

URI YIFTACH (TEL AVIV)

THE CARROT AND THE STICK –  
PROVINCIAL AGRARIAN POLICIES IN THE LIGHT  
OF P.COL. INV. 116B RECTO:  
RESPONSE TO THOMAS KRUSE

In the field of contracts, the state plays two roles. On the one hand, it acts as a legislator that, by means of laws and decrees, regulates contractual relations among its subjects. But the state has always been the largest proprietor and hence also the most significant party to contracts. As such, it could introduce terms that would affect the shape of the contracts it concluded with its subjects. In doing so, the state pursued two sometimes conflicting aims. While wishing to draw the highest possible profit, the state would also be interested in securing the long-term prosperity of its subjects. In the case of the documents discussed by Thomas Kruse, the second objective came to the fore. Following the Jewish uprising of 115-117 CE, the emperor Hadrian promulgated an *euergesia* that introduced an especially low rent for state land. This incentive is explicitly stated in the lease application by virtue of the *euergesia*: “since the land cannot yield such a high tax rate, and I myself am weighted by the rent.”<sup>1</sup> The result was a reduction of the rent to as low as 30% of its original rate.

Notwithstanding its propagandistic effect, the incentive was practical: if the rent were not lowered, the tenants could resort to *anachôrêsis*, or, even worse, stand up against their rulers.<sup>2</sup> This would be the last thing the Romans could tolerate after the suppression of the Jewish uprising. The rulers of Egypt had at their disposal a rich arsenal of other means to secure the cultivation of public land. If the land was unproductive, labelling it ὑπόλογος would effectively lead to its leasing under terms similar to those resulting from Hadrian’s *euergesia*.<sup>3</sup> But there was also another means: *Zwangspacht*, forced assignment.<sup>4</sup> The state was able to apply both means, but it did not act arbitrarily, as is implied by an unpublished text of the Rare Book and Manuscript Library at Columbia University in New York,

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<sup>1</sup> E.g., *P.Giss.* 6, col. 1.6-7 (117 CE, Apollonopolites Heptakomias): ἐπεὶ οὖν τοσοῦτο τέλεσμι[α] οὐ β[α][σ]τ[ά]||[ζ]ουσι, αὐτὸς δὲ βαροῦμαι τῷ ἐκφορίῳ. Further evidence in Kruse’s paper, n. 2 *et passim*.

<sup>2</sup> Cf., in particular, Braunert 1955-1956: 291-292; Jördens 2009: 328-330.

<sup>3</sup> Armoni 2012: 183, 185-187; Kruse 2002: 569-573.

<sup>4</sup> Jördens 2009: 458-459 and in general Poethke 1969: esp., 76-90.

inventory number 116b recto probably of 143/4 CE.<sup>5</sup> In the following discussion of this text, I naturally build upon Kruse's paper.

The papyrus under discussion here is 15.7 cm wide and 14 cm high. The text, an upright cursive, is written along the fibers. One vertical *kollêsis* is located about 2.5 cm from the right end. Several horizontal folds, some 3 cm apart, are located throughout the text. On the left and above the text, there is a very wide margin of some 3 cm. Five lines of the main text are followed, again after an empty space of about 3 cm, by another line. All writing seems to stem from the same hand. There is no evidence of further text beneath the extant one. The main text is preserved, with the exception of some 10 to 15 letters on the right. Assuming a similar margin on the right as on the left end, I propose an original width of some 20 to 25 cm. On the verso, one reads a school exercise.

