

The Civil Reform of Diocletian in the Southern Levant

Zvi Uri Ma'oz

The starting point of this endeavor is the uneven distribution of 'boundary stones' (λίθοι διορίζοντες, inscribed stones marking the border between the land of villages X and Y; *bornes cadastrales*, *bornes parcellaires*; henceforth: BS) across the territories of southern Syria-Phoenice, northern Palaestina and Arabia, 295-297 CE. These boundary stones appear to be concentrated along a roughly southeast-northwest strip extending from the northern foothill of Mt. Haūran through the northern Hūlah Valley. The rationale underlying this strip, and the reason behind the placement of these markers in a sort of a *chain* along the length and width of the strip are the subject of this study.

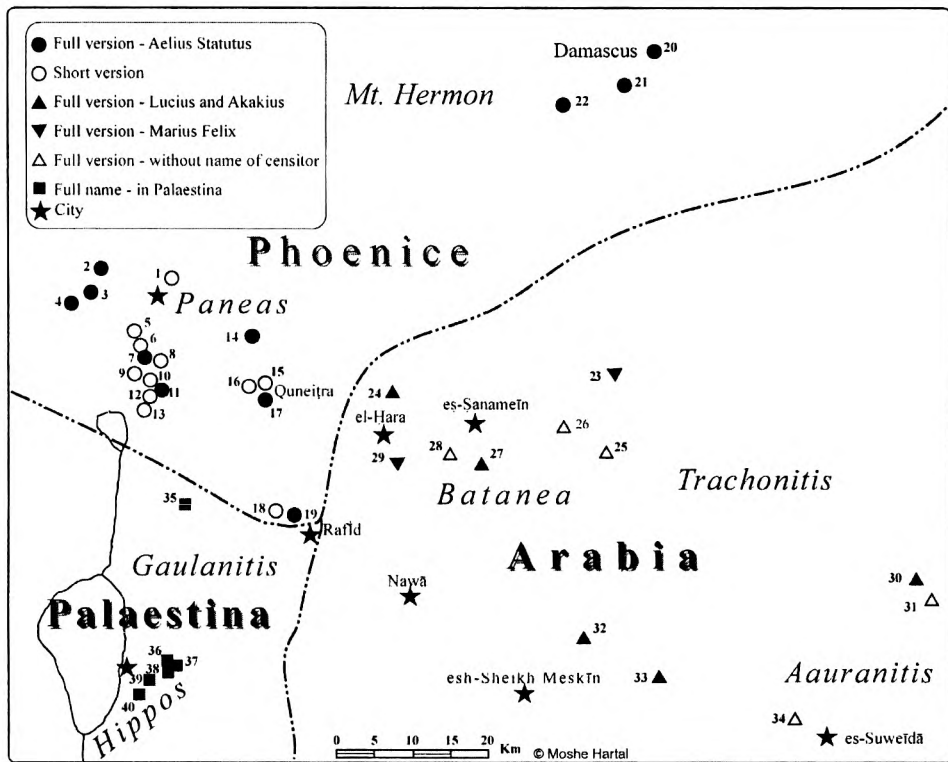
Maurice Sartre's latest article on the subject ascribed these inscriptions to 'fiscal reforms'.¹ Sartre's approach, however, is unsatisfactory, since fiscal reforms cannot be limited to a specific territory. He himself noted the absence of BS from the southern Haūran as against their relative abundance further north. Consequently, he contended that the BS were connected with the mapping of specific units for taxation, units such as non-urban autonomic villages and other special places, *i.e.* sanctuaries and estates.² David Graf, on the other hand, defined the problem in much clearer terms. Having noted that earlier land divisions (mostly *centuriatio* for veteran colonies) have been identified in aerial photographs in several places in Phoenicia, Syria, Palaestina and Arabia, he emphasized the 'strange ... [phenomenon of the BS] skirting ... the province of Arabia'.³ In fact, except for very rare and isolated cases, the BS are missing in the bulk of the territories covered by the Roman provinces in the Levant. (Were these territories exempt from fiscal reforms?) It should be emphasized here that the appearance of Diocletian's Tetrarchic BS is the exception, not the rule. The presence of BS in one area, in contrast to their absence elsewhere, is a phenomenon that hitherto has not been explained satisfactorily. The explanation I shall offer pertains only to the BS found in southern Syria and northern Israel and does not relate to the nine BS, dated 297 CE, that were found in the limestone massif of northern Syria⁴ or to other BS found sporadically across the rest of the empire.

¹ 'La Syrie a livré depuis longtemps des bornes cadastrales que l'on a placées, à juste titre, en rapport avec les opérations de bornage rendues nécessaires par les réformes fiscales de la Tétrarchie', M. Sartre, 'Nouvelles bornes cadastrales du Haūran sous la Tétrarchie', *Ktéma* 17, 1992, 112-131 (112); see also, A. Deléage, *La capitation du Bas-Empire*, (Paris, 1945; repr. New York, 1975), 152-157; F. Millar, *The Roman Near East 31 BC-AD 337* (Cambridge, Mass., 1993), 535; *contra* W. Goffart, *Caput and Colonate* (Toronto, 1974), 44, 129-130.

² Sartre (n. 1), 130.

³ D.F. Graf, 'First Millennium AD: Roman and Byzantine Periods Landscape Archaeology and Settlement Pattern', *Studies in the History and Archaeology of Jordan*, vii, (Amman, 2001), 475-476; based on Millar (n. 1), 535-544.

⁴ H. Seyrig, 'Bornes cadastrales du Gebel Sim'an', in G. Tchalenko (ed.), *Villages antiques de la Syrie du Nord* iii (Paris, 1958), 6-10.



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|---------------------|---------------------|--------------|------------------------------|
| 1 Paneas | 11 Lehavot Habashan | 21 Jermāne | 31 Rdeḥmeh el-Sharqīyyeh |
| 2 Giser Ghajar | 12 Lehavot Habashan | 22 Dārejāh | 32 Mleḥḥat el-'Aṭāsh |
| 3 Ma'ayan Barukh | 13 Lehavot Habashan | 23 Ghābagheb | 33 Mleḥḥat Sharqīyyeh |
| 4 Tel Tanīm | 14 Buq'atā | 24 'Aqrābā | 34 Between Suweidā and 'Atfī |
| 5 Shamir | 15 Quneitra | 25 Khabāb | 35 Anmadiyyeh |
| 6 Shamir | 16 Quneitra | 26 Baṣṭr | 36 Afiq |
| 7 Shamir | 17 Quneitra | 27 Inkhel | 37 Afiq |
| 8 Shamir | 18 Fahm | 28 Simfn | 38 Afiq |
| 9 Shamir | 19 'Eshshe | 29 Namer | 39 Kefar Haruv |
| 10 Lehavot Habashan | 20 Jisrfn | 30 Jūneyneh | 40 Kefar Haruv |

The Political and Administrative Background

In the course of the Tetrarchic reforms (including divisions and further segmentation of the provinces: 285/6, 293 CE⁵), Diocletian became the *Augustus* of the Eastern empire, which he ruled from Nicomedia in northwestern Asia Minor.⁶ Apparently Diocletian's

⁵ Diocletian cut the province into fragments: *provinciae quoque in frusta concisae* (Lactantius *DMP* vii.4, ed. J.L. Creed [1984], 13).

