

ON THE OWNERSHIP OF THE LANDS OF THE VILLAGE OF THAVATHA IN THE BYZANTINE PERIOD

Our subject deals with a social-economical matter which, I hope, will shed a new light on a topographical problem.

Most of the data for the subject of this article was extracted from a Christian Collection of questions and answers composed in southern Eretz Israel (from now on, the Collection).¹ The two main figures of the Collection, who provide the answers, are the monks Varsanuphius (*Βαρσανούφιος*), the "Great Old Man," originally from Egypt, and John, the "Other Old Man," both of whom lived during the sixth century AD in a monastery south of Gaza. The questions were directed to the two monks by various people — Church men, monks, laymen both from high levels of society and common people. Hundreds of questions and answers were included in the Collection, which provides valuable information regarding life in the Holy Land, especially in the southern areas during the sixth century. Most of the material collected will be discussed in a forthcoming article.

Thavatha (Thauatha) was a village south of Gaza, now Hirbeth Umm el Tut (see below notes 2, 5). Thavatha is mentioned several times in Byzantine literary sources as well as in the Madaba map.² The village was well known being the birthplace of St. Hilarion (considered the founder

¹ The Collection: edit. Nikodemos the Hagiorite, Venice, 1816; Rep. S.N. Schoinas, Volos, 1960; Thessalonike, 1974. We have only a partial critical edition by D.J. Chitty in *Patrologia Orientalis*, Vol. XXXI (fasc. 3), Paris (1966), pp. 450 ff. A French translation by L. Regnault, P. Lemaire et B. Outier, Solesmes, 1972.

² On this village see, for example: M.F. Abel, *Geographie de la Palestine, II* (Paris 1938): Thwatha, pp. 480 f.; M. Avi-Yonah, *The Holy Land — From the Persian to the Arab Conquests*, A Historical Geography, (Ann Arbor 1966), p. 151. *idem.*, The Madaba Mosaic Map, (Jerusalem 1954), p. 74, No. 112. Thauatha. H. Donner & H. Cüppers (eds.), *Die Mosaikkarte von Madaba*, Wiesbaden 1977. The spelling of the place's name is: Tabatha, *θαβάθα*, *θαναθα*. For the last one see the Madaba Map, *ibid.*; F. Nau (ed.), *sur le monastere de Seridos*, Pat. Or. VIII, p. 176.

of the monastic movement in the Holy Land at that time³). St. Hilarion, after his return from Egypt, where he had been sent by his parents to study, settled some kilometers from his native village. During his lifetime and after his death many monks settled in the area.

In the "Life of Petrus the Iberian", a biography, composed originally in Greek, but preserved only in a Syriac version, we learn about the village of מגדל תותא; Migdal (Tower) Tuta or Migdal Thauatha owned by Dionysius, a lawyer (*scholastikos*) from Gaza⁴. This information is attributable to the early 80's of the fifth century. The accepted view identifies Migdal Thautha with Thavatha, the birthplace of St. Hilarion⁵, but at the very least, the word "tower" (Migdal) makes the identification doubtful, if not impossible.

Those who accept the above identification must come to the conclusion that the Thavatha of St. Hilarion was the estate of an individual, a citizen of Gaza, in the last decades of the fifth century.

But we can state without doubt that by the first half of the sixth century Thavatha was not a single estate. We reach this conclusion from some information in the Collection about one Aelian, who succeeded Seridus as the head (*hegumenos*) of the monastery.

Aelian knew the monks Varsanuphius and John and had appealed to them before becoming a monk, and, upon appointment as hegumen, also set questions to John (the "Other Old Man"). It should be noted that Varsanuphius and John probably died in the 40's of the sixth century.⁶ It seems that Aelian had no wife nor children and lived with his old mother. He was intent upon becoming a monk after his retirement (probably in the early 40's of the sixth century) and asked John and Varsanuphius whether he should become a monk immediately

³ For instance, see Hieronymus *Vita Hilarionis*, 14, PL 23, cols. 34 f.

⁴ *Petrus der Iberer*, ed. Raabe, (Leipzig 1895), p. 100, lines 21 ff. We are told that Dionysius brought the holy man, Petrus, to his village and asked him to bless its/lands. It is clear from the whole matter that the village was the property of Dionysius.