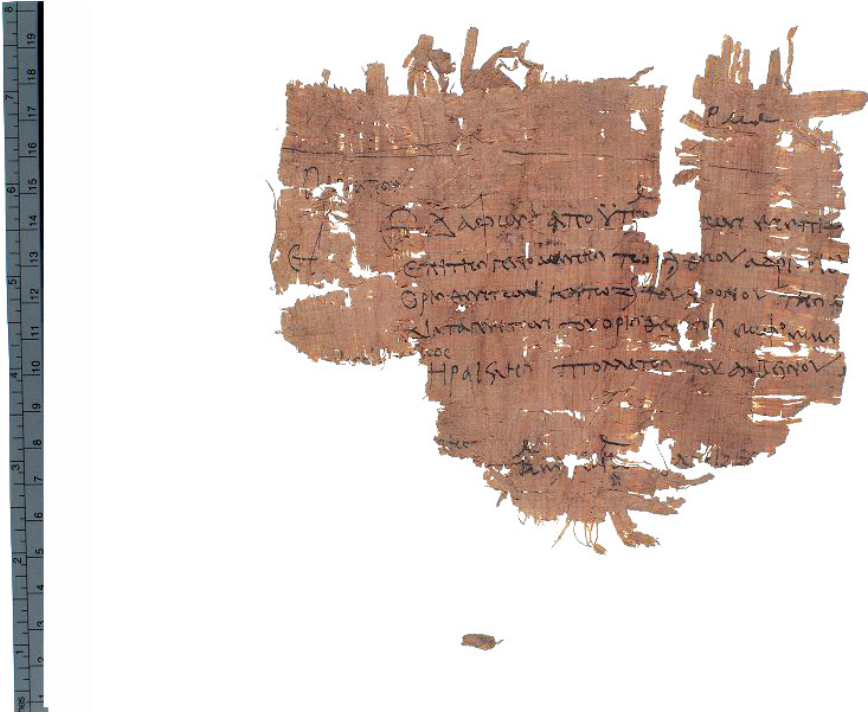
The text stems from, or is a copy of, a text incorporated in a *tomos synkollêsimos*, as shown in particular by the page number indicated above the main text: 141.<sup>6</sup> Scattered remains of text in the upper margin are followed by a vertical line extending as long as two cm from the right end of the text. Plainly visible on the right margin is the abbreviation *epsilon iota*. The text is preceded by a name, perhaps of the person who submitted the information: a certain Apoll( ): Apollinarios, Apollas *vel sim*. It is then followed by several *genetivi absoluti*, extending through the end of line four. Followed by another line, ending with – ἰσμος (?), we read a clearly written name, Herakleides son of Ptollas, Grandson of Albinus, probably followed by a μ: perhaps the lessee of the land indicated, with some distance at the very end of the papyrus.

P.Col. Inv. 116 b (after 143/4 CE ?, Unknown Provenance)

[. ρμα  
 Παρὰ Ἀπολλ( )  
 ἐδαφῶν ἀπὸ ὑπολ(όγου) [ῶν]των ἐν ἐπιδ[οχῆ, τῶν ἐκφορίων]  
 Εἰ( ) ἐπὶ τῆς γενομένης τῷ ιγ (ἔτει) θεοῦ Ἀδριανοῦ [ἐπισκέψεως (?) - - ] 128/9 CE  
 ὀρισθέντων, καὶ τῷ ζ (ἔτει), τοῦ χρόνου τῆς μ[ισθώσεως πληρωθέντος] 143/4 CE  
 διαταγέντων τοῦ ὀρισθέντος ἐμφ(ου) ἐκάσ[της ἀρούρας ἀρτ(αβῶν) . . ]  
 ] . . . σμος  
 Ἡρακλῆς Πτολάττος τοῦ Ἀλβείου μ[εμισθωμένος - - ]  
 ]λης  
 (γίνονται) κλ(ηρουχικῆς) ἐσπ(αρμένης) καὶ κλ(ηρουχικῆς) ἀσπ[ό(ρου) (?)]  
 (ἄρουραι) λγ ? ις ξδ

<sup>5</sup> The papyrus is published at the courtesy of the Rare Book and Manuscript Library at Columbia University. Special thanks are due to Professor Roger S. Bagnall of the Institute for the Study of the Ancient World for his suggested readings.

<sup>6</sup> The identity of both the author and the office in which the information was kept remains uncertain.



At the courtesy of the Rare Book & Manuscript Library at Columbia University in New York.

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From Apoll( )

Of the land that is leased out as *hypologos*, the rent in kind having been fixed in the course of the survey that was undertaken in year 13 of the Divine Hadrian, and in the 7th year, the duration of the lease having come to an end, has been assigned for cultivation, in the case of the land that was labelled productive, per arouras [ - - ] artabas of [ - - ].

Hérakles son of Ptollas, grandson of Albinos, [Lessee (?)].

The total being, a rent of - - for 33 1/16, 1/64 arouras of sown klerouchic land and unsown (??) klerouchic land.