⁶ There is no ancient continuous narrative on the reign of Diocletian (284-305 CE). See provisionally W. Seston, *Dioclétien et la Tétrarchie* (Paris, 1946); M.I. Rostovtzeff, *The Social and Economic History of the Roman Empire* (2nd ed. rev. by P.M. Fraser) (Oxford, 1957), 502-532 (= D. Kagan (ed.), *Problems in Ancient History — The Roman World* [New York and London, 1966], ii, 396-413); A.H.M. Jones, *The Later Roman Empire 284-602* (Oxford, 1964), 37-76; T.D. Barnes, *The New Empire of Diocletian and Constantine* (Cambridge, Mass., 1984); M. Grant, *The Collapse and Recovery of the Roman Empire* (London, 1999),

political and administrative efforts were aimed not only at gaining a tighter grip over the provinces and their revenues, but also, and perhaps more importantly, were an attempt to assist local populations by concentrating closely on each region or province. A possible example of such a localized approach is the placement of boundary stones in the Levant.

Did the emperor ever set foot in the Levant and was he personally involved in the BS project? It is certain that Diocletian visited the Levant in 290 CE. His trip to Syria (including Antioch, Emesa, Laodicea and Paneas [see below]) and the campaign against the *Saraceni* will have lasted about two months.⁷ Several ancient Jewish writings mention Diocletian in conjunction with Apamea, Emesa (Homs), Tyre and Paneas, and these sources — which in my view are based on a historical kernel⁸ — may very well be related to the 290 CE trip. It should be emphasized, however, that the emperor sojourned in Syria-Phoenice, *not* in Palaestina.

The essential Jewish texts are as follows:

דכתיב: כי הוא על ימים יסדה ועל נהרות יכוננה (תה' כ"ד, ב). שבעה ימים הן טובבין את ארץ-ישראל: ימא רבא ... ימא דאיפמייא ויהא ימא דחמץ. דוקליטיאנוס הקווה נהרות ועשאו. ... (ירושלמי, כתובות פ"ב ה"ג, לה ע"ב)

It is written: He [God] founded it on seas and established it on rivers (Ps. 24:2): Seven seas surround Eretz Israel: the Great Sea ... the sea of 'YPMYY' [Apamea] and there will be the sea [viz. lake, reservoir] of HMS [Emesa, modern Homs], DWKLYTYANWS [Diocletian] made rivers flow and made it [viz. the lake of Emesa]. (y*Ketubot* 12:3, 35b)

There is no real reason to doubt this information and this leads us directly to the main issue of this paper: Diocletian's preoccupation with land development — in this case, the irrigation of arid zones. Our next bit of Talmudic evidence relates to the economic boost

39-43; S. Williams, *Diocletian and the Roman Recovery* (London, 1985). The most recent and detailed treatment of all the aspects of Diocletian's regime known to me is in Hebrew: Moshe Amit, *A History of the Roman Empire* (Jerusalem, 2002), 789-824.

⁷ According to scholars, Diocletian was in the East several times: he has been assigned trips to Persia in 288 and 293 CE, to Egypt, and possibly to Nicomedia (293-303 CE). See Amit (n. 6), 793-797 and B. Isaac, *The Limits of Empire* (2nd revised edition; Oxford, 1990), 73 and 278 (who suggests that there was a mutiny in Egypt). Isaac (ibid., 437), places Diocletian at Antioch in the winters of 287/8 and 288/9 CE and situates him there permanently from 299 through 303 CE. I have not been able to find any supporting evidence for Diocletian's presumed visits to Palestine in 276 and 297-8 CE (D. Sperber, *Roman Palestine, 200-400: The Land* [Ramat Gan, 1978], 157, n. 44), or in 286 CE (M. Avi-Yonah, *The Jews Under Roman and Byzantine Rule* [Jerusalem, 1984], 127). Despite the disagreements on Diocletian's movements in the East, all scholars appear to assign him a sojourn in the northern Levant in the spring-summer of 290 CE. See Isaac (ibid.), 73, 437; Millar (n. 1), 177-179; Barnes (n. 6), 51, who note that in 290 CE Diocletian issued rulings from Antioch (May 6th, *Frag. Vat.* 276m), Emesa (Höms; May 10th, *CJ* 9.41.9) and Laodicea (Lattaqiyye; May 25th, *CJ* 6.15.2[28]). See too *Pan. Lat.* 11(3).5, 4; 7.1. They suggest that Diocletian was in Syria, possibly fighting against the *Saraceni*. Barnes (ibid.), puts the fighting in May-June, because Diocletian was already at Sirmium on July 1st.

⁸ See A.M. Rabello, 'On the Relations between Diocletian and the Jews', *JJS* 35, 1984, 147-67; A. Marmorstein, 'Diocletien à la lumière de la littérature rabbinique', *REJ* 88, 1932, 19-43.

Diocletian was aiming to give the Levant, for we hear of the emperor's involvement in a trade fair at Tyre.

ר' שמעון בן יוחנן שלח שאל לרבי שמעון בן יוצדק: [לית] את בדיק ליה אהן ירידה דצור מהו. [...] עאל ואשכח כתיב תמן: אנה דיקלטיאנוס מלכא שכנית אהן ירידה דצור לגדיה דארקלים אחי תמניא' יומין. (ירוש' ע"ז, פ"א ה"ד, לט ע"ד)

R. Simeon b. Yohanan sent [and] asked R. Simeon b. Yozadak: Don't you check the fair of Tyre, what it is? ... [He] went and found [that] it was written [= inscribed] there: 'I DYKLTYY'NWS [Diocletian] the king donated this eight day fair of Tyre for the GD' [viz. *genius*] of my brother 'RKLYS [viz. Maximianus]. (*yAvoda Zara* 1:4, 39d)⁹

At the fair, goods were exempt from taxation and that surely stimulated business. However, since the fair was dedicated to idolatry (the *genius* of Maximianus), Jews were forbidden to attend it.

