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CLERUCHIC LAND: ATHENS, MACEDON, AND THE HELLENISTIC KINGDOMS

Alain Bresson

The University of Chicago, Chicago (IL), the United States of America

E-mail: abresson@uchicago.edu

ORCID: 0000-0002-6622-2533

This brief piece is an introduction to the dossier of four papers dedicated to the memory of Michael Rostovtzeff on the topic of cleruchy, which shows that not only the legal framework governing the settling of settler soldiers in the Hellenistic kingdoms was inherited from that of Macedon (which does not mean that it was everywhere the same) but also that there was a common Greek archetype to the cleruchic system, as suggested by the late Archaic statute of the Athenian cleruchy in Salamis.

Keywords: cleruch, cleruchy, settler soldiers, Athens, Hellenistic kingdoms, Bosporan kingdom, pharaonic Egypt, Ptolemaic Egypt

КЛЕРУХИИ: АФИНЫ, МАКЕДОНИЯ И ЭЛЛИНИСТИЧЕСКИЕ ГОСУДАРСТВА

А. Брессон

Чикагский университет, Чикаго (Иллинойс), США

E-mail: abresson@uchicago.edu

Этот очерк служит введением к четырем статьям на тему клерухий, посвященным памяти М.И. Ростовцева. Они призваны показать, что не только правовая основа, регулировавшая основание военных поселений в эллинистических царствах, была унаследована от Македонии (что, впрочем, не значит, что она была везде одинакова), но также и то, что существовал стандартный греческий архетип клерухии, о чем позволяет судить афинское постановление конца эпохи архаики относительно клерухии на о. Саламин.

Ключевые слова: клерух, клерухия, военные поселения, Афины, эллинистические царства, Боспорское царство, фараоновский Египет, птолемеевский Египет

The author. Alain Bresson – Professor Emeritus in the Departments of Classics and History, in the Oriental Institute and in the College at the University of Chicago.

This dossier is dedicated to the memory of Michael Rostovtzeff. It originates in the Eighth Michael I. Rostovtzeff Lecture, organized at Yale University on November 4, 2015, on the initiative of Professor Joseph Manning, William K. and Marilyn Milton Simpson Professor of Classics and History, and of his colleagues of the Classics and History Departments, to whom I am immensely grateful. My lecture was entitled “In the Land of Cleruchs: Soldiers and their Lots from Athens to Alexandria”. It was followed by a short meeting, where three distinguished colleagues, Askold Ivantchik, Brian Muhs, and Dorothy Thompson, kindly accepted to present their views on topic directly linked to the question of military land tenure and cleruchy, respectively in the Bosporean kingdom in the Classical and Hellenistic period, in pharaonic Egypt and in Ptolemaic Egypt. These three authors then kindly accepted to join the project of a common publication. We also thank wholeheartedly the editors of the *Vestnik Drevney Istorii* for accepting to publish these articles in their journal.

These four articles represent a contribution to a debate that started more than one century ago and that has continued ever since. In this debate, Rostovtzeff took a firm position, which proves still to be fundamentally correct, although it needs to be enriched by the results of recent research. Rostovtzeff insisted that in the Hellenistic kingdoms there existed a fundamental distinction between two categories of land: the lands belonging to the cities, and those belonging to the king, the *χώρα βασιλική*. Full private property existed only in the former. In the latter, whatever the rights that could be granted by the kings to individuals on the lands given to them, there remained always a right of superior property of the king¹.

The starting point of Rostovtzeff’s reasoning was an early Hellenistic series of donations of land from Asia Minor². The first case is that of King Antiochos I, who granted lands to Aristodikides of Assos between about 277 and 261 BC³. Aristodikides was also given the opportunity to include his estate within the borders (II 1. 24 προσορίσαι) of a city of his choice, provided this city was in the king’s alliance (IV 1. 71–72, πρὸς ἣν ἂν βούληται πόλιν τῶν ἐν τῇ ἡμετέραι συμμαχίαι). The second one is that of the Seleucid official Larichos, who around 275–270 BC or a little after probably received the right to attach his estate to the territory of the city of Priene⁴. The third one is that of Antiochos II’s sale of domains near Kyzikos and Zeleia to his repudiated wife, Laodike, in 254/253 BC⁵. Like Aristodikides, Laodike also received the privilege of attaching these lands to the city of her choice, if she wished to (I. 29–30, κυρία ἔ[σ]ται προσφερομένη πρὸς πόλιν, ἣν ἂν βούληται). The dossier makes clear that a land either belonged to a civic territory, the *χώρα* of a πόλις, or to the royal territory, the *χώρα βασιλική*. The king’s right on his land was ultimately based on a balance of power, which in the Hellenistic kingdoms had been established by Alexander’s conquest, which made him the owner of the lands of the former Achaemenid kingdom, a right inherited by his Hellenistic successors.

