Debt's fourth millennium seen from below: how papyri modify the picture

Debt's fourth millennium seen from below: how papyri modify the picture[1]

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> For most of us, "Medieval" remains a synonym for superstition, intolerance, and oppression.[2]

To put this on paper in 2011 is to ask for trouble, at least with medievalists. The profession has been trying for almost half a century to shed that image – largely successfully, it thought. Yet as David Graeber's brief sentence shows, that success may be largely self-referential: it seems to have escaped even a book with the breadth of erudition of *Debt*.[3] "According to the *conventional wisdom*," Graeber continues, "with the collapse of the empire, the cities were largely abandoned and the economy 'reverted to barter,' taking at least five centuries to recover."[4] His intention is to deconstruct that narrative: it is not because there were no coins, he says, that there was no money: "conventional wisdom" is wrong because it takes for barter what is actually virtual money, which is what the middle ages were all about. The problem with this line of deconstruction is that it rests on the same basic premise as its target proposition, namely that the period was demonetised – and therefore, following the argument of *Debt*, not subject to the military-coinage-slavery complex that distinguished the axial age. Yet recent decades have already seen a much more radical deconstruction of the "conventional wisdom" Graeber refers to, and the levels of monetisation are one of the areas that have undergone important revision. These are now known to have been much higher than had been thought in the past – and even in earlier scholarship one would be hard-pressed to find the expression "reverted to barter". More generally, the long-standing idea that the European early middle ages were based on a gift economy as opposed to the later middle ages, whose more rational economic practices prepared the world for modern capitalism has itself been radically revised.[5] Curiously, Graeber does not make use of Chris Wickham's *Framing the early*

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[2] Graeber 2011: 251.

[3] See already Pernoud 1977. That conception does admittedly resurfaces regularly even among historians, in general Classicists lamenting the loss of their world. The most recent example of this is Nixey 2017, on which see Cameron 2017.

[4] Graeber 2011: 251-252; my emphasis.

[5] On monetisation see Banaji 2007; Carrié 2003; Naismith 2014a; Naismith 2014b; and Howgego 2013 contextualising Roman monetisation. The most recent critique of the paradigm opposing early and late middle ages is

middle ages,[6] which had appeared six years earlier and would have offered the systematic and wide-ranging attempt by a specialist to analyse the structural and economic transformations that took place between 400 and 800 that *Debt* so cruelly lacks. It would have offered a convenient and up-to-date point of departure for Chapter 10, and so would at least some of the work done since the 1970s on late antiquity, "long" or not,[7] which has contested the idea that it represented a steady "decline" into some sort of barter-based "dark age."[8]

Yet even though Graeber draws out the "axial age" in the Mediterranean area until at least the sixth century, and like Pirenne sees the rise of Islam as a harbinger of the middle ages, this remains a boundary of principle: what he actually describes and compares in *Debt* is on the one hand the classical world – imperial Athens, the Roman Republic, and the Principate – and on the other the later Abbasid caliphate and the European high middle ages. The centuries in-between are neither here nor there – an ambiguity well illustrated, for instance, by the use of the "Church Fathers"[9] as examples both of the "axial age" situation (lenders were ruthless) and of the ideological framework of the middle ages (denunciation of usurious lending).

This highlights one of the main difficulties of the diachronic paradigm of *Debt*, namely its lack of engagement with the process of historical change and the pitfalls of chronological boundaries. It adopts wholesale a periodisation that is culturally constructed to suit the West's image of its own past, and that is currently under multi-pronged attack among historians,[10] and transforms it into a heuristic device that, ultimately, and despite significant efforts to achieve the contrary, applies Western interpretive categories to a global grand narrative. This leads to a reification of canonical "periods," which somehow come into existence with no transition: ancient empires "collapse" and the "middle ages" are suddenly there.

Mell 2018, esp. ch. 8, "From gift exchange to profit economy reconsidered: toward a cultural history of money", 147-173 (citing previous literature); on the convertibility of monetary obligations in the middle ages see Feller 2009.