Two Talmudic texts point to Diocletian's connection with Paneas:

דיקליטיאנוס אעיק לבני פנייס. אמרין ליה: אנה אולון. אמר ליה סופיטה: לא אולון לון, ואין אולון לון, חזרון לון. [...], (ירוש' שביעית פ"ט ה"ב, לח ע"ד).

DYKLYTY'NWS [Diocletian] oppressed (*'a'ik*) the sons [=inhabitants] of PNYYS [Paneas]. They said to him: We are going [away, fleeing]. A sophist said to him: They will not go [away], and if they will go [away], they will return... (*yShev* 9:2, 38d).

Paneas belonged to Syria-Phoenice (not Palaestina) and its population has always been overwhelmingly non-Jewish.¹⁰ However, in this source we get the first indication of a possibly close relationship between Diocletian and this city (more below). We also find:

דיקלוט [...] איתעביד מלך נחת לפמייס שלח כתבין בחר רבנין תיהוון גביי במפקי שובתא מיד. [...] והוה רבי יודן נשייא ור' שמואל בר נחמן נחתין למיסחי בדימוסין דטיבריא. אתא אנגיסטריס גבהון [...] במפקי שובתא טען יתהון ואעיל יתהון [לדיקלטיאן בפניאס]. (ירוש' תרומות פ"ח ה"י, מו ע"ב-ע"ג)

DYKLWT [Diocletian] ... became king, he went down to PMYYS [Paneas]. He sent letters to the Rabbis [saying]: You will appear before me immediately at the end of the Sabbath ... and Rabbi Yudan the Patriarch and Rabbi Samuel Bar Nahman went down on their way to bathe in the public bath [δῆμοσίου] of Tiberias. An *angitris* (= Ἀργοναυτῆς)

⁹ J.C. Greenfield, 'An Aramaic Inscription from the Reign of Diocletian Preserved in the Palestinian Talmud', *Atti Il del Congresso Internazionale di Studi Fenici e Punici II*, Roma, 1991, 499; Millar (n. 1), 176. For a meeting between Diocletian and a Jew at Tyre, compare *yBerachot* 3:1, 6a: '...When the king Diocletian arrived here, Rabbi Hiyya bar Abba was observed walking over [impure] graves of Tyre to see him'. Jewish leaders apparently went out of their way to meet the ruler; see below for a possible meeting at Paneas. For the language of the inscription see also S. Lieberman, *Studies in Palestinian Talmudic Literature* (Jerusalem, 1991), 445-448 (Hebrew); J. Geiger, 'Titulus Crucis', *SCI*, 1996, 203-205.

¹⁰ Z.U. Ma'oz 'Banias', 137-13 in E. Stern (ed.), *The New Encyclopedia of Archaeological Excavations in the Holy Land* (Jerusalem and New York, 1993) (hereafter *NEAEHL*); G. Hölscher, 'Banias', *PRE* 36 (1949), col. 594 sqq.

appeared before them... at the end of the Sabbath he took them and carried them [to Diocletian at Paneas]. (*yTer* 8:11, 46b-c)¹¹

I contend that this last legend has a historical kernel. Diocletian was in the Levant in 290 CE and travelled as far south as Tyre. Paneas was in the hinterland of the Phoenician coastal cities and on the main route to Damascus. Our previous source told of the emperor's personal involvement with the taxation of Paneas. It is, therefore, highly likely that during his stay at Paneas, Diocletian summoned the leaders of the Jewish community, who were located only about 65 km away, at Tiberias. Our legendary narrative points to the possibility of a meeting between the emperor and the Jewish leadership which took place, in all likelihood, at Paneas in the late spring of 290 CE. The tale may even hint at a residence of the emperor in Paneas (below, p. 117).

Diocletian toured the Levant again in 300-302 CE.¹² As we shall presently see, the boundary stones were set, according to the inscriptions they bear, in the years 295-297 CE. Diocletian was not present in those particular years in the Levant and clearly did not supervise the erection of the BS personally. However, he could have conceived the project and ordered the execution of the project himself while he campaigned in Syria-Phoenice some years earlier.¹³

The Land Reform

Along with the administrative changes came a tighter grip on the economy. It is most evident in the monetary reform and the empire-wide order regarding maximum price tariffs and salaries.¹⁴ The emperor could not much influence natural factors beyond his control, such as drought and plagues, other than offering *post factum* assistance,¹⁵ and consequently he devoted his efforts to combating inflation (through the list of maximum prices), reorganizing the monetary/currency systems and attempting to form an equal basis for agricultural taxation. Lactantius provides a detailed description of the kind of

¹¹ The Aramaic text is edited by Y.Z. Eliav, *Mituv Teveria* 10, 1995, 25 (Hebrew); my English translation is based on that of Yaron Zvi Eliav and David Rokeah. For the miraculous maritime voyage from Tiberias to Paneas, see Z.U. Ma'oz, 'Roman War-Ships on Coins — Voyages on the River Styx', *INJ* 16, 2007 (forthcoming).

¹² Eusebius testified that he first set eyes upon the young Constantine in Caesarea, Palestine: 'We knew him ourselves as he traveled through the land of Palestine in company with the senior Emperor, at whose right he stood', (*VC* I, 19 [i], trans. Cameron and Hall, 1999, 77). Millar (n. 1), 179, posits a trip of Diocletian and his *entourage* (*comitates*) to Egypt through Palestine between the years 300 and 302 CE on the basis of Eusebius; Isaac (n. 7), 290 adduces papyrus dated 298 CE which tell of preparations for that royal visit.

¹³ Since, as we argue below, the BS indicate a land reclamation and settlement project, the emperor's personal involvement is highly plausible; see below, p. 114.

¹⁴ Millar (n. 1), 180-189; A. Cameron, *The Later Roman Empire, 284-430* (London, 1993), 193-194; *Edictum de maximis pretiis* 301 or 303; H. Blumner (ed.), *Der Maximaltarif des Diokletian* (Berlin, 1958); S. Lauffer (ed.), *Diokletians Preisedikt* (Berlin, 1971); E.R. Grazer, Appendix, in: T. Frank, *An Economic Survey of Ancient Rome*, v (Baltimore, 1940; repr. Patterson, N.J., 1958), 308-421; Amit (n. 6), 810-812; Cameron (*ibid.*), 38 notes, among others, that the edict was not effective for long.