The text in the genitive records landed property labeled as *ἐδάφη ἀπὸ ὑπολόγου*. *Ὑπόλογος* is a designation used for public land that due to reduced productivity is offered for lease or sale, for an especially low rent.<sup>7</sup> In the Columbia

<sup>7</sup> Preisigke *FWB*, s.v., 176: “Land welches keine oder verminderte Ackerfrucht bringt und daher in der staatlichen Ertragsliste einen Abzug erfordert,” and *P.Oxy.* XXXVIII 2847<sup>r</sup> (first half III CE, Oxyrhynchos) below, n. 24.

papyrus, the land is offered for lease: ἐν ἐπιδοχῆ<sup>8</sup>: at least according to the text as reconstructed here, the particular land has been leased out in the past and will continue to be so in the future. But here is where the text becomes particularly relevant in the context of Kruse's paper. On the 13<sup>th</sup> year of Hadrian (128/9 CE), the said land was subject to ἐπίσκεψις, a survey conducted for assessing the rent to be exacted for that land.<sup>9</sup> Later, in the seventh year of another emperor, the period of the lease was over. While the name of the later emperor is not mentioned, the most likely candidate is Antoninus Pius, Hadrian's immediate successor. This would result in a period of fifteen years from the original survey until the termination of the contract. As fifteen years is not a duration attested in any known lease from Roman Egypt, my assumption is that the contract was originally limited to a shorter period and was then renewed several times until it was finally terminated after fifteen years.

There are several applications for leasing state land that allow us to reconstruct this process. In the case of *P.Oxy. X 1279* (139 CE, Oxyrhynchos), the prospective lessee appeals to the nome's *stratēgos* for the lease of three arouras of state land.<sup>10</sup> While the document follows the routine structure in applications for lease,<sup>11</sup> some unique features shed light on the Columbia text. First, the use of the term ἐπιδέχομαι, rather than βούλομαι, as is usually the case in contemporary leases: the noun, ἐπιδοχή, appears in the Columbia text and seems to be particularly common in contemporary leases of state land.<sup>12</sup> Second, and perhaps foremost, the focus on

<sup>8</sup> Exact parallel in *P.Pher.* I. 144 (after 195/6 CE, Pheretnui, Kynopolites) as well as in *P.Thmouis* 1.69.8, 21 (180-192 CE, Thmouis). Cf. further evidence below, n. 12.

<sup>9</sup> On *episkepsis* cf. Armoni 2012: 172-178; Bonneau 1972: 89-92; Kruse 2002: 281-306; and further discussion below text to fn. 23-29.

<sup>10</sup> *P.Oxy. X 1279.5-22* (139 CE, Oxyrhynchos): ἐπιδέχομαι μισθώσασθαι ἐκ τοῦ δημοσίου ἐπ' ἕτη πέντε ἀπὸ τοῦ ἐνεστῶτος τρίτου | <sup>8</sup> ἔτους Ἀντωνεῖνου Καίσαρος | <sup>9</sup> τοῦ κυρίου ὑπολόγου περὶ Σενᾶ | <sup>10</sup> ἐκ τοῦ Ἡρακλείδου καὶ Ἡρακλείδου | <sup>11</sup> κλήρον ἀρούρας τρεῖς, ὧν γεί<sup>12</sup>τονες νότου γύης βορρᾶ καὶ ἀ<sup>13</sup>πηλιώτου δημόσιον χῶμα λιβὸς | <sup>14</sup> Διδυμίωνος Δημητρίου, ὅσ<sup>15</sup>τε κατ' ἔτος σπεῖραι καὶ ξυλα<sup>16</sup>μῆσαι οἷς ἐὰν αἰρῶμαι χωρὶς | <sup>17</sup> πυροῦ καὶ ἰσάτεως καὶ ἔχομε<sup>18</sup>νίου καὶ ἔχειν με τὰς νομάς | <sup>19</sup> καὶ ἐπινομάς φόρου τῶν ὄλων | <sup>20</sup> κατ' ἔτος σύνπαντι δραχμῶν | <sup>21</sup> τεσσάρων ἅς διαγράψω κατ' ἕ<sup>22</sup>τος μηνὶ Καισαρείῳ. "I consent to lease from the state for five years from the present third year of Antoninus Caesar the lord three arouras of unproductive land in the area of Senao in the holdings of Hêrakteidês and Hêrakteidês of which the adjacent areas are on the south a field, on the north and east a public dyke, on the west the land of Didymiôn son of Dêmétrios, on condition that I may sow and plant the land with any crop which I choose except wheat, woad, and coriander (?), and shall have the pastures and secondary pastures at the annual rent for the pastures of four drachmas in all, which sum I will pay annually in the month of Kaisareos."