[6] Wickham 2005 is not only absent from the bibliography, but the entire strand of research it represents and to a large extent epitomises is ignored in *Debt*'s account of the middle ages. This is all the more surprising as it offers a much more historiographically informed version of the same basic dynamics, namely the demise of imperial state structures in favour of localised aristocratic power.

[7] The phrase "long late antiquity" usually refers to the inclusion within the period of the Umayyad dynasty, stretching late antiquity to ca. 750, a practice that has left several specialists of the period unconvinced; see Cameron 2002.

[8] Starting with Brown 1971; Marrou 1977; and Brown 1978; some general reflections on the field in 2008 can be found in the first issue of the *Journal of Late Antiquity*, esp. Ando 2008; James 2008; Marcone 2008; more recently, Humphries 2017.

[9] The unqualified use of the fundamentally Western Christian emic expression "Church Fathers" is quite surprising in a self-professed anti-establishment narrative.

[10] Jussen 2016; Jussen 2017.

Arguably however, such critique misses the point. If one considers the overall organisation of the argument in *Debt*, it becomes clear that the approach feeds into a rhetorical strategy adopted by Graeber in order to build up a counter-narrative of sorts – one in which the West's traditionally glorious periods are cast as negative, and its "decadent" or "dark" ones as positive; and where the Near East becomes the "Near West," signalling the adoption of a non-Western point of view. The historiographical shortcuts mentioned above are, in fact, part and parcel of that strategy: they serve to mark clear oppositions between set periods, which are assessed in a way that Graeber presents as unconventional. That contrast appears all the more clear-cut when the periods identified by the standard periodisation as transitional are left out of the picture.

Therefore, as Miranda Joseph has pointed out in a long review, one should not judge Graeber as a historian, but as a prophet.[11] Indeed in *Debt*, world history is conceptualised metaphorically as a pendulum going from one pole to another, one bad, the other less so, and the aim of the book is, ultimately, to presage an unavoidable swing of the pendulum in the near future. Because of this implied cyclical repetition, the historical narrative is above all a tool that serves to establish the unavoidability of that swing, and therefore the middle ages not only *have* to be different from the axial age, they have to be its opposite. This is built up through a series of binary oppositions, most of which work in parallel with the central couple, empire (or state) *vs* community. The former is abstract and depersonalised, the latter personal; the former creates "commercial economies," through abstract and exploitative "markets," while the latter fosters "human economies." Overall, the choice of terms to describe the opposites leaves little doubt as to the moral value they are given in the book.

Yet even if *Debt* is not a work of history, it uses history to make an argument, and therefore the accuracy of what is presented as historical evidence backing up that argument does have some importance. This is especially true with regard to the opposition between "axial" and "middle" age, as it is central in establishing the historical possibility of a social alternative to imperialistic, overmonetised, oppressive, and exploitative states based on slaves, armies, and markets – which, hardly caricatured, and, to a large extent justified, is Graeber's view of classical antiquity. It is this premise, central to his entire argument, that I would like to discuss here, with reference to the transition – and by extension the opposition – between his "axial age" and his "middle ages." Was it really so radical? Was that "middle" period so immune and resistant to the aspects of human nature that made the great ancient empires? Instead of focusing, like Graeber, on the legal and

[11] Joseph 2013: 661-663.

intellectual framework, and the overall macrostructures, I shall instead apply a microhistorical lens to several village communities to observe how debt was handled in practice, and explore what that can tell us about the broader model. To do this I shall rely on the information supplied by Egyptian and Palestinian documentary papyri, a source that allows us to zoom into the rural communities of the eastern Mediterranean like no other, and covers equally the entire time-span from the early Roman empire to the Caliphate. I shall attempt here to treat the entire period thematically without preconceived points of rupture, so as to offer so far as possible a bottom-up view of actual practice.