By contrast, even when the king made a grant of a land that was not attached to the territory of a city, and whatever the rights given to the beneficiary of the grant, the

¹ Rostovtzeff 1910, 249–252.

² On this dossier, see Bresson 2016, 112–117, and Capdetrey 2022, 190–214.

³ Welles, RC 10–13; *I.Ilion* 33.

⁴ *I.Priene*² 29–31, with Gauthier 1980.

⁵ *I.Didyma* 492ac; Welles, RC 19, 18, 20.

king always kept a superior property right on this land. The most striking document to support this theory is provided by an early Hellenistic document from Kassandreia, in Macedon⁶. The region from which the inscription comes from is in Chalkidike, a region that had been conquered by King Philip of Macedon. In 348 BC, Philip had destroyed the city of Olynthos and annexed its territory to Macedon. An inscription from Kassandreia reveals that a gift was made by King Kassandros, whose rule over Macedon started in 316, but who officially reigned as king between 306 and 298 only. Given that l. 1–2 Kassandros receives the title of βασιλεὺς Μακεδόνων, this indication dates the document. Kassandros gave to Perdikkas two lands. But the lands in question were already allocated to Perdikkas' grandfather Polemokrates, who had already received them as clerouchic land (l. 6–8 οὗς ἐκληρούχησεν Πολεμοκράτης ὁ πάππος αὐτοῦ). Then apparently (the text is here confusing probably because some letters are missing), Perdikkas' father Koinos received them as gift from King Philip (l. 10–11), before they were again given to Perdikkas by Kassandros. To the gifts were attached specific privileges. The beneficiaries held the estates “as patrimony to them and their descendants, with the right to possess them, to exchange them and to sell them” (l. 11–15, ἐμ πατρικοῖς καὶ αὐτοῖς καὶ ἐκγόνοις κυριοῖς οὕσι κεκτήσθαι καὶ ἀλλάσσεσθαι καὶ ἀποδόσθαι). Besides, Perdikkas receives from Kassandros, as a gift and with the same privileges, a land he has bought from a certain Ptolemaios, who himself had received it as a gift from King Alexander. Furthermore, Lysimachos as king of Macedon gave as a gift in 285/284 BC a domain in similar conditions to a certain Limnaios⁷.

These documents illustrate well the notion of superior royal property. Unless a domain is removed from the royal land and attached to the territory of a city, the king always keeps a superior property right over it. The beneficiary of the gift may fully use, exchange, and sell the land he has received. But the successive kings never abandon their rights over these lands. From a famous document from Hefzibah, near Skythopolis (Beit She'an, in the Jordan valley), we learn that a high ranking official, Ptolemaios, the son of Thraseas, who had been *stratēgos* and *archiereus* in the service of the Ptolemies, switched sides and accepted to play the same role in the service of the Seleucids⁸. These events took place during the campaign of Antiochos III against Ptolemy V in southern Syria at the turn of the third and the second centuries BC, during the fifth Syrian War⁹. Ptolemaios had obviously obtained from his new master the right to keep the properties that had been given to him by the Ptolemies and he petitioned the king to make sure that his villages would not be harmed, given that insecurity prevailed because of the war or the period of disorder that followed it. He refers to them in the following way: “as far as the villages that are in my possession and in patrimony and that you have ordered to record...” (F l. 23–25, εἰς τὰς ὑπ[αρχ]οῦσας μοι κώ[μ]ας [ἐγ] κτήσει καὶ εἰς [τ]ὸ πα[τρ]ικὸν καὶ εἰς [ἄ]ς σὺ προ[σ]έταξας καταγράψ[αι])¹⁰. Of course, we have here only one category of villages, and the vocabulary directly echoes that of the inscription

⁶ Hatzopoulos, *Mac. Inst.* II, 43–45, no. 20.