<sup>11</sup> Wolff 1978: 115-116; Yiftach-Firanko 2014: 49-53.

<sup>12</sup> While the term *per se* means little more than "Bereitwilligkeit zur Übernahme einer Leistung, Angebot" (Preisigke, *WB* I 552 s.v.), in the first two centuries CE, it was primarily used in the context of the lease of public property. This is the case in contemporary lease contracts, where the verb ἐπιδέχομαι is most common in the case of

γῆ ὑπόλογος. In practice, labelling land as *hypologos* would result in a lease on terms similar to those introduced by Hadrian's *euergesia*.<sup>13</sup> Third, the duration of the contract, five years. Five years is the longest duration routinely used in lease contracts from Roman Egypt<sup>14</sup>; its use in the case of γῆ ὑπόλογος is especially logical: the land is temporarily unproductive, and for it to regain its earlier productivity the tenants are expected to invest especially intensive work.<sup>15</sup> They are offered two incentives, one of which is reduced rent.

But this is clearly not enough: in *SB XXVI 16642* (156 CE, Arsinoitês), an edict of the governor of Egypt M. Sempronius Liberalis, it is reported how holders of γῆ ὑπόλογος were cast out of the land after the first or second year of the lease, simply because there came others who offered higher bids.<sup>16</sup> Setting in advance the

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state property leased out by state officials: *BGU IV 1091* (212 CE, Oxyrhynchos) [basilikos grammateus, *adespota*]; *P.Harr. II 194* (183/4 or 215/6 CE, Oxyrhynchos) [superintendents of fishing rights]; *P.Oxy. II 279 = WChr 348* (44/5 CE, Oxyrhynchos) [basilikos grammateus, domain land]; *X 1279* (139 CE, Oxyrhynchos) [strategos, public land]; *XLVI 3268* (II CE, Oxyrhynchos) [superintendents of fishing rights]; *XLVII 3363 = P.Coll.Youtie I 32* (198/9 or 199/200 CE, Oxyrhynchos) [*epitropos Hermou*, collection of revenues]; *SB XIV 11280* (108/9 CE, Oxyrhynchos) [basilikos grammateus]; *XVIII 13150* (II CE, Oxyrhynchos) [fishing rights]. Not public: *P.Oxy. IV 810 descriptum* (134/5 CE, Oxyrhynchos); *XXXIII 2676* (151 CE, Oxyrhynchos). The same terminology is specifically used for the leasing out of *hypologos* land in *P.Pher. I. 144* (after 195/6 CE, Pheretnuis), *SB XXVI 16642.29* (156 CE, Arsinoitês) and elsewhere.

<sup>13</sup> *P.Lond. III 1227* (152 CE, Hermopolis): 50 drachmas, six arouras; *P.Oxy. X 1279* (139 CE, Oxyrhynchos): 4 drachmas, 3 arouras; *SB XVI 12569 = P.IFAO III 35 ll. 1-7 and 8-25* (66-58 or 55-51 BCE, Kerkesoucha Orous): 1 barley araba the aroura in both cases. In *P.Oxy. L 3558* (133 CE, Arsinoites) one pays an annual rent of twenty drachmas, but the size of the land, offered to pasture, is not indicated. Related papyri: *BGU II 571.9-11* (151/2 CE, Arsinoites): 2 drachmas the aroura; *P.Giss. 60.20-21* (end of 118 CE, Naboo, Apollônopolitês Heptakômias): 1 1/6 wheat artaba the aroura. *P.Hamb. I 12.6-16 = WChr 235* (209/10 CE, Unknown Provenance): complete exemption; *P.Ryl. II 221.15* (beginning (?) of III CE, Thmouis (?)): 1 wheat artaba the aroura; *P.Tebt. I 10.4 = WChr 160* (119 BCE, Ptolemais Euergetis): 1 1/2 artaba the aroura.