⁵ For this identification see Ch. Clermont-Ganneau, "Sur quelques localites de Palestine mentionees dans la Pierre l'Ibere," *EAO* II (1897), pp. 9 ff.; and see also Abel and Avi-Yonah *supra* note 2.

⁶ On Seridus, Varsanuphius and John see, for instance, D.J. Chitty, *The Desert A City*, (Oxford 1966), pp. 132 ff. and on the chronology see *ibid.*; and also p. 213; also I. Hausherr, "Barsanuphe," *Dictionnaire du spiritualité*, I col. 1255.

or first arrange his property, which included lands and slaves (*παῖδες; οἰκέται*)⁷. The care of his old mother particularly troubled him. Aelian intended for his mother to live with her cousins, for which he should give them lands enough to support her and the slaves. The remaining lands would be sold.

The “Old Men” in their reply agreed with him concerning his mother and slaves, namely, that he should arrange first for their upkeep and only afterwards should join the monastery, but they decided that selling the land was a secondary concern, which could not justify delay in entering the anchoritic life.

It seems that Aelian’s economic situation was good, even if it is difficult to know the actual extent of his property or the number of his slaves. His lands are mentioned sometimes in the plural (*τὰ χωρία*), but this could also mean that his property was divided into many plots. In one question to Varsanuphius (No. 572 p. 271), Aelian asked about the selling of *τὰ μικρὰ χωρία* but this does not imply that he owned little land. It should be remembered that he did not intend to sell all his land, as he had decided to give part to his relatives for the support of his mother and slaves. Clearly therefore, the income from the lands was usually enough to support Aelian himself, his mother and slaves. This fact, and the evidence of his being a slave owner, although their number is unknown, brings us to the conclusion that he was a man of means.

Till now we have not discussed Aelian’s connection with Thavatha. Seridus’ monastery stood near that village.⁸ After Aelian had been appointed its head he continued to consult with John on various matters (Collection, Nos. 576 ff.). One of the questions (No. 595, pp. 280–1) deals *inter alia* with his mother’s refusal to stay with her cousins. Aelian asks what he should do. The answer twice mentions the village near the monastery (“this village”, “the village here”). Aelian was told that his duty was to talk to his mother from time to time and to take care of all

⁷ See also Chitty, *ibid.*, pp. 138 ff. In the French edition, *γρᾶία* was translated as referring to the wife of Aelian and *παῖδες* to his children, in my opinion, wrong translation in both cases. I agree here with Chitty, *ibid.*

⁸ On Seridus’ place see especially, F. Nau (ed.), PO VIII, p. 176: *Σέριδος ἔχων κοινόβιον εἰς Θαναθά*; and Dorothee de Gaza, *Oeuvres spirituelles*, edited and translated by Regnault and de Preville, Paris 1963 (Sources dhr. No. 93), p. 14.

her needs, whether she decided to live in the city or in this village (*εἴτε εἰς τὴν πόλιν θέλει εἶναι, εἴτε εἰς ταύτην τὴν κώμην*). He was told also to take care of the slaves, to release them after his mother's death and to enable them to live in the neighbouring village or elsewhere as he would choose.⁹ From this one can conclude that Aelian's main property or at least a part of it, was in Thavatha. Aelian's birthplace is unknown; the answers he received concerning his mother and slaves prove that he was a landlord with a house in Thavatha. Nevertheless the possibility that his mother could live in the city, apparently Gaza, (about 11 kms. from Thavata) may mean that Aelian was a citizen of that city. It is clear, therefore, that he had connections with the large city, but may have spent most of his time on his rural property. We can say, however, that he was not the single owner of Thavatha.

The conclusions to be drawn from the above can be summarised thus: Aelian's arrangements regarding his mother; the property he possessed, part to be given to his relatives, part to be sold; and his own words regarding his "few lands", show that the land of Thavatha did not belong to one owner. One could add that when Seridus, the hegumen before Aelian, wished to enlarge the monastery, he requested to buy a piece of land on the boundaries of the village.¹⁰ Nothing is known about this anonymous land owner.

⁹ See No. 595 p. 281.