⁷ Hatzopoulos, *Mac. Inst.* II, 45–46, no. 22.

⁸ *Ed. pr.* Landau 1966. See SEG 29 1613 and 1808; 41 1574; 47 2056 (commentary); 57 1851; 67 1364.

⁹ For an update on the chronology of the dossier, see Savalli 2018.

¹⁰ The reading [ἐγ]κτήσει in one word, still accepted by Heinrichs 2018, does not make sense. Landau 1966 had already correctly read [ἐγ] κτήσει.

of Kassandreia, [ἐγ] κτήσει corresponding to κεκτῆσθαι and εἰς [τ]ὸ πα[τ]ρικὸν το ἐμ πατρικοῖς¹¹.

With the four articles of this dossier, the point is certainly not to devote a full treatment to the question of the cleruchic or katoikic land and of the *dōreai* in the Hellenistic kingdoms but to set milestones allowing to move forward in the research on the topic¹². The Macedonian matrix explains why we find the legal definitions from Macedon to Seleucid Asia Minor and Syria, the case of Hefzibah offering an easy transition with the Ptolemaic world, given that, before being granted villages by Antiochos III, Ptolemaios had obviously received them earlier from the Ptolemies in the same conditions. Nevertheless, to fully make sense of these legal categories, one must even go beyond the Macedonian matrix and admit that we have here a common Greek legal archetype.

In this dossier, I present the case of the first Athenian cleruchy at Salamis, seemingly in the early sixth century. Why did the Athenians create a cleruchy at Salamis? The island, so close to Athens, was after a long and bitter fight taken from the Megarians. The Athenians needed to maintain their control over this territory and specific military measures had to be taken to this end. Besides, the territory was not geographically contiguous to Attica but separated from it by a sound. But, above all, the territory had been conquered by a common effort of the Athenians, and the former inhabitants, whom our sources present as Megarian settler soldiers, had obviously expelled the former indigenous inhabitants. We are lucky enough to have in a late Archaic inscription part of the statute that the Athenians established for their settler soldiers in Salamis. It shows that those holding a *klēros* there had to accept specific rules regulating the use they made of it, implying that they would not be absentee landlords. Similarly, they had to accept the obligation to play a direct military role in the island under the order of a military magistrate. The Salamis statute was referred to in an inscription from the Athenian cleruchy in Lemnos. Whatever was the subsequent evolution of the statute Athenian colonies (an evolution that was indeed very complex), the case of the cleruchy in Salamis puts beyond doubt that the concept of cleruchy was not confined to Macedonia.

The case of Bosphorus analyzed by Askold Ivantchik presents a specific situation. Over there, the difference between king and cities, which is so well marked in the case of Macedon, is blurred. The rulers of Bosphorus defined themselves as ἄρχοντες, not as kings, and in practice, the local cities lost all real existence. For this reason, it is unlikely that there was a distinction between civic and “royal” territory. However, this does not mean that, although for now they are not attested, there were no cleruchs in Bosphorus, for the rulers could settle foreigners on lands of the kingdom, as is proven with the case

¹¹ The clause has been much debated, and some have thought that we had here not one category of villages, but two (1. καὶ εἰς [τ]ὸ πα[τ]ρικὸν; 2. καὶ εἰς [ἄ]ς σὺν προ[σ]έταξας καταγράψ[αι]), or even three (1. [ἐγ] κτήσει; 2. καὶ εἰς [τ]ὸ πα[τ]ρικὸν; 3. καὶ εἰς [ἄ]ς σὺν προ[σ]έταξας καταγράψ[αι]); see the detailed discussion in Criscuolo 2011, 472–474 (with also Savalli-Lestrade 2018, 369, n. 9), who herself adopts (incorrectly) the solution of “two categories”.

¹² See Billows 1995, 111–182, for the Macedonian settlers in Asia Minor, with pp. 132–137, an excellent analysis of the right of resumption and the legal framework inherited from Macedon in Seleucid Asia Minor; Mileta 2008 for the royal land; Bar-Kochva 1976, 20–53, for the recruitment of the army and settler soldiers in the Seleucid kingdom, and Fischer-Bovet 2014, 199–299, for the same aspects in the Ptolemaic kingdom; Monson 2012a, 9–12, and 2012b, 75–79 and 84–86, for Ptolemaic Egypt in the late third century BC, and Christensen *et al.* 2017, 39–43, for the second century BC.

of the settlement of refugees from Kallatis on land of the kingdom in the early third century BC.

