrow over this” (meaning miqvaot, Herodian oil lamps, stone utensils and one may add funerary customs). The intensity of the intra-Jewish discussions, Judaean and Galilean, were aiming first at local elites—no matter their closeness to the temple machinery—. They put pressure on them by focussing on the temple as house of the divinity and center of a domain where the conditions for salvation and survival had to be kept alive. An essential task then is to explain how the use of ossuaries, stone vessels, Herodian lamps, and many other more subtle differences, were also, or even primarily, a resistance (a) by pressuring elites and (b) by creating large ethnic markers that were meant to protect community’s interests against “Gentile” intrusions.

Trust

A difficult question in history is why people in various communities trust each other, and under what conditions this turns to distrust and loss of faith or fidelity. The official forms of government might last a very short time while recognizable cultural and social forms survived them. Did joint responsibility, for which trust was the main cement, continue to play a fundamental role in villages and towns of Judaea and Galilee in Jesus’ time, or was it threatened from the inside? Were forms of tenure and village administration, including cultural and religious forms, structured in such a way that—conveniently for the masters—they delivered the “goods” extracted from others but also the secure means of survival needed by the villagers in the long term? In other words, could mutual aid in times of adversity continue to be trusted? This mutual aid, supported by a widely shared piety, normally made it hard for outsiders to penetrate the local society. It privileged local protectors and group solidarity.

Did Jesus’ view of trust and faith call for a radical revision of the way in which it had eroded and become a commodity? In a local society where much of the land was controlled by an elite in neighboring towns or distant, culturally different, cities, how could the reciprocity expected from everyone still function?

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35I am thinking of the use of water and access to it, a right which was presumably attached to land and highly disputed. As for the centrality of temple for this piety: my picture of the Herodian temple is that the king’s extraction of wealth and tax farming status enabled him to do more of the building that led to a greater display of piety and boundaries with implicit appeals to trust and faith in his bona fide status.

The local elite became progressively less accountable for its actions. It was accountable to other demands perhaps, i.e. to the dynasts who honored them, but less to their community. Or at least they had to make a choice. This is a key issue to my mind, for which the development of cities, temple in Jerusalem, and ideologically-driven constructions, became very important. This development tended to separate elite landowners from their immediate interests.  

**Absent king(s) and son(s)**

In their competition for security of status, defined by their military power and control over land, large landowners in the Mediterranean Roman world needed to decrease risk. The risk that would be involved in a single property or a single form of labor was mitigated by scattering the sources of wealth. In doing so, they exchanged direct control and presence, when they used sharecropping arrangements, for a safer revenue enjoined through a system of liens and arrears. In spite of the debt pressure on tenants, the absence of larger landowners, and the near impossibility for village communities to depend on their mercy and enforce religiously defined, reciprocal arrangements, could quickly become a problem. Short of using force, the emperors (not only Caligula) thought local images of themselves, as part of an imperial cult, could be an ersatz of presence. In continuity with local piety and faith in a temple-centered tradition, Jesus affirmed the radical absence of a real, invisible, divinity and lord, together with its unmediated presence at the most local level, and the possibility of “approaching” its sacred presence by imitating what the torah enjoined.
regarding remission of debts and response to urgent, immediate needs.  

References


BHADURI, A. “Cropssharing as a labour process, size of farm and supervision cost.” In BYRES, Sharecropping and sharecroppers, 88–93.


BOYES, T. J. “Historical perspectives on sharecropping.” In BYRES, Sharecropping and sharecroppers, 7–40.


CABALLERO, J.-M. “Sharecropping as an efficient system: Further answers to an old puzzle.” In BYRES, Sharecropping and sharecroppers, 107–18.


—. The grain market in the Roman Empire: A social, political and economic study. Cambridge: Cambridge University Press, 2005.


References


PEARCE, R. “Sharecropping: Towards a Marxist view.” In BYRES, Sharecropping and sharecroppers, 42–70.


