Introduction: Studying rural communities in the late Roman world

What did rural communities look like in the late Roman world? How did they work? What socio-economic mechanisms were available to peasants of the period for managing subsistence and social risk? The questions are disarmingly simple. But the project of answering them is dogged by the same evidentiary and methodological problems that have long trammeled attempts to answer similar questions for earlier periods. The late Roman world boasts a greater body of written sources relevant to the subject than in earlier centuries, but detailed accounts of the day-to-day workings of rural communities – such as have underpinned comparable studies in medieval, early modern and contemporary contexts – are still almost entirely absent. In the main, the sources that we do possess reflect aristocratic concerns and perspectives more than those of peasants. That is, they focus principally upon problems of organization and control of labor, transmission of rents and taxes, and the nature and form of power and dependence, rather than upon the maintenance of a subsistence livelihood or the negotiation of the "small politics" of rural communities. When the inhabitants of rural communities do appear in these writings, they are characteristically treated as an undifferentiated mass, their social, economic, and political motivations misunderstood, their networks of mutual support and reciprocity beyond occasional mentions of interactions with our aristocratic authors largely opaque.

In this book, I seek to recapture these networks of mutual support and reciprocity, using the written sources in conjunction with archaeological material and theoretical models drawn from comparative contexts and disciplines. I engage in particular with debates in those disciplines concerning the internal workings of rural communities, the nature of relations between the members of those communities and outsiders, and the impact of externally generated changes upon those structures of interaction. I suggest that, in spite of the limitations of our evidence, the countrysides of late antiquity provide an ideal context for contributing to these debates.

In championing the late Roman world as a particularly fruitful field for exploring questions current in agrarian studies more broadly, I emphasize the opportunities provided by two factors. On the one hand, the rural landscapes of the late Roman world were almost infinitely diverse in terms of physical topography, economic structures, and social systems. On the other hand, peasant communities exhibit certain behaviors that are broadly congruent and comparable across time and space. Consequently, we must construct a schema for studying the interplay of the generalized and the unique within and between those communities.

In the following chapters, this tension between the general and the specific is never very far from the surface. Such an approach amounts to an attempt to carve out an analytical middle ground between the grand survey, where the pattern is privileged over the particular; and the micro-study, where the presentation of the particular is an end in itself. I deliberately overstate this distinction in the interests of making explicit an analytical problem that tends to be recognized only implicitly. I argue here that it is crucial that we entertain both of these positions simultaneously and seek to mediate between them, in order to avoid a string of over-schematic, broad-brush generalizations about rural life in late antiquity, on the one hand; and a collection of discrete, balkanized micro-regional studies of individual communities that eschews larger analytical categories and questions, on the other. In what follows, therefore, I seek to accommodate complexity, diversity, and uniqueness within a structured schema.

The second factor marking the late Roman world as an ideal context for this study is the presence of an identifiable and identifiably different system of tax assessment and, to a lesser degree, collection. To a certain extent, this new tax system dictates the chronological boundaries of this study, for I take it to represent a recognizable, comparatively unified set of pressures which may be observed interacting with existing socio-economic structures in different physical contexts in a variety of ways.[1] Therefore, I limit this study to the period between the introduction of this new system of taxation in the late third century and the dissolution of effective centralized control over it, at least in the western provinces of the empire, in the late fifth century.[2] Equally importantly, this tax system provides a relatively detailed and coherent body of documentation upon which we can draw.

[1] Fuller discussion in Grey (2007b), 368–70. Cf. Ando's cautions about the extent to which the system can be attributed solely to Diocletian and his colleagues in the Tetrarchy: Ando (2008), 45.

[2] Note Ando's critique of the fetishization of dates and periodization in late antique studies more generally: Ando (2008), 32.

Consequently, we are able to evaluate the evidence that survives for the responses of the inhabitants of rural communities to the tax system of the late Roman world in the light of strategies that we can observe or imagine them employing in other contexts, and in response to other pressures.