¹⁵ Sperber (n. 7), 70-99; but see the review of M. Goodman, *JRS* 70, 1980, 35-36.

census undertaken by Diocletian: 'Fields were measured out clod by clod, the vines and trees were counted, every kind of animal was registered, and note taken of every member of the population'.¹⁶ A later legal textbook describes the process (emphasis mine):

...at the time of the assessment there were certain men who were given the authority by the government; they summoned the other *mountain dwellers* from other regions and bade them assess how much land, by their estimate, produces a *modius* of wheat or barley in the mountains. In this way they also assessed unsown land, the pasture land for cattle, as to how much tax it should yield to the fisc.¹⁷

According to Jones, 'In the Eastern provinces Diocletian seems to have registered only the rural population, the *rusticana plebs, quae extra muros posita capitacionem suam detulit*, as he puts it in a constitution addressed to the governor of Syria (in other provinces urban population was included)'.¹⁸ It is important to emphasize here that the boundary stones operation began in 295 CE, that is, two years before the general empire-wide census of 297 CE and seven years after the initial 287 CE census about which we know next to nothing. It is likely, therefore, that our local BS had no connection, or only a peripheral relation, to the agricultural *fiscal* reform.

Did the population under Diocletian's rule face a problem of a severe shortage of available cultivable land? This question is of utmost importance for our inquiry. The answer, however, is not unequivocal, for we have two seemingly opposite testimonies. Lactantius relates:

The number of recipients began to exceed the number of contributors by so much that, with farmers' resources exhausted by the enormous size of the requisitions, fields became deserted and cultivable land turned into forest. (*DMP* vii, 3; trans. J.L. Creed [1984], 13)

In the course of the mid-third century, cultivable land changed its status from that of free property owned by small village farmers to that concentrated in the hands of rich landlords. The phenomenon engulfed all the Mediterranean provinces, including Palaestina.¹⁹ Therefore, our next bit of contemporary evidence does not necessarily contradict Lactantius, who may have described an ongoing process rather than the final status of land in the provinces. According to the Babylonian Talmud, new generations of farmers looked in vain for fields to till, to the extent that a contemporary Palestinian sage, R. 'El'azar b. Pedat (of Tiberias, *floruit circa 250-279 CE*), states the following:

ואמר רבי אלעזר: לא נתנה קרקע אלא לבעלי זרועות, שנאמר 'ואיש זרוע לו הארץ' [איוב כ"ב ה]. (בבלי סנהדרין נ"ח ע"ב)

¹⁶ *DMP* xxiii. 2 (trans. J.L. Creed [1984]), 37. Even though the description pertains to Galerius' census of 307, most interpreters believe it also holds true for Diocletian's general census of 297, and could perhaps apply to the first census of 287 CE as well. See Amit (n. 6), 806-807; Deléage (n. 1), 148-162.

¹⁷ *Syro-Roman Law Book cxxi FIRA II.*, 796 (trans. A. Cameron [1993]), 36.

¹⁸ Jones (n. 6), 63.

¹⁹ A.H.M. Jones, 'Census Records of the Later Roman Empire', *JRS* 43, 1953, 49-64; Sperber (1978), 150-152, 187-203.

Fields are only given to the *ba'alei Zero'ot*, as it is written: 'The man of the arm (*ve'ish zero'a* i.e. a mighty man) to him the earth [and the exalted one shall dwell in it]' (Job 22:8). (*bSanhedrin*, 58b)²⁰

Daniel Sperber noted that 'it is surely significant that in the whole of Diocletian's very lengthy and detailed *Edict of Maximum Prices*, which was intended to reduce inflated costs, the prices of land are never mentioned'.²¹ Land may not have been a market problem by the time of the edict of 301 CE, but could have been an issue for the previous generation. Be that as it may, Diocletian's keen interest in land issues is demonstrated by his introduction of a new land unit for taxation purposes, the *iugum*, and also by his legislation dealing with the problem of land being sold (or bought) too cheaply.²²

Building Activity

Rulers have always known that building operations are not only everlasting memorials to their glory, but also a powerful stimulus to a lagging economy. Hence Diocletian, apparently a devoted student of the several great Roman emperors who preceded him, did not neglect this area of activity. Lactantius tells us of his passion for building the new capital city Nicomedia (*DMP* vii, 8-10; trans. J.L. Creed [1984], 13) and it is highly unlikely that the capital was the only city built by the emperor.

We have already adduced sources relating to the construction of reservoirs at Apamea and Emesa, the regulation of the trade-fair at Tyre and perhaps the building of a palace at Bāniyās/*Paneas* (to which we shall return). At this juncture, it is important to note Diocletian's emphasis on the empire's outskirts. In addition to his fortifications along the Persian frontier, it is clear, as five inscriptions (to date) reveal, that he was involved in the construction of legionary camps and roads along the desert frontier in the provinces of Arabia and Syria. According to the not too reliable 6th century CE historian John Malalas, Diocletian 'built a chain of forts along the frontier from Egypt to Persia, and posted *limitanei* in them, and appointed commanders to guard each province with forts and numerous troops'. Furthermore, special efforts were made to integrate the semi-nomadic Arab tribes into the defense of the eastern frontier.²³

If we bear this in mind, as well as Lactantius' testimony on Diocletian's passion for building, it is likely that the emperor was also personally involved in the details of building and settlement activities that took place in the Near East. Diocletian may well have had a say in the positioning of the boundary stones, even though our sources reveal that

²⁰ Translated by Sperber (n. 7), 128; see in general his chap. IV.

²¹ Sperber (n. 7), 158.

²² *CJ* 4.44.2; 4.44.8; Goffart (n. 1), 31ff.; Sperber (n. 7), 159; Frank (n. 15), Appendix to Vol. 5; Lauffer (n. 15).

²³ Malalas *Chronicon*, 12, 38; trans. by Williams (n. 6), 95; Isaac (n. 7), 164-167; G.W. Bowersock, *Roman Arabia* (Cambridge, Mass., 1983), 106-109, 138-147; A. Lewin, 'Dall' Euphrate al Mar Rosso: Diocleziano, l'esercito e i confini tardo-antichi', *Athenaeum* 78, 1990, 141; *id.* 'Diocletian: Politics and *limites* in the Near East', in: P. Freeman et al. (eds.), *Limes XVIII: Proceedings of the XVIII International Congress of Roman Frontier Studies held in Amman, Jordan (September 2000)* (BAR International Series 1084 [I]) (Oxford, 2002), 91-101; I. Shahid, *Rome and the Arabs: A Prolegomenon to the Study of Byzantium and the Arabs* (Washington D.C., 1984).

the BS operation was carried out between his visits, five years after he left Syria and two years before his empire-wide census.