¹⁰ From the Collection (No. 570, p. 269) we learn that Seridus wanted to buy a piece of land near his monastery in order to build a church and a xenodochion. At first the unidentified landlord refused to sell the land, but later changed his mind. A monk lived in a small hermit cell (*μοναστήριον μικρόν*) *ἐν παροικία* on the land. Seridus asked his permission for the transaction and received it. It is clear from the story that legally Seridus did not need the monk's permission for the purchase, but asked it for reasons which had earned the praise of the writer. *Paroikia* here clearly indicates status. The monk was not the owner of the land, but someone else was described as the *δεσπότης* of it; by using "*paroikia*" the writer emphasised this fact, which was of interest to him. *Paroikos* usually means a person living in a strange place which is not under his ownership. He has not full rights to the place (see, for example, the lexicons of Liddell & Scott and P. Lampe. Hans Schaefer, "Paroikoi", *PWRE* XVIII 4. (1949), cols. 1695 ff.) such as a city resident who is not a citizen. Since we are dealing with a Christian text, it is important to emphasise that the terms *paroikos*, *paroikia* appear in this same sense in the New Testament and the Septuagint to denote a stranger or a person with the status of a stranger. It may be that the writer's intention was by using *paroikia* to stress that the monk lived on the property of another person. However, since *paroikia* is here associated with living on land of another owner, it is worthy of further scrutiny. From the ninth century on in Byzantium

It comes out from our discussion that the two places had a different status:

The one, Migdal Tuta (or Thauatha) was a single estate in the last decades of the fifth century, but the other one, Thavatha of St. Hilarion was a free village, some decades later.

If we think about the similarity of their names, we have to remember also the difference between them, i.e. the addition of "Migdal" to one of them. Perhaps "Migdal Thauatha" was an appendage of Thavatha which grew from the former and larger village.

We might suggest that the village Migdal Thauatha was built around a tower or a small stronghold, erected earlier by an anonymous land owner.

Thus, our research into social and agrarian conditions in these places in the south of Eretz Israel, in my opinion, refutes the accepted conception identifying two different places, as if they were one.

HEBREW UNIVERSITY OF JERUSALEM

YARON DAN

many farmers were called paroiks (*paroikoi*). They were farmers dependent on great landlords. We read about *paroikoi* who lived on estates of private landlords or of monasteries. There was also a class of δημοσῳαῖοι πάροικοι who belonged to the Crown, in other words, Crown farmers, whose legal status is controversial. The *paroikoi* of the late period were tenants, this sense of the term was derived from the classic one. On the later period see: G. Ostrorski, *Quelques problèmes d'histoire de la paysannerie byzantine*, (Bruxelles 1936), pp. 14 ff., esp. 66–8; p. Lemerle, in *Rev. hist.* 219 (1958), pp. 68 f., 74. By the third to fourth centuries AD the term *paroikoi* clearly denoted tenants. For example, on Arague in Phrygia see Dittenberger, OGIS, Vol II, no. 519; Rostovzeff, SEHRW pp. 541 f.; 478, note 26; idem, *Studien zur Geschichte de römischen Kolonates*, (Berlin 1910), 303, 308 and more; Anderson, *JHS* XVII (1897), pp. 417 ff. The term *paroikos* to denote tenant also appears in census lists dated late third century — beginning fourth century. We have inscriptions from Thera and Chios, see: A.H.M. Jones, "Census Records etc.," *JRS* 43 (1953), pp. 49 ff.; A. Deléage, *La capitation du Bas-Empire*, (Macon 1945), 183 f. *Paroikoi* are known also from the legal sources of the sixth century. For instance see: Cod. Just. I, 34 (a law of Anastasius); we also have a novel of 909 AD. citing a law of Justinus II (Zepos ed. coll. II, Nov. 118). Laws dealing with *παροικικὸν δίκαιον* and in the Latin: "colonarium ius" as in Cod. Just. I, 2, 24 (an. 530); Just. Nov VII, pr. 1 (an 531). 120, 1 (an. 544), may help us to understand their status in the sixth century, but this matter is beyond the scope of this article. We think that the term "paroikia" to describe the status of the above-mentioned monk, whether or not he cultivated the land, and whether or not he had obligations to the landlord, implies that a special class of *paroikoi* was known among the farmers of Eretz-Israel in the Byzantine period. Even if the expression is borrowed, it helps us to enrich somewhat our knowledge of social reality in the Holy Land at the period.