<sup>14</sup> The early Roman period (first through third centuries CE) yields twenty four leases for a period of five years. Leases for a longer period (most commonly ten years) are exceptional: *P.Soter 3* (89/90 CE, Theadelphia); *P.Tebt. II 373* (110/1 CE, Tebtynis). They will become common only in the Byzantine period: cf., for example, *BGU XII 2152* (512 CE ?, Hermopolis).

<sup>15</sup> Cf. primarily Jördens 2001: 52. By no means should one conclude, however, that a lease for five years was for *hypologos* land a matter of course: *P.Lond. III 1227* (152 CE, Hermopolis); *P.Oxy. L 3558* (133 CE, Psenyris), both leases for one year only.

<sup>16</sup> *SB XXVI 16642.7-17* (156 CE, Arsinoitês): Διαλογιζόμενος τὴν κατὰ χώραν ἐνε<sup>8</sup>τεύχθηγ ὑπὸ πολλῶν φασκόντων μι<sup>9</sup>σθωσαμένους αὐτοὺς ἐκ τῆς λεγομένης | <sup>10</sup> ὑπολόγου γῆς ἐπιρᾶσθαι ὑπὸ τινῶν προσ<sup>11</sup>θήκας δεδαικόντων μετὰ τὸν πρῶτον | <sup>12</sup> ἢ καὶ δεῦτερον τῆς [μ]ισ[θ]ώσεως ἐνιαυτὸν | <sup>13</sup> καὶ οὕτως τῆς γεωργίας ἐγβεβλήσθαι [εἰς] | <sup>14</sup> ἢ εἰς τὴν κατεργασίαν τῆς γῆς ἰκανὰ | <sup>15</sup> ἀναλωκότας ἐλπιδί τοῦ δυνήσασθαι | <sup>16</sup>

timeframe at five years would preempt this practice.<sup>17</sup> It would allow tenants time to improve the land's productivity and to win back the investment made in the early years. But then, in *P.Oxy.* X 1279, comes the regulation: μετὰ δὲ τὴν πεν<sup>25</sup>ταετίαν οὐκ ἀχθήσομαι εἰς | τὴν μίσθωσιν (“and at the end of the five years’ period, I shall not be forced to take the lease,” lines 24-26). Even under the favorable terms offered in the case of γῆ ὑπόλογος, the land would not always be enticing to potential bidders after the *lustrum* had come to an end. The officials on site would try to force the present tenants to stay on the land in what would effectively become a *Zwangspacht*. This scenario is also preempted in the contract.

Voluntary extension of the contract was, however, always a viable option. This is precisely the case in the following text, *P.Tebt.* II 374 = *WChr* 349 from 131 CE Tebtynis, an application to Ptolemaios, the *basilikos grammateus* of the Polemon meris in the Arsinoite nome. In this text, the period of the contract has come to an end in the preceding year (Il. 9-11: ἥς ὁ χρόνος τῆς μισθώ<sup>10</sup>σεως ἐπληρώθη (read ἐπληρώθη) εἰς τὸ διελη[λ]υ<sup>11</sup>θὸς ἰδ (ἔτος)), and the tenant, already on site, then requests an extension for five more years. Granted, in the present case, the land is not stated to be ὑπόλογος. Yet the rent, just 1 artaba of barley per aroura, is especially low and would allow for the assumption, if not of γῆ ὑπόλογος *stricto sensu*, then at least of a lease on comparable terms.<sup>18</sup> We are also not informed of the duration of the earlier contract; yet, if we rely on the evidence of *P.Oxy.* X 1279 and assume five years also, we get fairly close to reconstructing the terms reported

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τοῖς ἐξῆς ἔτεσι καὶ τὰ προαναλωμένα | <sup>17</sup> ἀπολαβεῖν. “In the course of my conventus in lower Egypt, many appealed to me, claiming that although they leased land, of the category termed *hypologos*, they have been dealt spitefully by some who have been making higher bid after the first or second year of the lease, and so they are being driven out after they have already spent substantial amount of money hoping that in the following years they will be able to gain back their expenses.”

<sup>17</sup> Cf. also Jördens 2001: 50, 61, with further evidence.