Using debt and credit

The first thing that becomes evident to anyone perusing papyrological documents is that micro-credit pervaded rural life, and that their modality hardly differed at the local level throughout the entire Graeco-Roman and post-Roman period, even if it corresponded to constantly changing modes of fiscal administration and labour organisation. In the Egyptian countryside, loans and debts were on the whole treated as socio-economic tools by all parties involved in a variety of ways, revealing a versatile use of borrowing and of the sorts of relations it creates and sustains.

Throughout the period under consideration, most rural loans were taken out for agricultural investment of different sorts, often simply the acquisition of seed, but also of irrigation devices, tools, or cattle. Repair of infrastructure and transport were other costs that could be covered by small loans, almost always short-term agreements to be repaid after harvest. Many of these could bypass coins altogether, as it was possible for example to borrow seed and repay directly in produce. This system is very common for preindustrial rural credit, and has been abundantly studied for late medieval and early modern Europe, where the documentation is very rich. It is also a system that tends to function in parallel with highly monetised economies: monetised cities and market towns coexisted with a much less monetised countryside. There were numerous contact points between the two, of course, the most obvious one being the tax system. When the central authority demanded taxes predominantly in coin, the necessity to borrow cash increased, while in periods when taxes could be collected partly in kind one could function to a much larger extent on virtual money.

During the almost seven Roman centuries taxation was far from stable. Even though eventually the taxes paid at the provincial level were in coin, they were not always collected in coin locally: local collections changed several hands before arriving arrived at their destination, and could be in kind at the point of collection and transformed into coin in the process.[12] In the specific case of Egypt, this was also compounded by the levy of the *annona*, which was a large, province-wide tax in grain intended for the imperial capital, measured in volume and never converted to a monetary value.

Under the Caliphate, on the other hand, taxes were invariably demanded in gold even at the village level. Combined with the introduction of a poll tax, which extended taxation to those who did not own land, this demand for gold increased the dependence of rural inhabitants on individuals who could lend them the necessary cash, or pay the tax for them in exchange for labour or services. Examples of such transactions show they could be much less straightforward than they sound. In 667 or 682, in the Palestinian village of Nessana, George, son of Patrikios, the scion of a local family that was already lending money in the sixth century, paid the tax for Sergios, son of Menas, one of his fellow villagers, directly to the tax-collectors, and had Sergios sign a debt acknowledgement to him for the same sum, 4 $^{1}/_{3}$ solidi.[13] Two years later, George again advanced the tax for Sergios, but 12 solidi this time, six for the poll tax and six for the land tax.[14] Even though he borrowed money to pay his taxes, Sergios was evidently not a man in dire need. His land tax indicates that he owned land of some size, and that over the two years for which we have information on him, his land tax, and therefore presumably his holdings, increased. The second time he was also paying the poll tax, beside himself, for five other males over 14 years of age – either members of his household, or dependents for whom he paid the tax in an arrangement similar to his transaction with George. Borrowing for the tax, in this case, may well have been a way of maintaining his role as patron of his client network at a time when he was short on cash; it could have been a way of freeing his own cash for investment on his land. This highlights the complexity of local credit arrangements, and of the power relations that they imply. Was Sergios paying the poll tax for other villagers who would later repay him (or George) in kind or service? Or did he simply have a large family? As there is no mention of interest in either document, can we assume that George was helping out a fellow member of the local elite with a free loan? Or was there some unrecorded return for the favour? Did he see Sergios as a social climber it would be advisable to help, or did he reckon that with the burden of a large male family he would eventually default on his debts so that he, George, could take his land?

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[12] See especially van Minnen 2008, who shows that the credit economy was one of the main vectors of the transformation of payments in kind or in local currency into the imperial coins that were eventually collected by the central administration. For other areas of the empire, see for instance Catsari 2008.
[13] *P.Ness*. III 55 (11 April 667 or 682); see Papaconstantinou 2011: 635, and Papaconstantinou 2012: 411-412.
[14] *P.Ness*. III 59 (Oct 669 or 684).