Through the Kassandreia inscription referred to above, we know that *klērouchoi* existed also in Macedon. The document is important for it prefigures the two sides of land grant in the Hellenistic period. On the one hand, it mentions lands given in cleruchy. On the other, it refers to the same lands given with special privileges attached to the donation. This helps us to understand the situation in the Hellenistic kingdoms, in the Seleucid kingdom with the lands given in *dōrea*, but also in Ptolemaic Egypt, where, comparatively, we have an exceptionally rich dossier of sources.

Based both on Greek and Demotic documents, Dorothy Thompson's article illustrates the significance of the cleruchic system for the Ptolemaic monarchy. It also shows that the institution undergone deep evolution over time. Under the first Ptolemies, the Ptolemaic cleruchs were mainly Macedonian cavalry troops who received fairly large *klēroi*. The system had the advantage of avoiding having to pay them when they were not under arms. Besides, the estate and the family they left behind ensured the loyalty of the cleruchs to the Ptolemaic monarchy. At the death of the holder, at least if there was no son (the question is a matter of debate) the *klēros* came back to the crown. Over time, however, a more common type of inheritance developed. In the first century BC, division of the plot between several sons was perfectly possible. Another evolution concerns the categories of population that could become cleruchs. Beyond the elite cavalry settlers of Greek origin, the *katoikoi hippeis*, a series of middle-rank and even lower-ranks soldiers, policemen and guards could have access to cleruchic plots, the sizes of which were much smaller than those of the cavalry men. Another striking evolution is the increasingly greater number of cleruchs of Egyptian origin. The institution of the cleruchy thus also became a way to integrate people of Egyptian origin into the Ptolemaic system of social control.

An objection still often opposed to the existence of a common legal Greek archetype of the Hellenistic cleruchic system is the existence of similar systems of settlements of soldiers on land tenures in the kingdoms of western Asia and in ancient Egypt¹³. But the existence of similarities between various social systems does not mean that these systems were identical. Brian Muhs shows that in ancient pharaonic Egypt, particularly in the New Kingdom, plots of land could be granted to veterans. Besides some foreign soldiers such as the Sherden could be settled on lands allocated to them by the crown. In this case, the system of allotment was used both to have at hand soldiers ready to be mobilized and to integrate foreigners into Egyptian society. In the Saite and Persian Achaemenid periods, according to Herodotus, there existed a hereditary class of warriors (*machimoi*) itself divided into two categories, the Hermotybies and Kalasyries, which Egyptian sources now allow us to identify. Besides, however, there is no evidence that foreign soldiers were allocated land to cultivate to support themselves economically.

Thus, a system of land tenure existed in ancient pharaonic Egypt. We know besides that there existed in the neo-Babylonian kingdom and in the Achaemenid kingdom a similar system of land tenure, the *ḥaṭru*. The term refers to a community that was allotted lands to be cultivated in family plots, with at least originally the expectation that

¹³ See for instance Heinrichs 2018, 303.

soldiers would be supplied to serve in the army, if needed¹⁴. Therefore, a system of land tenure to support soldiers is not specific of the Greek Classical and Hellenistic world. But Brian Muhs rightly shows the difference with the Greek and Macedonian legal system. In the first phase after the conquest, the cleruchies were planted on conquered territories whereas, at least in pharaonic Egypt, the plots of land allocated to the soldiers were in the country itself. By contrast, the long-term evolution of the cleruchic system as described by Dorothy Thompson for Ptolemaic Egypt shows a trend towards a progressive erosion of the specific characteristics of the Greek cleruchic system. This trend corresponds to the global transformation, and to some extent, to the partial integration of the imported Greek component into the societies of Western Asia and Egypt that had preceded them. This is not a conclusion that would have displeased Michael Rostovtzeff.

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¹⁴ Briant 2002, 76, 398, 405, 417–418, 459–463, 485–486, 506, 598, 601, 633, 747, 795, 892, 897.