The Number of Boundary Stones and their Locations: The Frontier

In comparison to Ariel Lewin's 2002 assessment of Diocletian's military operations on the eastern imperial frontier from the Euphrates to the Red Sea, the scope of the BS is severely limited. There are only 41 Boundary Stones known to date in the entire 6700 sq. km research area.²⁴

Several BS bear inscriptions that date them not only to the Tetrarchic era, indicated by the names of the rulers, but also specifically to 295-297 CE. The fullest inscription formula appears many times and can be exemplified by the stone from Gisir Ghajar, north of the Hūlah Valley:

Διοκλητιανὸς καὶ Μαξιμιανὸς Σεβ(αστοὶ) καὶ Κωνσταντῖος καὶ Μαξιμιανὸς
Κέσαρες λίθον διορίζοντα ἀγροῦς ἐποικίου Χρησιμιανοῦ στηριχθῆνε ἐκέλευσαν
φροντίδι Ἐλίου Στατούτου τοῦ διασημι(οτάτου)

Diocletian and Maximian, Augusti, and Constantius and Maximian, Caesars, ordered a stone to be fixed marking the boundary of the fields of the colony Chresimianus, under the management of the most honourable Aelius Statutus.

Except for six instances, all the BS form a sort of an interwoven complex chain; in other words, they are distributed (Map 1)²⁵ not on a single straight line, but in clusters on a curve. The six deviations include three BS that were found immediately east and south of Damascus, and the other three immediately east and south of Hippos. The remaining BS were discovered within an elongated, roughly straight strip 112 km long and only 15 km across. It begins in the SE at Juneīneh (5 km east of Šaqā-Maximianopolis, at the northern foot of Mt. Haūran/Jabal ad-Drūze) and terminates in the NW near the Bridge over the Hasbani River at Gisir Ghajar (in accordance with the recently found inscription at Tel Tanim-Tell el-Wāwīyāt, just east of Kiryat Shmonah at the eastern foot of the Mountains of Galilee).²⁶ The strip is approximately 15 km across, for example between Namer and Ghabagheb in the northern Haūran, or between Buq'atā in the northern Golan²⁷ and the group on the east edge of the Hūlah Valley. Thus, the entire territory under consideration has an area of ca. 1700 sq. km. By comparison, the Haūran, as a hypothetical

²⁴ The fullest list is in Y. Ben-Efraim, *The Boundary between the Provinces of Palaestina and Phoenicia in the Second and Third Centuries in the Central Golan Heights* (MA thesis, Bar-Ilan University, 2003), 12, 16, Map 3 (Hebrew). See too D. Syon and M. Hartal 'A New Tetrarchic Boundary-Stone from the Northern Hula Valley', *SCI* 22, 2003, 238-239, Table 1; L. Di Segni, *Dated Greek Inscriptions from Palestine from the Roman and Byzantine Periods* (Ph.D. Thesis, Hebrew University of Jerusalem, 1977), 43-47, 148, 158-173, 184-187; M. Hartal, *The Land of the Ituraeans: Archaeology and History of Northern Golan in the Hellenistic, Roman and Byzantine Periods* (Qazrin, 2005), 361-362, Map 19 (Hebrew); Thirty-seven BS were already listed by Millar (n. 1), 540-544.

²⁵ Courtesy of Moshe Hartal.

²⁶ Syon and Hartal (n. 24).

²⁷ R.C. Gregg and D. Urman, *Jews, Pagans and Christians in the Golan Heights* (Atlanta, 1996), 285-286, no. 240.

rectangle cut diagonally by our strip, comprises *ca.* 6700 sq. km. (77 km from Damascus to Dar'ā [Edre'i] and 87 km across, from Juneīneh, at the northern foothill of Mt. Haūran, to the Jordan River).

The BS strip is closely related to the provincial borders of Arabia and Palaestina in the south and Syria-Phoenice in the north. The strip either includes the provincial border (mainly in the Haūran sector), or is tangential to it (in the Golan-Hūlah Valley sector). While the exact borderline is not known, the BS are divided, according to the names of their *centsitores*, between the Roman provinces in the area as follows: 23 in Syria-Phoenice, 12 in Arabia and 6 in Palaestina. Although this difference in number may, at first glance, appear to be simply an accident of recovery, there may well be a connection between the BS distribution and the frontier.²⁸ The BS strip was not meant to demarcate the border between the provinces on the ground. Their texts specifically state that their function is to separate the lands of two villages (with several exceptional cases dealing with sanctuary or estate properties). Nevertheless, the proximity of these stones to the suggested borderline (for we lack the data to delineate it on a map) appears not to have been accidental.

The key to begin unlocking the 'secrets' of the strip is its environmental character — an unpopulated, or sparsely occupied, fringe zone. In 1886 Gottlieb Schumacher wrote:

'According to the nature of the soil, the Jaulan may be divided into two districts: (1) stony in the northern and middle part, (2) smooth in the south and more cultivable part. ... Stony Jaulan (esh-Sharah, el-Quneitrah and the upper part of ez-Zawiyeh esh-Shurkiyeh) is an altogether *rough and wild country* [emphasis mine], covered with masses of lava which are poured out from countless volcanoes and spread in every direction. Although of little use agriculturally, it is the more valuable for pasturage... Wherever between the hard solid basaltic blocks there is a spot of earth, or an open rift visible, the most luxurious grass springs up both in winter and spring time, and affords the richest green fodder for the cattle of the Bedawin'.²⁹

A hundred years later Francis Huguot wrote:

'C'est sur cette coulée, la plus récente de la région, qu'est construit le site de Shahba, au contact de trois paysages relativement contrastés. Limitée au Sud par un *talus*... À la différence du Leja qui est ... constitué de pahoehoe [extremely thin and liquid lava] ... il s'agit ici d'un aa [thick, more solid lava]: c'est une zone chaotique ... encombrée de blocs de lave scoriacée et friable, constituant parfois des aiguilles qui rendent la progression difficile. ... Ce site a été utilisé pour l'édification d'un barrage, actuellement abandonnée. Un des derniers épisodes de la formation du Tell Shihan a également modifié le cours du wadi: un petit niveau alluvial'³⁰

²⁸ The possible connection was noted by Seston (n. 6), 374-376, map following 374; Deléage (n. 1), 156-157; A. Alt, 'Augusta Libanensis', *ZDPV* 71, 1955, 173; Hartal (n. 25), 433-434 with reservations. Compare M. Sartre, *Trois études sur l'Arabie romaine et byzantine* (Bruxelles, 1982), 66-69; he firmly rejects the connection in Sartre (n. 1) (from 1992), 130.

²⁹ G. Schumacher, *The Jaulan* (London, 1888), 11, 13.