Like today, loans were used in many different ways, and were the foundation of a number of local transactions. They allowed a number of individuals to remain in circulation economically, who without the possibility to borrow would have slipped into the margins of the system. It is no surprise, therefore, that so much late antique Christian literature, and even many documents, make a connection between lending and charity. Unsurprisingly this is a well-studied aspect of the credit economy, and I will not go into it further. What is less studied is the importance of the credit economy as a tool for women. Their ready access to objects with exchange value, largely through dowry and their own textile production, allowed them to obtain quick cash through the practice of pawning. Among women lenders, a higher proportion were pawnbrokers than simple moneylenders, and among women borrowers pawning domestic objects, generally jewels, metal plate or textiles, was the preferred procedure.[15] This was a constant feature of the Egyptian credit market from the Roman period until at least the eighth century.[16] In less affluent circles, it gave women some financial autonomy, while in wealthier ones it allowed them to conduct business. In some cases, when women got married, they gave a sum to their husband that provided him with a form of working capital, and in the marriage contract this was framed as a loan rather than as dowry, and had a repayment date. The arrangement gave the wife more control over the sum as well as over the husband, and was accordingly popular in the Roman period.[17]

Another common credit relation was to make advance payments for services or labour, something that pre-existed the Roman conquest, but was formalised under Rome in the practice known as *paramone*.[18] This was, in effect, a loan given in exchange for time-limited bound labour, the quantity of which was defined in advance. The labour in question could be supplied by the debtors, who would sign a contract binding themselves for a specfic period of work in exchange for the advance of a sum. It could also be provided by one of the debtor's dependents: in particular, there are several extant cases of parents contracting out their children in exchange for cash advances.[19] All such contracts also contain a clause stipulating that if the labourer wishes to leave, it is possible on condition of the full repayment of the loan / advance payment: the labour is therefore only "bound" as long as part of the debt subsists. Among other things, the arrangement provided another way for women to obtain quick cash, and it is sometimes found for wet-nurse

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[15] Papaconstantinou 2016b; see also Wilfong 1990; Wilfong 2002; Papaconstantinou 2016a.

[16] Lerouxel 2006; examples of loans against pawns from the early empire are *P.Coll.Youtie* II 96 (192), a receipt for pawned gold earrings, and *P.Oxy* I 114 (2nd or 3rd c.), with a list of objects very similar to a dowry list.

[17] See for example *PSI* I 64 (Oxyrhynchos, 1st c. BCE); *P.Oxy.* II 267 (37 CE), both from Oxyrhynchos.

[18] See Westerman 1948; Samuel 1965; Hengstl 1972; Hopkins 1978, ch. 3; and the discussion in Harper 2011: 373-376.

[19] See Vuolanto 2015; Yiftach-Firanko 2010b.

contracts.[20] In a contract from the second half of the third century, for instance, a woman receives in loan from another woman a sum with which to pay off a debt incurred by her father; in lieu of interest, she binds herself to do weaving work for the lender until the debt is repaid. This could be a woman whose father died leaving her with a debt, which made it necessary for her to borrow; or, if the father was still alive when the document was drawn up, it could be a concealed case of *paramone,* where the father effectively used his daughter's labour as a way to pay off his interest – on a loan contracted to pay off another loan.[21] The same arrangement can be found in documents from the early Islamic period, both in Egypt and in Nessana.[22]