The coincidence of heterogeneity and similarity in the rural communities of the period, coupled with the existence of an identifiable, relatively widespread motor of change, allow us to escape from the tyranny of the particular that has assailed many micro-studies of peasant communities in other fields.[3] Throughout this book, I emphasize the immense diversity in the evidence for peasant communities in the late Roman world. I propose that this diversity takes as its context a set of generalized, generalizable constraints, which, in broadly comparable ways, shaped and impacted upon the strategies employed by rural communities in managing subsistence and social risk. I argue throughout this book that it was the impulse to manage these two kinds of risk, and not the desire to evade or resist the fiscal demands of the state, which lay at the heart of decision-making in the rural communities of the late Roman world.[4] Further, by focusing attention upon these imperatives we are able to create an account of socio-economic relations in the countrysides of late antiquity which acknowledges the perspective of the peasants and other rural denizens who constituted the bulk of the population. Such a project produces a picture that usefully complements and partially corrects existing accounts, which have tended to embrace the perspective of the aristocratic authors of our surviving sources, and as a consequence have privileged the needs and objectives of the late Roman state and its agents.

To this end, I begin with an exploration of the peasantry, the nature and composition of their families, households, and communities. Next, I outline strategies for managing and negotiating the fundamental tension between cooperation and conflict within rural communities, before placing alongside those strategies an account of the various ways in which the members of those communities interacted with powerful outsiders in the period. I then use these networks of interaction as a framework for examining the changes wrought by the new tax system introduced by Diocletian and his colleagues in the Tetrarchy. I place particular emphasis upon the ways in which *rustici* were able to exploit the vocabulary and personnel of

[3] Cf. the brief comments of Anderson (1997), 504; Hahamovitch and Halpern (2004), 4–5. For a comparable account of rural change, exploiting a similar dynamic of similarity and difference, cf. Cronin (2005).

[4] Below, 169–72, for a succinct statement.

that tax system to achieve their own, locally focused objectives. In the remainder of this chapter, I situate this project within two complementary scholarly contexts. First, I survey the current state of scholarship on rural communities in the late Roman world, outlining briefly the debates that inform those studies. I then place alongside those debates a complementary set of problems, which are informed by current studies of rural communities in other historical and anthropological literature. I begin, however, with a brief account of the types of evidence that we possess for our study.

SOURCES FOR THE STUDY OF RURAL COMMUNITIES IN LATE ANTIQUITY

Peasants constituted the bulk of the population of the Mediterranean world and Europe throughout antiquity. MacMullen, rhetorically perhaps, suggests that the deprived masses constituted 99 percent of the population, but even a more cautious estimate would put the proportion of agriculturalists in the Roman world at something over 80 percent.[5] However, the inhabitants of the rural communities of the late Roman world have left few traces of themselves. Their dwellings and settlements are difficult to identify in the archaeological record, and have in any case received relatively little attention in contemporary scholarship. Moreover, the project of enlisting archaeological evidence to answer questions of demography and social structure is a difficult one at best.[6] When we turn to the written sources, first-hand accounts of the internal dynamics of rural communities in the period are perilously few. Some inscriptions have survived, for example, commemorating a community's collective action or acknowledging the noteworthy exploits of an individual, but it is difficult to determine the typicality or exceptionality of these incidents, and in any event the epigraphical evidence is relatively thinly spread.

Arguably our richest evidence for the views and perspectives of small agriculturalists may be found in the petitions and other legal documents that have survived in the papyrological sources from Egypt. However, significant doubts have been raised in recent scholarship over the validity of assuming that these documents represent anything more than the views and interests of the wealthiest inhabitants of the villages and towns of the

[5] MacMullen (1974) 122; Garnsey and Woolf (1989), 154; Scheidel (2007), 80–1.
[6] Cf. Zadora-Rio (1995), 148–9; van Ossel and Ouzoulias (2001), 154; Sodini (2003), 26–7; 46–7; Chavarría and Lewit (2004), 4–7.

Egyptian countryside.[7] These cautions about the representativeness of the papyrological evidence are valid, but they can in part be mitigated by two considerations. First, we should expect the fortunes of individual households within rural communities to have fluctuated from year to year and generation to generation according to the composition of the household, its capacity to manage its economic resources and social networks, and the share of luck it has enjoyed in avoiding a significant subsistence crisis or other destabilizing factor.[8] Second, and as a consequence, we may imagine that even if the less well-off members of rural communities lacked the means of their wealthier neighbors, they shared much the same set of concerns, and would have been motivated to satisfy or meet those concerns in similar ways. It seems reasonable, then, to regard the papyrological sources as reflecting a set of common expectations and assumptions, even if the evidence they provide is skewed to the wealthier residents of the Egyptian countryside.