³⁰ F. Huguot, 'Aperçu géomorphologique sur les paysages volcaniques du Haūran', in: J.-M. Denzer (ed.), *Hauran I*, Paris, 1985, 11. See too Ma'oz (n. 10), 525: 'The Golan can be divided into three districts: the fertile plain of southern Golan from the Yarmūk to Nahal Samak and Mt. Peres [a direct continuation of the en-Nūqrah plateau in the southern Haū-

To sum up, the strip as a human or a geographic unit is a marginal landscape — an empty or sparsely occupied fringe zone, a frontier — with no regular cereal agriculture. It is worth noting how deeply the concept of ‘end of agriculture = end of civilization’ is rooted in human thought. In Greek myth the borderline is sharp: here ends the dominion of Demeter and begins the realm of Pan. Thus, it is quite appropriate for the given landscape that the cult of the god Pan is found at Bāniyās and the Haūran, the two ‘terminals’ of the strip.³¹ There is a marked difference between marginal land — frontier — and wasteland. The former is suitable for grazing and, in some places, for intensive agriculture, occasionally on a considerable scale. Furthermore, on marginal lands, various physical operations, such as the clearing of rocks to expose the underlying soil, the use of canals and irrigation, and the adaptation of suitable plants — such as olive trees or vines — may turn fields that were previously wilderness into fertile areas. We can now better understand why Diocletian’s *censitores* marked village land only in the strip and *not* in cultivated regions or in the wilderness. This would suggest that Diocletian’s Tetrarchic operations in the Haūran-Golan-Hūlah Valley were not aimed at increasing tax revenues (at least not for the first years) but were an effort to reclaim and settle land in marginal and previously unoccupied territories of the frontier. Such a project would be facilitated by the military road, which was later built and called the ‘Strata Diocletiana’, a road leading from the Haūran to Damascus and through Palmyra to the Euphrates.³²

In undulating plains with no prominent geographical limits such as rivers or terrestrial crests, provincial borders (or any borders, for that matter) tend to ‘exist’ only vaguely. Fringe zones are the near equivalents of ‘no man’s land’. Mapping such a frontier zone and ascribing a list of villages to one province and a second to a neighbor constitutes the physical creation of a border. When using BS, local Tetrarchic governors may have unintentionally gained an exact demarcation of the three provinces’ joint limits. The present BS evidence, it is true, does not allow such a drawing of the borderlines; but future findings and research, using additional geographic and early Ottoman administrative data, might help others succeed where we have failed.

The thirty-five BS inscriptions from the strip (except for the stones of Damascus and Hippos) record nearly 26 place-names (toponyms). They are copied below, arranged according to Fergus Millar’s groupings, i.e. Golan, Hūlah Valley, Batanaea (= southern Haūran) and (northern) Haūran. The names are reproduced here as they appear on the

ran]; the central Golan, from Nahal Samak to Nahal Shū‘ah — Kafṛ Nafakh, south of Quneitra, which is rocky terrain with an abundance of *masils* [shallow water courses], mainly suitable for grazing but also for olive growing and with some plots with irrigation by flooding; and the northern Golan, from Nahal Shū‘ah — Quneitra to Nahal Sa‘ar — a once densely forested plateau with numerous volcanoes and a few springs’.

³¹ On the ‘frontier’ in Greek thought: Ph. Borgeaud, *The Cult of Pan in Ancient Greece* (Chicago, 1988); on the cult of Pan in the Haūran see M. Dunand, *Le musée de Soueïda: Inscriptions et monuments figurés* (Paris, 1934), 39, pl. xvii, no. 47 (from Qanawāt).

³² Millar (n. 1), 177; D. van Berchem, *L’armée de Dioclétien et la réforme constantinienne* (Paris, 1952), 3-6; Williams (n. 6), 94-95, fig. 2; Lewin (n. 23, 1990), 141; *id.*, n. 23, 2002); M. Sartre, ‘Les *IGLS* et la toponymie du Haurān’, *Syria* 79, 2002, 217-229.

stones, in the genitive case, without breathings or accents (Their possible identifications with present day villages appear in brackets.):³³

Paniou (Bāniyās), Σαρισων καὶ Βερνικης (Sūrman? and Quneitra?), Αχανων (Kh. Al-Mhfi?), Αγριππινης — Ραδανο[υ] ('Asheshe?), Αριμος καὶ Ευσωμι (Qasrīn and al-Ahmadīyyeh?), Χρησιμιανου (Ghajar?), Γαλανιας, Ραμης, Μιγηραμης, Δηρας καὶ Καπαρ[μ]ιγη[ραμης], Μαρσιας κὲ Βεθ Αχων (Tell al-Wāwīyāt), Δηρας κὲ Ωσεας, Ωσεας κὲ Περισης, μητροκωμίας Ακραβης καὶ Ασιχου ('Aqrabā and Umm al-'Awsej?), Γα[σ]μιας καὶ Ναμαριων (Jasem and Namer), Ορελων ὄρου — Μαξιμιανπολ[εως] (Jūneineh and Šaqā), Διου[υσια]δος (Sūweida), Αθελην[ω]ν ('Athīl), Νεειλων καὶ [*Σ]εμε[λε]νω³⁴ (Simlīn?), Μαλα[ας] καὶ Σαεμεας, (Mleīha³⁵ and Samī'ā east of 'Aqrabā), Οπαεπων κατωτέρας (Ghabagheb) καὶ Ραγηνων καὶ Καπαρζεθα, [-]ανηλω[ν], [Βαθυ]ρας? (Basīr³⁶).

Two phenomena regarding this list are striking. First, without delving into linguistics, it is obvious that most of the names, apart from Capar-Zetha and the first component of Beth-Achon, and Capar-[M]ige[rames] are neither Semitic³⁷ nor Greek. Only four names, Berenike, Agrippine, Maximianopolis (Šaqā) and perhaps Dionysias (if the restoration is correct — Sūweidā) are certainly Greek. These were probably the central, and possibly even the original, settlements. The etymology of the remaining twenty names is unfortunately beyond the grasp of our present knowledge. The second notable fact about the list is that fifteen out of twenty-six ancient names on the BS stones do not reappear in other historical records or in modern toponymy. Exceptions are the Haūran sites of

³³ Millar (n. 1), 540-544; see too the additions by Sartre (n. 1); Di Segni (n. 24), 158-187; *SEG* xlv (1998), 582-4, nos. 2005-10; Hartal (n. 24), 361-2, 431-7; Ben-Efraim (n. 24), 16. Syon and Hartal (n. 24) have a full list on 238-9.

³⁴ Suggested by Sartre (n. 1), 114 and *SEG* xlv (1998), 582, no. 2005.

³⁵ The identification by Sartre (n. 1), 118-119 of BS Mala[as] with Mleīhah (Šarqīyyeh, east of 'Aqrabā) is not as straightforward as it appears. Since the Arabic name means 'salty field' or 'area', the name is probably based on physical conditions and does not reflect the ancient name. The similarity is no more than a coincidence.