This leads me to another common practice, namely what one might call serial borrowing. Indeed, it is clear that at all levels individuals took loans to pay off other loans, or even took loans to lend to others. A variant of this are borrowing agreements made with a third person as guarantor instead of a collateral security: in case of default, or simply at the end of the agreed period, the guarantor paid the creditor and then signed a new agreement with the debtor, possibly with yet another guarantor.[23] This was a way of refinancing *ad infinitum,* and did not involve providing services or losing land or other property – but it did involve a complex network of patrons, and therefore one or several concurrent relations of dependence. Presumably over time the sum owed grew with the interest, but this hardly mattered – until, for instance, one's wife or daughter inherited the loan and did not have the same social means to continue moving ahead heedlessly. This practice was also common at all levels: we see it with small loans between villagers, and with much larger ones involving official figures. One very interesting case is a bilingual declaration in Coptic and Arabic from the first half of the eighth century, in which Antony, son of Herakleides, the headman of How in Middle Egypt and a deacon, agrees that he has no further claims on Severos, son of Bane, who had borrowed 40 gold pieces from him, because the sum had been paid on behalf of Severos by Muslim b. Bashshār, an inhabitant of Shmun (the area's big city). The reason why there is an Arabic version of the declaration is that it served as a security for Muslim, and as proof that Severos now owed *him* the 40 gold pieces.[24] This document is interesting because it shows not only the extent to which such practices continued at the local level throughout the period, but also how quickly the Muslim newcomers tuned into the prevailing system of patronage. The same form of "refinancing" was also practiced in aristocratic circles: in

[20] For example *BGU* IV 1058 (31 BC), which could be an even more complicated arrangement involving a mother and her son for whom the wet-nurse is to work; *P.Köln* II 102 (418), contract between a village woman and an inhabitant of the city for two solidi.
[21] *SB* IV 7358 (Karanis, 277-282).
[22] Boud'hors and Calament 2015: 46-53, no. 4; *P.Ness*. III 56 (Nessana, 18 January 687).
[23] Papaconstantinou 2016a: 626-629.
[24] *P.Ryl.Copt.* 214 (Hermopolite, 1st half 8th c.).

the sixth century, for instance, we see the very wealthy Fl. Christodote start an action against an Alexandrian banker who did not pay her a sum on behalf of her brother, from whom she borrowed to repay another creditor. The sum in question, 61 pounds of gold, is enormous for the time, and was no doubt secured by mortgaging her vast land holdings. It also gives an indication of the levels of conspicuous consumption practiced by aristocratic circles in late antiquity, which fuelled a thriving credit economy among the elites.[25]

There is a large amount of evidence for this well-practiced system of networking, which allowed borrowers to surf their way out of default by transferring their debt from creditor to creditor. Most individuals in rural areas had networks of both patrons and dependents, even if only their children, and could use them to engage in different forms of transactions that balanced debt and credit in a way that gave them more agency than allowed by the narrative of total dispossession. Those who owned land or houses could also use them to secure their loans. But the majority of rural loans were too small for such valuable counterparts, and we see them secured against movables, generally objects, but also cattle or camels, and in some cases short spells of labour (one loan is given against the one-off sowing of the creditor's field[26]). These securities were sometimes returned, and sometimes lost; both scenarios gave rise to contracts stipulating the transfer of the property. Even allowing for a higher degree of documentary invisibility, very few individuals were only on the bottom side of everyday transactions: most rural inhabitants functioned either as both debtors and creditors, or mobilised other resources to resist loss of status.

Abusing debt and credit

The many social uses of credit account for its success and pervasive presence, despite the risk taken on both sides. If there was indeed a risk for the creditor, which has been the focus of countless studies, it was nothing, experience shows, compared to the risk taken by the debtor. The ruthlessness of lenders mentioned by Ambrose of Milan and Basil of Caesarea,[27] whom Graeber cites as representative of the church fathers, was above all a morality tale that they used in heavily allegorical works about Christian behaviour. Yet they did tap into a bleak social reality: documents indeed show that their metaphors were embedded in everyday life, and therefore resonated with their audience. Some documents indeed offer textbook cases of exploitation of peasants by the inhabitants of towns or cities. A telling example comes from the eighth-century

[25] PSI I 76 (Oxyrhynchos, 573); on conspicuous consumption and credit in late antiquity see Samellas 2017.
[26] *P.KRU* 59 (Jēme, 733 or 748): in exchange for 1.5 solidus, the borrower undertakes to sow one aroura (ca. 2,760 sq m) with flax on the borrower's land and to irrigate it three times until it is ripe.
[27] Graeber 2011: 283-286.

