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Excerpt

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1: INTRODUCTION

M.I.Finley (Jesus College)

The dominant place of the land in the economy and society of classical antiquity is a commonplace. Yet no synoptic view of the subject has been attempted in the past half-century, none on Rome alone for more than eighty years.¹ This book does not pretend to fill that gap. To begin with, a narrow focus was selected for the inquiry, which may be defined crudely as Roman investment in property. That ruled out some of the best known aspects of the larger theme, such as land tenure or the history of the *ager publicus* during the Republic -- not because these are less important aspects but because, for intensive cooperative study, it was necessary to restrict the field to something which would be manageable (given our limited resources) and yet permit us to look at the same questions from several viewpoints. That is also why slavery was taken for granted, so to speak, and not investigated except as it had to be set against tenancy, for example.²

Just what the notion of 'investment' meant in Roman society is one of the subjects of the inquiry: no presuppositions about maximization of income and the like were implicit in the choice of the word. Nor, in so far as that was possible, did we start from, or even give much attention to, the familiar and explicit Roman value judgements on the subject of land, whether in Cato or in Cicero or in anyone else. What Romans did receives priority over what they said, or, more precisely, over what they said they ought to do. How much land did individual Romans possess? Emperors and members of the imperial family? How concentrated or how scattered? How did they organize the labour on their estates? Were there differences between investment in rural and in urban property, either in profitability or in operationally revealed (not just verbally expressed) preferences? When, to what extent, and for how long a time did marginal lands come into, or go out of, cultivation?³

These are painfully obvious questions, but anyone familiar with the available modern publications on the Roman economy or on

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Roman history more generally will know how little they have been investigated. It is also obvious that they are questions about the richer members of the Roman world. Investment is not a concept relevant to peasants, slaves or landless labourers, who are nevertheless implicit, and sometimes explicit, throughout this book as the labour force, actual or potential, or the rent-payers without whom investments would have ceased to be useful or profitable.

Although the ancient sources overwhelmingly reflect, and normally emanate from, the same upper strata of the population, their indifference to the matters this book is concerned with is shattering. Even when an ancient writer makes a relevant comment, it is more often than not incidental to some other concern, most clearly and most frustratingly in the large corpus of Roman juristic writing. If some Roman writer had collated a few data on the size and range of landholdings in early imperial Italy (or anywhere else in the empire), we should still welcome the control and the amplification provided by epigraphical and archaeological finds, but we would not be driven, as we are, to squeeze something from half a dozen chance finds scattered widely in time and place, without contemporary guide-lines. Moralizing statements - 'the *latifundia* are destroying Italy' (Pliny, *N.H.* 18.35) - are, as I have already said, not helpful for this purpose, not even when they imply factual statements, no matter how often they are quoted in modern accounts.

It is therefore not surprising that much of this volume has the appearance of a battle with, rather than a deployment of, the ancient sources. More correctly, perhaps, there is a constant struggle against what has been called, rather crudely, the anecdotal method, founding an analysis on individual passages or occurrences, as if every statement in one of the 'better' ancient authors is both factually accurate and universally valid unless the contrary can be proved, which is rarely the case. No historian admits to so crude a procedure, of course, but how many times do we read that X is Y, backed by a footnote, 'Pliny (or whoever) says...', which is supposed to remove all doubts? Above all, there is a tendency to overlook the vast amount of ignorance that prevailed about many subjects in antiquity, even among the best authors. I have already mentioned the absence in our sources of

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any data or statements about the size and range of landholdings, which I used to exemplify their indifference to such questions. I now ask, Did anyone in fact know? Pliny presumably had some idea about the region of Lake Como; someone in one of the imperial departments had an even more precise idea about Veleia in the reign of Trajan. But did anyone know about Italy as a whole, let alone other regions of the empire?