³⁶ Sartre's identification [(n. 1), 123], however tempting (and accepted by *SEG* xlv [1998], no. 2010), is based only on the final two letters of the name. It would be irresponsible, in my view, to use the identification as a basis for any conclusions. Nevertheless, Basīr itself produced a BS, albeit without a name (Sartre [n. 1], 125), so it is plausible that Bathyra was on the Tetrarchic project list; see the following note.

³⁷ Namarion is probably not derived from Semitic *namer/nimr* (Jer. 13:23) and Akrahe is probably not derived from 'Aqrab (2 Chr 10:11). The Semitic form of the name is עקרבתה עקרבתה 'Aqrabat/ah. Semitic toponyms called after animals are rare or non-existent. See e.g. Y. Aharoni, *The Land of the Bible: A Historical Geography* (Enlarged and revised ed.; trans. and ed. A.F. Rainey) (Philadelphia, 1979), Index; Y. Elitzur, *Ancient Place Names in the Holy Land* (Jerusalem, 2004), 54-57 and Index. Bathyra, which is perhaps not on the BS list, but is found in the same region, is most likely the heart of the outlaws' zone, where Herod settled 3000 Edomites and established military colonies (of Babylonian Jews) in order to pacify the locals in ca. 23 BCE, see Josephus, *AJ* XV, 342-8; XVI, 285; XVII, 23-31; *BJ* I, 398-400; B. Isaac, 'Bandits in Judaea and Arabia', *The Near East Under Roman Rule: Selected Papers* (Leiden, 1998), 128-9, 152-8; Z.U. Ma'oz, *The Golan Heights in Antiquity: A Study in Historical Geography* (Qazrin, 1986), 89 (Hebrew). According to our hypothesis, the name Bathira is a Babylonian personal name.

‘Aqrabā, Jasm and Namer, which were recorded in the Syriac Archimandrites’ list (ca. 570 CE);³⁸ Ghabagheb, Basīr, ‘Athīl, Mleīhah, Sami‘ā and perhaps Simlīn, still exist.³⁹ Why did these names disappear? If I may hazard a guess, perhaps the majority of these fifteen villages did not survive after Diocletian (or after the fourth and fifth centuries CE). Or — and this is quite likely — some village names may have been put on the settlement map and on stone markers in the fields as future projects, projects which in the event never materialized. Such unexecuted or unsuccessful settlement plans can be found everywhere and in every period.

I would suggest, then, that the placement of Diocletian’s Tetrarchic boundary stones was part of a large-scale operation to turn marginal, unpopulated grazing grounds into intensively cultivated fields around core villages. In other words, there was an attempt to add new settlements in the spaces between and around preexisting, sparsely populated centers. Six BS — with ‘new names’ (mostly not preserved) — were found between al-Harah on the west and Sanameīn on the east, and around them, in an area of about 20 x 20 km.⁴⁰ In the area of Paneas, 12 BS were placed in regions to the south and west of the well-known city. In my view, the fact that the overwhelming majority of BS names did not survive to the sixth century CE or beyond seems to indicate that about two-thirds of

³⁸ Full list in Syriac: M.Th.-J. Lami, ‘Profession de foi, adressée par les abbés des couvents de la province d’Arabie à Jacques Baradée’, *Actes du onzième congrès international des orientalistes Paris 1897* (Paris, 1898), 125-134. See too Z.U. Ma’oz, ‘On the Geography of the Settlements of the Ghassānids in the Haurān and the Golan’, *Studies of the Tel Hai Academic College*, Jerusalem, forthcoming (Hebrew translation and discussion); Th. Nöldeke, ‘Zur Topographie und Geschichte des Damascenischen Gebietes und der Haurāngegend’, *ZDMG* 29, 1875, 419-443; Sartre 1982, 88-187; I. Shahid, *Byzantium and the Arabs in the Sixth Century* (Washington D.C., 1995), i. 2, 824-838; ii. 1, 76-104.

³⁹ See *Syrie, Répertoire alphabétique des noms de lieux habités*, dressés et publié par le Service Géographique des Forces Françaises du Levant, (3rd ed., Beirut, 1945).

⁴⁰ The six new locations are, roughly from west to east: ‘Aqrabā, Namer, Simlīn, ‘Inkhel, Basīr and Khabab. The center at Sanameīn, ancient *Aire*, is known for its monumental 191 CE Temple. See H.C. Butler, *Publications of the Princeton University Archaeological Expedition to Syria in 1904-1905 and 1909*, Division II, Section A: *Architecture and other Arts, Southern Syria*, Part 6, (Leiden, 1916), 315-322; J. Dentzer-Feydy, ‘Décor architectural et développement du Hauran dans l’antiquité (du I^{er} s. av. J.-C. au VII^e s. ap. J.-C.)’, in: J.-M. Dentzer (ed.), *Hauran I: Recherches archéologiques sur la Syrie du Sud à l’époque hellénistique et romaine*, ii (Paris, 1986), 297, pl. XVIa; Hara’s ancient name was Harīth al-Jaūlan and it was in fact the capital of the Ghasānids, whose main camp was immediately south of Hara at Jābiyat al-Jaūlan. On the site called *Eutimia* in the Byzantine period, see Sartre (n. 1), 219-220. The ‘camp Ghasānid’ was mentioned already in 517 CE and became famous because of the decisive Muslim-Byzantine battle that took place nearby; see I. Shahid, *The Martyrs of Najran* (Bruxelles, 1971), 63; id. (n. 39), ii. 1, 96-104; W.E. Kaegi, *Byzantium and the Early Islamic Conquests* (Cambridge, 1992), 112-146. Harīth is mentioned several times in the ‘Archimandrites Letter’ (above, n. 38), as having a few monasteries. There is, as yet, no textual or archaeological evidence relating to this site for the period before the 6th century CE.

the Tetrarchic settlement enterprise failed: the new villages either did not survive for long or were never founded in the first place.⁴¹

Before leaving the issue of the BS we may offer an explanation for the few 'stray' BS near Damascus and Hippos: these stones may derive from enclaves found in a previously unpopulated (or sparsely settled) fringe or grazing area.

Diocletian and Paneas

Most intriguing is the possible connection of Diocletian to Paneas. We saw above two Jewish stories which seem to preserve an echo of his sojourn here. In addition, an exceptional boundary stone stating: λίθος / [δι]ορίζων / τὰ ὄρια τοῦ / Πανίου κὲ / τῆς πόλεως...⁴² suggests that the emperor may have reestablished the γῆ ἱερά of the temple *vis-à-vis* the town, or, as seems more likely, may have annexed more land to the estate of the temple.