Herakleopolite nome. An inhabitant of the village of Thelbo had initiated proceedings against an official of the city "on account of some objects of mine which I left as a pledge some days ago." The official had claimed that the objects had been bought, not deposited as a pledge. The standard procedure of taking an oath in the church was followed, and the oath of the official was taken as proof that his claim was true. The villager had to renounce the ownership of the objects, but also pay a fine for accusing the official wrongly.[28] Other documents show powerful local elites behaving similarly, often, after the fourth century, with the complicity of the church. In the southern town of Jeme, the early eighth-century archive of the pawnbroker Koloje, whose family had been in the lending business for at least three generations, contains several transfers of pledges after default. One document indicates that she did not hesitate to take her debtors to court, and another that at least one debtor suspected her of tampering with his pledges: again, the affair was settled by an oath which she took in a church, and apparently her word was proof enough that she was not guilty.[29]

Other cases highlight gendered forms of abuse. Male lenders evidently found women without male protectors easy prey: a number of documents are pleas by women for help against such abuse. Again in the region of Jeme, several seventh- and eighth-century letters from women formulate requests for help with debt issues they might not have experienced if they had not been acting alone. A widowed woman from the Theban area, for example, wrote to a well-known local monk requesting his help with two priests who had borrowed grain from her late husband and were now, after his death, refusing to pay it back.[30] Another woman of the area, who also appears to have been acting alone, wrote to two priests asking them to intervene with a man who is holding her captive on account of a loan for which she seems to have pledged her house.[31] The letter does not go into detail, as the recipients evidently know the affair, which therefore remains unclear to us. It does, however, bear witness to a practice we know was very common, namely the seizure and detainment of a debtor as a means of pressure to proceed with repayment. This form of imprisonment was purely private, and was predicated on a local consensus that the creditor had the power and authority to carry it out. From this letter, as from other cases of such confinement, it is clear that no official authority was involved in the process.

Even in cases of such gender-related abuse, social status played a role, as another case makes clear. A letter sent by a local woman to the well-known seventh-century bishop Pisenthios of

[28] *SPP* III 343 (Herakleopolis, 8th c.).
[29] *O.Medin.HabuCopt*. 93 (Jēme, 7th/8th c.); transl. in Wilfong 2002, p. 123..
[30] *O.Mon.Epiph.* 300; transl. Bagnall and Cribiore 2006: 249; no. 128 of the digital edition.
[31] *O.Crum* 133; transl. Bagnall and Cribiore 2006: 309; no. 187 of the digital edition.

Koptos contains a description of her plight: her husband died, and her son had to flee because of the Persian invasion, which also resulted in the loss of part of her cattle; her letter to the bishop is a request for him to intervene with the authorities so that "the moneylender," who had already taken the rest of her cattle, would not also take her house.[32] She had clearly been a woman of some means, since she owned a house, a field, and cattle, and even though the circumstances had made her vulnerable, she had no doubt been on the exploiting side of the barrier some years earlier. The fact that her social status was higher than her economic position at the time of writing allowed her to hope that she could escape the seizure of her house for what must have been a relatively large loan for the region, through the intervention of an important figure of authority to whom she had direct access.

As the examples above show, abusive credit/debt relations did not need the state to thrive: social norms, group consensus, and the latent violence present in hierarchy and dependence were more than enough to sustain it. Imperial legislation, even though it secured the property rights of lenders and therefore their right to enforce repayment, also attempted to control that enforcement and limit the more extreme forms of abuse. In the sixth century, possibly wishing to curb the rising power and fortunes of local magnates, the emperor Justinian not only halved the official interest rates, but also took measures against lenders who accepted land as security for loans and did not return it after the loan was repaid; land under cultivation could not be seized in case of default; transferring land as a result of default was regulated and made more difficult; and detaining a debtor's children as security for loans was prohibited.[33] Coming after earlier attempts to regulate credit practices, Justinian's legislation was not only concerned with the protection of the lenders, but also with that of the borrowers. This is not as surprising as it might seem, nor does it necessarily show Justinian's concern for the weak: it can be understood as an attempt to curb the rising power of local aristocracies by limiting their sources of income.