These eyewitness accounts of the internal functioning of rural communities must be supplemented by sources which, at best, illuminate only indirectly the phenomena that are the principal focus of our inquiry. Broadly speaking, we may array those sources around three analytically distinct poles: imperial legislation, largely surviving in a somewhat truncated and disaggregated form in the two massive legal codifications undertaken under Theodosius II in the mid-fifth century and Justinian around a century later; rhetorical, historiographical, literary, and epistolary sources written by the aristocrats who dominated the municipalities of the Roman world and served also as members of the Imperial bureaucracy; and Christian literature, including moralizing and theological tracts, as well as heroic portraits of holy figures purportedly interacting directly with the members of rural communities in the period. In reality, of course, the analytical boundaries between these different types of texts were somewhat fluid, but we may for the sake of convenience discuss the sources for rural communities under these three broad headings.

We should expect both consonances and dissonances in the perspectives taken by authors writing within these three genera, and this can be illustrated most clearly with reference to a series of texts that were long taken as evidence for the emergence of a new type of patronage, labeled Patrocinium, in the countrysides of the late Roman world. Those sources are, first, a collection of laws grouped under the rubric *De Patrociniis Vicorum* in the Theodosian Code, together with a later law on the same subject preserved in

[7] Bagnall (1993a), 5–6. Cf. Keenan (2007), 227. [8] Cf. below, 34–5.

the Justinianic Code; an oration delivered by Libanius of Antioch to the emperor Theodosius I in around 390 detailing the abuses perpetrated by and under the auspices of military figures who offered protection from local tax collectors to villagers in the Antioch Valley; and an account of the desperate ends to which small landowners were driven in mid-fifth-century Gaul by Salvian, presbyter of the church of Marseilles.[9] It was long argued that these texts attested to the emergence of a single, new type of patronage relationship aimed simultaneously at defrauding the state of tax revenues and dispossessing the peasantry of their belongings and freedom until they occupied a position of dependence that was little short of slavery. In the most recent scholarship, this notion has been rejected in favor of a more nuanced and complex picture, and I return briefly to this debate below. Here, I use the texts most commonly employed in that debate as a convenient schema for exploring the ways in which the perspectives offered by these three types of evidence may be approached and employed in our account of social relations in the countrysides of the late Roman world.

Seven laws together constitute the legislation which was collectively taken in the earliest scholarship to illustrate the phenomenon of Patrocinium. These laws span just over 100 years, and are addressed to a range of imperial officials in the eastern provinces of the empire more generally, and Egypt in particular. The principal aim of this legislation appears to have been to ensure that revenues taken from small agriculturalists were transferred to the Imperial coffers.[10] The phenomenon identified as particularly detrimental to that process was protection offered to these individuals by a range of powerful figures. If the laws are to be taken completely at face value, those figures included local *curiales*, members of the court of the *Comes Aegypti*, and present and former imperial officials up to the rank of Augustal Prefect, *vicarius* and *magister militum*.[11] The laws envisage these individuals either explicitly offering protection to small agriculturalists from tax officials, or being approached by agriculturalists seeking that protection. They prescribe a range of punishments and penalties for those found to be transacting such arrangements, including fines of increasing severity and confiscation of the property in question.[12]

We should be wary of overestimating the pervasiveness of the phenomena identified in these laws, and cautious about the impression of coherence

[9] *CTh* XI.24 (360–415); *CJ* XI.54.1 (468); Libanius, *Or.* XLVII, with Norman in his introduction to the Loeb text of this oration for dating, 498–9; Salvian, *De Gubernatione Dei* V.8.38.
[10] De Zulueta (1909), 5; Krause (1987), 73–4; Jaillette (2005), 206.
[11] *CTh* XI.24.3 (395); 4 (399). Below, 207–8. [12] *CTh* XI.24.2 (360); 4 (399).

that has been imposed by the process of codification. It seems unlikely that the fourth and fifth centuries witnessed the emergence for the first time of systematic, widespread evasion of taxes, effected by means of illegal protection.[13] We may imagine, rather, that protection from or mediation with tax officials was part of relationships contracted by some small agriculturalists, at least, with their wealthier, more powerful neighbors throughout the Roman world. Consequently, it is not the emergence of the phenomenon of patrons protecting their clients from the demands of tax officials that requires explanation so much as it is the importance attached to this phenomenon in legislation of the late Roman Empire. Such an approach focuses attention upon the role and aims of legislation in the period. In what follows, I argue that the perspective of the state was relatively limited and its objectives were somewhat circumscribed. I emphasize also the prescriptive and normative vision that the legislation offers of the ways in which socio-economic interactions should function in the countrysides of the late Roman world. I illustrate these propositions with reference to laws concerning the registration of *coloni* in the tax rolls of the period, a phenomenon which has likewise enjoyed a prominent place in accounts of the socio-economic trajectories of the period, and undergone a similar process of reevaluation in recent decades.[14]