My answer to that question is an unqualified negative: no one had even an impression worthy of credence, and certainly nothing resembling a quantitative notion. Numbers in ancient authors exercise a remarkable magnetism. Because Columella, in a hypothetical calculation that crumbles on scrutiny, began with the assumption that seven *iugera* of land suitable for vineyards were purchased for HS7,000 (3.3.8), the figure of HS1,000 per *iugerum* has become 'the price' or 'the average price' or 'the standard price' of good land in Italy in the first century A.D., the foundation for calculations of land values, annual income from land, rents, and, finally, rates of profit on investment. There could be no better illustration of the anecdotal method. Of course Columella knew what he paid for any piece of land he bought, what friends paid, when prices rose or dropped noticeably for one reason or another, what he may have read in the Sasernas or elsewhere about other individual transactions -- but he had neither any idea nor the techniques of getting an idea of the averages, the fluctuations, the ratios over any expanse of territory or range of time.

Proper quantitative analysis of economic and social phenomena is difficult: it is not merely a matter of adding, subtracting, multiplying and dividing the available figures. Among the most difficult are questions pertaining to land economy. The opportunities for such analysis of the ancient economy are rare. Paradoxically, they exist only where there is 'accidental' evidence, lists and catalogues which were compiled (and survived) for reasons unrelated to the interests of the modern investigator, not where the evidence appears to be directly relevant, such as Columella's vineyard calculations or the scattered land prices and yield figures that have been recorded.

It follows that the few meaningful quantitative statements we are able to present with some assurance are isolated deductions or

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conclusions. In general, few trends or even comparisons (between the eastern and western halves of the empire, for example) occupy much attention in this volume -- not because we believe that what cannot be quantified (in the correct sense) cannot be organized serially, and certainly not because we believe the historian's function to be restricted to the recording of data, but because, in the present state of knowledge, we are unable to compensate for the 'bunching' of the evidence. We are agreed, I think, in rejecting one familiar method: we avoid inferences from the fact that, of the three surviving agricultural writers, Cato, Varro and Columella, spaced at roughly century intervals, one mentions or stresses a particular practice or institution which is absent or underplayed in either or both of the others; or from the fact that more attention is devoted to an institution or problem in the Digest excerpts from Severan jurists than from late Republican or early Imperial jurists. These differences may reflect institutional changes, but the presumption is too strong that nothing more than 'literary history' lies behind them. Any substantive implications have to be demonstrated, not merely assumed.

This negative methodological principle is not a counsel of despair. There are possibilities, which have not been sufficiently exploited, of forcing answers from the badly located and often inadequately presented evidence. For example, a note of unease, of indecision and lack of agreement will be detected in this volume about the extent and nature of a real-property market in the Roman world. I have elsewhere expressed the view that there was no 'recognizable real-property market', that 'the normal purchase of land...was windfall purchase'.⁴ Not all my colleagues agree, at least not with my sharp formulation. It is now more evident than perhaps it had been previously that the age of Cicero was marked by relatively frequent transfers of land and houses. Related is the phenomenon of family continuity on the land. This is not only, and often not primarily, a matter of economic consideration; sentiment, values, social and political status all impinge, at least within the social and political élite we are discussing, and the nuances are not easy to capture. If, as appears to be the case, the circles in which Cicero moved were less concerned with continuity, less attached to the family estate, than similar strata in

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some other societies, the question arises whether or not these were time-bound phenomena brought about by the 'Roman revolution' and the civil wars.

Nor can the practical consequences of the Roman rules of inheritance be overlooked. The law on the subject has been studied and re-studied, but I am unaware of any attempt to examine the practice: how often was an inherited estate sold, by auction or otherwise, and the cash proceeds divided among the heirs, how often was the estate itself divided by agreement, how often was it retained and exploited by multiple heirs as a single unit? 'How often' invites quantitative answers and it would be idle to pretend that the evidence lends itself to quantitative analysis, but the mere posing of the questions at least takes us one step further than the usual references to the Digest about inheritance and auctions. Two well known documents, Cicero's *pro Caecina* and the Veleian tablet, are sufficient to demonstrate that practice was more flexible and more varied (apart from the chicanery alleged by Cicero) than the law books reveal. It was of no interest to jurists that by tacit agreement a widow was allowed to buy an estate at auction without competitive bidding, as happened in the *Caecina* story (sect. 16).