<sup>18</sup> *P.Tebt.* II 374.5-21 = *WChr* 349 (131 CE, Tebtynis): βούλομαι μισθώσασθαι εἰς ἔτη | <sup>6</sup> πέντε ἀπὸ τοῦ ἐνεστῶτος πεντε<sup>7</sup>καιδεκάτου [ἔ]τους Ἀδριανοῦ Καίσαρος | <sup>8</sup> τοῦ κυρίου τὴν προγεοργουμένη (read προγεοργουμένην) | <sup>9</sup> ὅπ’ ἐμοῦ ἥς ὁ χρόνος τῆς μισθώ<sup>10</sup>σεως ἐπληρώθη (read ἐπληρώθη) εἰς τὸ διελη[λ]υ<sup>11</sup>θὸς ἰδ (ἔτος) ἀπὸ τῶν περὶ τὴν κόμην | <sup>12</sup> ἔδαφῶν ἄρουρ(αν) μίαν κτλ., γ<ει>τον[ε]ς | <sup>13</sup> νότου Κρονίωνος κλῆρος βορρᾶ | <sup>14</sup> πο[τ]ρίστ[ρ]α λιβὸς τοῦ αὐτοῦ Κρονίωνος) | <sup>15</sup> κλῆρος ἀπληλώτου ἐμοῦ | <sup>16</sup> τοῦ Τιθοείους γῆι, ἐκφορίου | <sup>17</sup> τοῦ προτελουμένου κ[α]θ’ ἔτος | <sup>18</sup> ἀσπερμὶ κριθῆς ἀρτάβην | <sup>19</sup> μίαν . ἐὰν δέ τι πρὸς ἄβροχον | <sup>20</sup> γένηται παραδεκθήσεται (read παραδεχθήσεται) μοι | <sup>21</sup> τὸ ἐκφόριον, ἐὰν φενητ (read φαίνηται) μισθ(ῶσαι). “I wish to lease for five years from the present 15th year of Hadrianus Caesar the lord the one aroura of the land near the village which I previously cultivated and of which the period of the lease expired in the past 14th year, the adjoining areas being on the south the holding of Kroniôn, on the north a water-channel, on the west the holding of the said Kroniôn, on the east the land belonging to me, Tithoês, at the rent paid before, namely one artaba of barley a year without seed. If any further part of it becomes unirrigated, an allowance of the rent shall be made to me, if you consent to lease the land.”

in P.Col. inv. 116b. Here, I propose, the land was first labelled ὑπόλογος in 128/129 CE and was leased out on these terms. The lease was then extended, by a contract of the type of *P.Tebt.* II 374 in 133 CE, and again in 138/9. Five years later, it was decided to base the lease on a different foundation.

In general, a piece of land would not be assigned the status of ὑπόλογος without proper scrutiny of its condition. In the case of *P.Tebt.* II 374, the ratification of the contract pends upon verification, by the *komogrammateus*, that the applicant speaks the truth.<sup>19</sup> The same verification procedure is recorded in detail in another text, that of *BGU* IV 1091 from 212 CE Oxyrhynchos.<sup>20</sup> At stake is a slightly different issue: property taken over by the *idios logos* that was left, contrary to the general practice, unsold.<sup>21</sup> Now it is offered for lease, and the applicant, in a document following the scheme already studied in connection with the earlier documents, informs his addressee, a *basilikos grammateus* filling in for the *stratēgos*. The rent, stated to be one and a half artaba the aroura, was “made public following an ἐπίσκεψις ὀρισμοῦ”: probably surveying the boundaries and fixing the rent.<sup>22</sup>

Besides particular surveys, held on the occasion of conveying the property to a new cultivator, one would also undertake general surveys of a larger territory. A key piece of evidence for that procedure is *P.Oxy.* XXXVIII 2874 recto, a glossary of administrative terms from the early third century CE.<sup>23</sup> This glossary, recording various types of surveys, also contains an entry regarding that of γῆ ὑπόλογος. In this entry, the glossary comments, “Land in deduction: the revision of all unproductive imperial land takes place every three years, and the land is called land in deduction, since it is deducted from the amount of land in each area so that the

<sup>19</sup> Jördens 2001: 53-54, 64-65.