The legislation of the late Roman world was largely reactive in character and relatively limited in its scope and application.[15] That is, laws tended to be issued in response to a petition, request, or inquiry, and were characteristically addressed to a particular official whose geographical and administrative area of competence was, to a greater or lesser extent, limited and defined. Laws concerning the registration of *coloni* on the tax rolls occasionally acknowledge these limitations explicitly, and the surviving evidence for the practice is geographically dispersed and heterogeneous in nature. Fundamentally, then, these laws were not motivated by the desire to bind *coloni* to the land upon which they were registered and place limitations upon their economic freedom, but, rather were a consequence of more general impulses in the fiscal policy of the period.[16] Here, as elsewhere in the legal *corpora*, the principal objective of the legislation was to ensure the smooth transition of tax revenues to the imperial coffers. That process was

[13] Contra, e.g., Giliberti (1992), 203–14. Cf. the measured comments of Wickham (2005b), 528–9.
[14] Carrié (1982); Carrié (1983); Giliberti (1999); Scheidel (2001); Rosafio (2002); Grey (2007a); Sirks (2008).
[15] Cf. Connolly (2010), 9–10; Grey (2007a), 160. Also Harries (1999).
[16] Limited scope: e.g. *CJ* XI.52.1 (393, Thrace); *CTh* XI.1.26 (399, Gaul). Broader fiscal concerns: cf. Grey (2007a), 171.

to be effected through the establishment of clear hierarchies of responsibility for the tax burden assessed on a particular area of land. In the case of registered *coloni*, those hierarchies could, ideally, be traced from the tenant through his or her landlord to the curial tax collector, his colleagues in the municipal tax machinery and the governor of the province, before those taxes were then transmitted via imperial officials to the state's treasuries.[17] It is here that we observe a fundamental contradiction in the legislation of the period, for in the eyes of the promulgators of that legislation, the interposition of a powerful figure from outside that chain of fiscal responsibility was likely to affect the flow of revenue. Equally, though, it was precisely those individuals who were granted or accorded responsibility for ensuring that flow, both through the establishment of complex, overlapping hierarchies of assessment, collection, and supervision, and through the attribution of responsibility for collection of taxes to landlords and patrons in the period.[18]

We should not imagine the legislation collected together in the two great codifications of the period to provide a unified, univocal picture of the socio-economic landscapes of the late Roman world, any more than we should expect the landscapes themselves to have been the same over time and space. Nevertheless, the laws do, to a certain extent, present a coherent account of the forms that those landscapes were expected or imagined to take and the manner in which they were expected or imagined to function.[19] These texts present an idealized, normative vision of socio-economic relationships and practices, one which privileges the need of the state for a steady flow of revenue by focusing upon the control of labor and the allocation of hierarchies of responsibility. Powerful rural landowners and patrons were expected to cooperate and collaborate with the state in the collection and transmission of revenues. Purchasers of land were expected to petition the municipal tax officials to ensure that their names were registered in the tax rolls as responsible for the fiscal obligations of the land, and small agriculturalists were expected to refrain from leaving the fields for which they had been assigned fiscal responsibility by the process of registration.[20] In reality, each of these expectations was out of step with established practices,

[17] Grey (2007a), 165–9. Below, 192–3.
[18] Cf. Grey and Parkin (2003), 295–6; Grey (2007a), 166. Fuller discussion below, 200–1.
[19] The issue of coherence in late antique legislation and governance is a thorny one. See the brief comments, with further references, of Ando (2008), 45 with note 62. Cf. Scott (1998), 22 for a comparative perspective on the problematic relationship between legislation and the realities it purports to describe or delimit.
[20] Cooperation of landowners: *CTh* XI.7.2 (319, Britain); *CTh* XI.1.14 = *CJ* XI.48.4 (371S, East). Registration of names: *FV* 35.3–4; 249.5–8; *CTh* XI.3.5 (391, East). Refrain from movement: *Brev.* V.II.1 = *CTh* V.19.1 (365, East); *CTh* IV.23.1 = *CJ* XI.48.14 (400, Gaul).

although those practices were not necessarily aimed explicitly at resisting or defying the state. Rather, they were motivated by more fundamental concerns: for aristocratic landowners, the effective exploitation of their land and labor resources; for small-scale agriculturalists, the effective management of subsistence risk.[21] Consequently, in pursuit of the realities of late Roman rural socio-economic landscapes, we must be wary both of uncritically adopting the rhetorical vocabulary employed by the state and of assuming that the portraits painted in the legislation were exact mirror images of those realities, for the precise relationship between the two is likely to have been considerably more complex in reality.