One other theme recurrent in this volume requires extensive research: the impact of the state on private investment in land. Again we are concerned with familiar actions but insufficiently examined consequences. Taxation is the most obvious, together with two related matters, the provision of corn for the inhabitants of Rome and the evolving *annona* programme of the emperors. But there are also the efforts to compel senators to hold land in Italy and the spasmodic imperial attempts to bring marginal land into cultivation, not to mention the whole compulsory system of the later Empire. Perhaps the impact of imperial domains should be added to the list: it is not clear to me, at least, what the effect was, or whether there was one, apart from the losses to individuals whenever land was confiscated.

The balance-sheet of our two years of work, in sum, reveals many unanswered questions, topics for further research, as well as positive results.⁵ But we have been asking some of the right questions, rigorously, and that has led to revisions of received

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views and to new, or at least sharper, conceptions of certain
central institutions and developments in Roman society.

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2: SOME CONFIGURATIONS OF LANDHOLDING IN THE ROMAN EMPIRE

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If a map survived of part of the Roman world, say Italy in A.D. 100, showing the ownership and juridical status of land, it would reveal a number of different types. We should see for example some state land, some imperial land, and some city land, as well as a host of privately owned properties of varying size. This essay will attempt to assess the relative importance of the various types very briefly, before considering differences of size among private estates. The surviving evidence for private landownership is so distributed as to give a strong Egyptian bias to any exhaustive treatment of the empire as a whole. A selective discussion like the present one can at least attempt to avoid this imbalance.¹

Land generally fell into one of six categories (if both the nuances of legal title and the more complex situation in Egypt are ignored).² There is no obvious hierarchy among these categories, but private land has deliberately been left until last here, because evidence for it is abundant enough to justify fuller consideration.

I AGER PUBLICUS

The first type is *ager publicus*, land belonging to the *populus Romanus*, the Roman state. Such land, if cultivated, was generally in the hands of private tenants of the state. The extent of *ager publicus* was originally immense, since Rome's practice was to expropriate the land of conquered peoples, at any rate in name.³ But the extent of *ager publicus* diminished as cultivable land was gradually assigned to veterans, civilian colonists, or purchasers. As late as the time of Trajan, *ager publicus* made up almost a quarter (22%) of peripheral holdings in a list of lands owned by private individuals and cities at Veleia in the north of Italy. Not all of this land was necessarily cultivated, since Veleia stood in a mountainous and infertile region; some may have been pasture.⁴ In a similar list from Ligures Baebiani in southern Italy of the same period, *ager publicus* forms 10% of the peripheral holdings.⁵

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II IMPERIAL LAND

A second category was land owned by the emperor.⁶ Though some regional figures are available, to look for any one index of its extent would be mistaken. The modes by which the emperor acquired land were so various and so haphazard that the scale of his estates is bound to have varied greatly from one region to another.

The Baebian and Veleian land-registers, which belong to a relatively early phase in the history of imperial accumulation of property, show the emperor as owning respectively 12% and less than 1% of peripheral holdings.⁷ Two centuries later, Constantine was able to give the churches of Rome landed property in Italy and Sicily with rents worth nearly 15,000 *solidi*; their total area was probably of the order of 100 km².⁸ Figures are available from the fifth century which show that the emperor owned substantial parts of the provinces. In North Africa he held about 18% of the total area of Zeugitana and 15% of Byzacena. At one Syrian town, Cyrrhus, he owned 16% of the territory.⁹

III CITY LAND

New city foundations were commonly provided with a dowry of directly owned territory, from whose revenues the needs of local administration and local government could be met, at least in part. Some notion of the overall magnitude of city lands at the end of the Republic is given by the enormous compensation payments that Augustus made to cities for land which he gave to veterans. Augustus paid out HS600 million in Italy and HS260 million in the provinces (Augustus, *Res Gestae* 16.1).¹⁰ The veteran settlement of Arausio in Gallia Narbonensis colonized by Augustus owned 7,330 *iugera* (18.4 km²), more than one seventh of the area shown in fragmentary registers of the time of Vespasian and his successors. Since over one third of the remaining territory was apparently uncultivated, the town's share of cultivated territory was evidently as high as one fifth.¹¹ The towns of Veleia and Ligures Baebiani (neither a veteran colony) appear to have owned rather less. 5% of peripheral holdings at Veleia and 3% at Ligures Baebiani were owned by the city. In addition, 2% of land actually declared at Ligures Baebiani belonged to the city; while 12% of the land declared at Veleia was the property of another city, Luca.¹²