<sup>20</sup> *BGU* IV 1091.9-26 (212/3 CE, Oxyrhynchos): ἐπιδέχομαι[ι μι]ισθῶ<sup>10</sup>σασθαι ἐπὶ ἔτη [τ]ρία | <sup>11</sup> ἀπὸ τοῦ ἐνεσ[τῶ]τος π[ρῶ]<sup>12</sup>του καὶ εἰκοστ[οῦ] ἔτ[ο]υς | <sup>13</sup> ἀπὸ ἀπράτω[ν] τῆς | <sup>14</sup> τοῦ ἰδίου λόγου ἐπιτρο<sup>15</sup>πῆς πρότερο[ν] Διογέ<sup>16</sup>νους τοῦ καὶ Σωτῆ[ρ]ος | <sup>17</sup> περὶ κόμη[ν] Σκῶ | <sup>18</sup> τῆς ἄνω ο[π]αρχίας | <sup>19</sup> ἐκ τοῦ Βηρη[τ]οῦ ἰς | <sup>20</sup> φορικοῦ κλη[ή]ρου | <sup>21</sup> ἀνὰ μίαν ἡμι[σ]υ ἀρ[ο]ύ<sup>22</sup>ρας δύο ἡμισ[υ] , φό[ρ]ου | <sup>23</sup> χωρὶς [δημο]σίων | <sup>24</sup> τ[ο]ῦ δὲ ἐπισ[κ]έψεως | <sup>25</sup> ὀρισμοῦ φα[ι]νομέ<sup>26</sup>νου. “I undertake to lease for a period of three years, starting from the present twenty-first year from the unsold assets under the supervision of the *idios logos*, that earlier belonged to Diogenēs also known as Sôtēr in the vicinity of the village of Skô in the upper toparchy of the 16<sup>th</sup> tribute rendering kleros of Biêrtos, for a rent of 1 and a half (artabas) the aroura two and a half arouras, the rent, without taxes having been established through a survey of the capacity of the land.”

<sup>21</sup> Swarney 1970: 115-118. On the procedure of sale of state land in general, see now Kruse 2015.

<sup>22</sup> In the same vein as in P.Col. inv. 116b, I assume the verb ὀρίζεσθαι (l. 5) to reflect the procedure of ὀρισμός and to refer to fixing the rents, rather than the boundaries of the land, although the two issues are interrelated. Along the same lines, see Jördens 2001: 64-66.

<sup>23</sup> Bonnaeau 1983: 149-150.

productive part is left.”<sup>24</sup> The present text shows that, at least in theory, the position of all land as *ὑπόλογος* had to be examined every three years. The text also offers a definition of the term *ὑπόλογος* in which it is set in opposition to *ἔμφορος*, the normal, productive land.<sup>25</sup>

The evidence of such general surveys is quite abundant and goes back to the Ptolemaic period.<sup>26</sup> One of the relatively short and presentable texts of such a survey is *P.Berl.Leihg.* 14 (138-180 CE, Theadelphia?). The report focuses, for the most part, on γῆ ἄβροχος: waterless land. It records the holders or owners of the land, as well as its legal position, size, and the amount of revenues extracted, always in kind.<sup>27</sup> Particularly important for our understanding of P.Col. inv. 116b are lines 45-47 of the report: “out of a report of *hypologos* land: as a result of a land survey 1 1/4 1/8 1/36 seem to be able to be assigned for forced lease or leased out for a rate of 4 and 1/5 wheat artabas the aroura, and 1/8 1/16 an arouora for a rate of 2 1/2 wheat artabas the aroura the total being 1 1/2 1/16 1/32 aroura.”<sup>28</sup> In *P.Berl.Leihg.* 14, following the account of the waterless land, the text records land that was earlier labelled *ὑπόλογος*, and was thus leased out, for very low rent, presumably 1 artaba the aroura, as is commonly the case in the surviving evidence. All this changed with the new survey. The land, now proven productive, can be leased (*δύνασθαι μισθωθῆναι*) at a higher rent. Yet it is apparent that under the new terms, one may possibly be short of bidders, hence an alternative means: the land can also *διαταγῆναι* that is, be subject to a compulsory assignment, *Zwangspacht*.<sup>29</sup>

Exactly the same state of affairs is evident in the Columbia text: in Hadrian’s thirteenth year, some plots of land were declared *ὑπόλογος* and, as such, were leased out for reduced rent. Fifteen years later, in year seven of Antoninus Pius, the position of some land was revised: following the terminology also evident in