An equally complex relationship exists between the evidence of the legislation and the testimony of our other sources. Libanius' oration "On Protection Systems" (*Peri tôn Prostasiôn*) provides a case in point. Libanius' oration purports to be a detailed disquisition upon the difficulties faced by members of the curial class of Antioch when attempting to collect the taxes owed by the inhabitants of the villages in Antioch's hinterland. Libanius suggests that some, at least, of those villages have come under the protection of members of the military, and have thereby become emboldened not only to resist the demands of the tax collectors, but also to despoil and prey upon their neighbors. Recourse to the courts is to no avail, for the judge is either corrupt or fearful of reprisals. In Libanius' account, these factors together constitute a threat to the state, for tax revenues are thereby put at risk. We should not take Libanius' claims completely at face value, for it has long been recognized that in drawing this connection he reveals his awareness of what was important to the state rather than necessarily identifying the root of the problem he is describing.[22] For one thing, the attention he lavishes upon his own legal problems with certain of his tenants allows for the suspicion that his concern is more personal, and revolves as much around his own status and reputation as it does around the fiscal harm suffered by the state.[23] Indeed, in other orations, Libanius crafts himself carefully as a rhetorician, civic benefactor, and champion of the city of Antioch in the mold of the orators and litterateurs of the Second Sophistic.[24]

This preoccupation with personal status and issues of self-representation is evident elsewhere in the sources emanating from aristocratic authors. The letter collections of men such as Symmachus and Sidonius Apollinaris, for example, betray signs of a careful process of image construction, comparable to those identified in the collection of Pliny the Younger, which served as

[21] Cf. Grey (2007b), 365–7. [22] Petit (1955), 189 at note 4; Krause (1987), 84.
[23] Libanius, *Or.* XLVII.13–16. Below, 147. [24] Cf. Liebeschuetz (1972), 192–208.

something of a model for later writers. These collections contain a small number of letters written for or at the request of tenants, rural laborers, and farm managers, and we may conclude, with caution, that such letters constitute a subtle shift in the nature of the apparatus of self-representation employed by these aristocratic writers.[25] However, just as in the case of Libanius, the focus of these letters is not the bearers or petitioners themselves, but rather the performance by the author of the behavior befitting a patron, and the confirmation of his ongoing relationships of reciprocal exchange with the recipients of those letters. It is not surprising that these texts betray their authors' preoccupation with questions of power, status, and reputation, for such concerns were central to the world and world-view of the aristocracies of the late Roman world. But the corollary of this is that the picture they provide of the motivations and objectives of the inhabitants of the countrysides of the late Roman world is at best partial and imperfect.

Authors writing in explicitly Christian genres provide similarly incomplete and refracted views of the socio-economic strategies available to small agriculturalists in the period. In the account of Salvian of Marseilles, for example, these small landowners found themselves ruined by the insatiable demands of the tax collector, and turned in desperation to larger landowners who, they hoped, would protect them. Ultimately, according to Salvian, the price they paid for this protection was their land and the economic independence of their children. They were, in addition forced to accept responsibility for the taxes on that land, even though they no longer owned it.[26] Salvian enlists this brutal portrait of antagonism between the powerful and the relatively powerless in the Gallic countryside as part of his project to emphasize the fact that Roman aristocrats were directly responsible, through their immorality and sin, for the desperate straits in which Roman society found itself.[27] This moralizing project subsumes and consumes Salvian's portrait of the fate of the rural poor. As a consequence, we should be wary of placing too great a weight upon the composite picture that he constructs of small landowners mortgaging their property and their future in response to the depredations of the tax collector, and transacting arrangements with their rich neighbors that lead to their loss of the basic rights of Roman citizenship. The suspicion remains, too, that the *pauperes* and *coloni* who populate his text should probably be equated more with lesser members of municipal aristocracies and independent small

[25] Image construction: e.g. Zelzer (1995); Sogno (2006), chapter 3. Cf. Garnsey (2010), 46–9. Subtle shift in focus: cf. Grey (2004), 36–7; Grey (2008), 301–2. Further discussion below, 137–9.
[26] Salvian, *De Gubernatione Dei* v. [27] O'Donnell (1983) 26; Grey (2006), 166–7.