Be that as it may, it is appropriate to mention here a luxurious palace exposed in the town-center at Bāniyās which, according to its excavator Vassilius Tzafferis, was built in the second half of the first century CE, presumably by King Agrippa II (54-93 CE).⁴³ In my view, the architectural features point to the days of Diocletian, and it was probably begun in 290 CE. The ruins of the palace (*ca.* 100 x 100 m) occupy the southwest quadrant of the town center. The excavators believe that this huge monument consisted of four wings around a central open court. Nevertheless, the parts of the structure thus far exposed exhibit no open air central zone. The south wing includes two symmetrical and unusual entrances to the basement of the building. From the outside, the entrances are flanked, on either side, by semicircular towers and they lead, inside, to underground vaulted corridors. The masonry (possibly Phoenician) is superb and unique. Both elements, the towers and the vaulted corridors, are comparable to Diocletian's palace at Spalato (Split, Croatia).⁴⁴ The upper storey of the palace, as uncovered so far, consists of a series of parallel huge vaulted halls (for storage?), while in the center there are two

⁴¹ The settlement of the Banū-Ghassān (Ghassānids), in the sixth century CE (see previous note), is a parallel of sorts to the BS settlement, since it took place virtually in the same zone (the former with extensions to the north, west, and south). The 'Letter of the Archimandrites' (above, n. 38) lists 80-100 place names, of which 65 have survived to the present day. They extend from Mt. Hermon and Damascus in the north as far south as the River Yarmūk. It is characteristic of the unchanging nature of this terrain and its living conditions that 50 ancient sites from this list (out of the 65 identified ones) are located within the confines of the BS 'strip'. Many of these fifty place names are known from existing or defunct settlements (compared to only six names out of 30 from the BS list above). Apparently the Ghassānid settlement was far more successful than the Tetrarchic one.

⁴² S. Appelbaum, B. Isaac and Y. Landau, 'Varia Epigraphica', *SCI* 6, 1981/82, 98 [no. 1].

⁴³ V. Tzafferis, 'Ten Years of Archaeological Research at Banias', *Qadmoniot* 31, 1998, 8-12 (Hebrew); id. 'Banias, the Town-Center', *NEAEHL*, v (Jerusalem and New York, 2006 [forthcoming]), s.v.

⁴⁴ T. Marasovič, *Diocletian's Palace* (Belgrade, 1967); J. & T. Marasovič, *Diocletian's Palace* (Zagreb, 1970); S. McNally, J. Marasovič and T. Marasovič (eds.), *Diocletian's Palace: American-Yugoslav Joint Excavations* (Dubuque, Iowa, 1989); J.J. Wilkes, *Diocletian's Palace, Split: Residence of a Retired Roman Emperor* (Sheffield, 1986, repr. Oxford, 1993), fig. 3-6, 9, pl. 17, 19.

lavishly decorated halls (*basilicae*) with large apses on their south. These spaces served as *aulae* — reception and audience rooms — of the palatial complex. In the central basilica a section of the stylobate still carries a pedestal *in situ*. Near it, a hoard of more than 39 bronze coins has come to light, thirty of which were identified. Noteworthy are two coins of Philip, the founder (κτίστης) of Paneas. The majority of the coins, however, were minted under the Severan emperor Elagabalus with the last coin dated to Gordian III — 238-244 CE.⁴⁵ My suggestion for a Tetrarchic date for this palace is based neither on the pottery (on which the excavator relied), nor on the above coins. It is based solely on the architectural character of Paneas in general and this structure in particular. Imperial Roman buildings from *ca.* 50 BC to 235 CE everywhere are decorated, as a rule, by sculptured moldings (mostly vegetal) and statues. The palace unearthed at Paneas cannot be the sole exception to this rule. It must, therefore, be dated on art-historical grounds, to some time after Philip ‘the Arab’ (241-244 CE) whose constructions in Shahabā (Philippopolis) in the Hauran already point to a marked decline in the tradition of architectural décor described above.⁴⁶ The ‘severe’ art pattern reaches its zenith, within the Roman period, in Tetrarchic constructions. This general rule of Roman architecture can also be observed in other first and second century CE buildings at Paneas.⁴⁷ These arguments, preliminary as they may be, lend weight to my suggestion that the palace at Paneas was part of the emperor’s initiative in Syria-Phoenice in the 290’s CE. It should be recalled that Diocletian built residences at Antioch, Sirmium, Nicomedia and elsewhere.⁴⁸ I suggest that the Jewish Patriarch was summoned to this very palace during Diocletian’s stay at Paneas (above, p. 108). Diocletian’s building project, taken together with the reclamation and settlement of frontier lands, should be seen, perhaps, as an attempt to acculturate the semi-nomadic tribes of shepherds who still roamed large parts of the area.⁴⁹

Thus, in addition to the fiscal and military acts carried out across his entire domain, Diocletian’s Tetrarchic civil reforms in the southern Levant were aimed first and foremost at the development of land and settlements in fringe zones. (The water reservoirs at Apamea and Emesa should not be overlooked in this context.) Furthermore, the cities of such backward areas were probably developed by adding new edifices, such as the palace at Paneas, to their sanctuaries and administrative buildings. An overall strategy was implemented: a chain of new habitations was planned along the provincial border zones (more than a hundred km. long), and civil architecture was added to the existing city temples of the first and second century CE. While there is reason to suspect that these

⁴⁵ Gabi Bichovsky, curator of coins Israel Antiquities Authority, personal communication.

⁴⁶ K.S. Freyberger, ‘Die Bauten und Bildwerke von Philippopolis’, *Damaszener Mitteilungen* 6, 1992, 293-311, pls. 59-66.

⁴⁷ Z.U. Ma’oz, ‘Coin and Temple — The Case of Caesarea-Philippi-Paneas’, *INJ* 13, 1999, 90-102, pls. 13-15; id. ‘Banias’, *NEAEHL* v, (Jerusalem and New York, 2006 [forthcoming]), s.v.

⁴⁸ Barnes (n. 6), 49.

⁴⁹ Y. Nevo, *Pagans and Herders: A Re-examination of the Negev Runoff Cultivation System in the Byzantine and Early Arab Periods* (Jerusalem, 1991). See also Z.U. Ma’oz, *Paneon I, Excavations at Caesarea-Philippi-Baniyas 1988-1993*, (IAA forthcoming), ch. 7 — Hellenistic History.

ambitious projects did not last for long in terms of the settlement history of the country as a whole, Diocletian's vision of the area, in itself, earns our admiration to this very day.

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