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City land at Arausio was leased to private individuals on what were evidently perpetual leases, in return for payment of a low rent or *vectigal*.¹³ The *vectigalia* which bore on some of the private estates at Veleia suggest that these estates included city land; this would of course increase the apparent total of such land at Veleia.¹⁴

In the stringent conditions of the fourth century the state began to absorb the assets of other collectivities. Civic lands as such were confiscated by Constantius II. Though temporarily restored by Julian, they were once more confiscated by Valentinian and Valens. Valens however returned one third of the revenue to the cities from A.D. 374 onwards.¹⁵

IV TEMPLE LAND

Though ownership of land by temples was widespread in the Greek world, it is hardly ever found on a significant scale in the evidence from non-Hellenized areas of the Roman empire.¹⁶ We happen to know, for instance, that in the Hellenistic period large parts of the islands of Delos and Rhannos in the Aegean were owned by the temple of Apollo.¹⁷ But few direct indices of scale are available for any region in the Roman period. Strabo mentions impressive totals for temple slaves in parts of Asia: 6,000 slaves of the temple of Ma at Pontic Comana (Strabo 12.3.34), and nearly 3,000 at the temple of Zeus at Morimene in Venasa (12.2.6). According to Diodorus, the temple of the Mothers at Engyum in Sicily owned 3,000 head of cattle and much arable land in the first century B.C. (Diodorus 4.80.5).

The only figures from Italy are effectively pre-Roman. The inscription from Heraclea to which they belong is variously dated between the fourth and second centuries B.C. The lands of the temple of Dionysos were measured as 3,320 square *schoeni*; those shown as belonging to the temple of Athena covered approximately 930 *schoeni*, but the list breaks off before the total has been reached. The size of the local *schoenus* is not certain, but the total area of these lands is evidently between 4 and 7 km².¹⁸ This implies that a sizeable part of the territory of Heraclea was owned by temples.

The Romans showed some tendency to expropriate the property of

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temples in the provinces from an early date. Sulla and Pompey for example seized temple treasure in Asia and Greece; and Augustus took over temple land in Egypt.¹⁹ But there was still some temple land at a much later date. Constantine appears to have confiscated the lands which existed in his day. They were soon restored by the pagan emperor Julian, but were again confiscated (finally, it appears) by Jovian in the late fourth century.²⁰ Meanwhile, the Christian church received massive endowments of property both from the emperor Constantine and from private sources.²¹

V LAND ASSIGNED BY THE STATE (*AGER ASSIGNATUS*)

As mentioned above, much of the *ager publicus* that Rome acquired by conquest was re-distributed in the form of land grants to individuals.²² To a certain extent this created stereotyped allotment patterns. The size of allotments varied however from one distribution to another. On occasion the module of assignment could be arrived at by dividing the number of colonists into the amount of land that proved to be available on the site concerned (cf. Livy 35.9). Other sources of variation were compensation for differences in the fertility of land, and the assignment of larger land-units to recipients of higher standing.²³ Very wide variations are sometimes found between distributions that took place within a few years of each other. For example, infantry veterans settled at Aquileia in 181 B.C. received lots of 50 *iugera* (12.6 hectares), while Latins (politically inferior by definition) who were given *viritim* grants of land on the territory of the Boii in 173 received only 3 *iugera* (0.75 hectares) each (Livy 40.34; 42.4).

Though land grants continued under the late Republic and Empire, their size is not well documented. The last explicit figures refer to allotments by Caesar to civilians with 3-4 children in the *Ager Campanus* and *Ager Stellas*. The units planned here were respectively 10 and 12 *iugera* (2.5-3 hectares) (Cicero, *ad Att.* 1.16.1; *de leg. agr.* 2.85). The most massive land allotments of all, those carried out by Augustus at the end of the Civil Wars when the scale of armed forces was drastically reduced, are not documented in detail. Brunt's reconstruction suggests that the land allotments to veterans in 30 and 14 B.C., on which Augustus states that he spent HS860 million (600 million in Italy, the rest