<sup>24</sup> *P.Oxy.* XXXVIII 2847<sup>r</sup>.12-15 (first half III CE, Oxyrhynchos): <sup>12</sup> [ὑπόλο]γος, ἀπάσης τῆς ἀφόρ[ο]υ <οὔ>σης κ[υρι]ακῆ[ς] διὰ τριε<sup>13</sup>τίας ἐπίσκεψις γέινεται, καλεῖται[ι δὲ] ὑπόλογος ἐπει<sup>14</sup>δὴ ὑπολογεῖται ἐκ τοῦ μέτρου τ[ῆς γ]ῆς τοῦ κατὰ πε<sup>15</sup>δίον ὡς ὑπολειφθῆναι τὸ λοιπὸν ἔμφορον. “Land in deduction: the revision of all unproductive imperial land takes place every three years, and the land is called land in deduction, since it is deducted from the amount of land in each area so that the productive part is left.”

<sup>25</sup> The entry *ἔμφορον*, occupying line 1 of the same text, is not legible.

<sup>26</sup> Cf., for example, *P.Heid.* IV 310 (117-138, Euhemeria), where the γραφή ὑπολόγου is recorded among the reports annually issued by the *komogrammateus*. The procedure is described in detail in *PSI* V 448 (I-II CE, Hermopolites). See also Yiftach, ‘Horiodeiktēs’ (forthcoming).

<sup>27</sup> Cf. *P.Berl.Leihg.* I, pp. 163-164 (introduction to the present text).

<sup>28</sup> *P.Berl.Leihg.* I 14.45-47 (138-80 CE, Theadelphia ?): καὶ ἐξ ἐπι(ισκέψεως) ὑπολ(όγου) φανεῖσαι δύνασθαι [δυν] διὰ γεω[μετρίας] | διαταγῆ(ναι) καὶ μισθ(ωθῆναι) ἀν(ά) (πυροῦ) δ (πέμπτον) (ἄρουρα) α δ’ η’ λβ’, ἀν(ά) (πυροῦ) β ζ [(ἀρούρης) η’ ις’]· | (γίνεται) (ἄρουρα) α ζ ις’ λβ’.

<sup>29</sup> *P.Berl.Leihg.* I, pp. 170-171. A state of affair resembling that recorded in P.Col. inv. 116b is evident in *SB* XIV 11657.39-40 = *SB* X 10512 (138/9 CE, Theadelphia).



*P.Oxy.* XXXVIII 2874 recto, formerly ὑπόλογος land became ἔμφορος.<sup>30</sup> This would naturally mean that the rent would be raised, which would render the land less attractive to potential lessees than before. Rather than trying to allure potential lessees, a different strategy was resorted to: compulsory assignment, with fixed rent, to be paid by each and every holder. The text of the Columbia papyrus mentions just one lessee, with some 24 arouras; however, the change must have had much broader implications: the Columbia text appears as folio no. 144 in a *tomos synkollêsimos*, and we may assume that some part of this *tomos*, if not its entirety, was dedicated to the registration of other lessees and land plots that were labelled ὑπόλογος in 128/9 CE, and then, fifteen years later became ἔμφορος.

Let me now conclude. Thomas Kruse's talk has focused on the administration of state land. The state, like any other landholder, was interested in maximizing profits, but it was also interested in pursuing long-term policies, in particular those that would secure the permanent cultivation of the land and its lasting productivity. Kruse discusses special circumstances: following the catastrophe of the Jewish revolt, there was a pressing need to return to circulation any agricultural land that was destitute. Hadrian's *euergesia* was a special measure meant to deal with this state of affairs. At the same time, as the documentation discussed above shows, keeping state land cultivated was a chronic problem, even in relatively peaceful times. The state took various measures to handle it. One would be to offer a long-term, cheap lease of land that was in particularly poor condition: this is what the category of ὑπόλογος is all about. This was the carrot. But there was also a stick: once the land became productive again, the state resorted to forced lease. Applying a wide array of means, from allurements to constraints, the provincial administration secured its revenue and the lasting prosperity of the province.

uiftach@post.tau.ac.il

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<sup>30</sup> There is additional evidence in the early years of Antoninus Pius of an endeavor to check the productivity of formerly declared unproductive land. Cf., in particular, *P.Berl.Leihg.* II 35 A.10-13, B. 19-22 (141 CE, Theadelphia).

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