Disputes related to debt are prominent in the late antique documentation. This is possibly – at least partly – an effect of the rise of private arbitration, a procedure that produced several documents locally, in places where papyri have been found. But one should not underestimate the role played by the decline of some of the earlier centralised institutions, which resulted in the reinforcement of the power of local worthies. Most of the abuse we see in the documentation actually comes from individuals in the same villages or districts who deemed themselves more powerful than the

[32] *SBKopt*. I 295; transl. Bagnall and Cribiore 2006: 242: no. 116 of the digital edition; see also the ed. pr. in Drescher 1944, and the discussion in Papaconstantinou (in press).
[33] Respectively CJ 4.32.26.2; Nov. 32, 33, 34a; CJ 8.26.11; CJ 8.17.8; CJ 1.5.22; Nov. 134.7.

borrower - sometimes, as shown above, simply because they happened to be men dealing with women.

In some cases protecting the lenders was not an idle pursuit, especially in the case of transactions among realatively well-to-do individuals. Borrowers mortgaging their land, for example, often seem to have been so confident that they would not lose it, that they mortgaged the same piece of land for different loans from different lenders. This was common enough to warrant the introduction in the second century of a new registry office by the Romans where all claims on land, houses, and slaves were archived.[34] This sparked a rise in the credit market, with generally higher loans in coin than had previously been the case. The institution slowly changed nature, however, and disappear in the documentation after the 320s. The practice of competing claims to accumulate on the same land resurfaced and one of the most famous cases is a dispute settlement from the sixth century featuring none other than the ex-consul Apion. The longest Greek document on papyrus published to date, it recounts a litigation between a monastery in the area of Oxyrhynchos and Apion, both of whom had lent money to the same man, secured on the same land. The case might never have come to light had the borrower not died without repaying either lender.[35] Others would sell land that was mortgaged without letting the buyer know.[36] We only know of such cases when unexpected circumstances gave rise to contestation or conflict, which are by nature document-producing situations. No doubt the practice was much more common than what is reflected in the documentary record.

Debtors, creditors, and imperial institutions

It was common for individuals to borrow within their own social group, setting up a relation of trust that was one of equals – what Roman businessmen would have called “friendship.”[37] This is reflected in the minimalist information given on some debt acknowledgements, which presupposes another level of relations between the two parties. Others were forced to borrow from usurious or exploitative lenders who built their fortunes from the seizure of collaterals without much personal involvement. Most credit relations, however, were between a patron and a client, or at least between a socially powerful local creditor and a socially weak debtor. That weakness did not necessarily imply insolvency, but it transformed the loan into an obligation that went

[34] Jördens 2010a; Jördens 2010b; Yiftach-Firanko 2010a; Lerouxel 2012; Lerouxel 2016: 145-192.
[35] *P.Oxy.* LXIII 4397 (545); onthis document see Urbanik 2009.
[36] *P.Vat.Aphrod.* 10, 1-24
[37] See Veyne 2000: 1187. The categories of credit relations described by Veyne for Rome in the early empire are hardly different from those of the early Islamic period in Egypt.

beyond its monetary value, because it was usually framed as a favour or, as some documents call it, a "charity."[38] This sort of relation also resulted in domination and exploitation, but not always in complete dispossession: it was the fear of dispossession that maintained the relation of domination, which was arguably more useful to local elites in building their authority and power base than the accumulation of pledged objects.

In this conundrum of exploitative relations state institutions often appeared to act as regulators. Even though legislation created a framework of rules and principles that permitted – or made possible – forms of coercion used by creditors against debtors, in principle at least recourse was available to all when the rules were broken. The fact that the legal tools offered were more easily manipulated by the rich and powerful is not entirely surprising. It is clear, however, from the number of petitions made to the authorities, that the imperial administration was perceived as a way to circumvent the local powerful, and raised hopes of obtaining justice in the face of abuse.

In the seventh century, when the reach of state authority was at its weakest in remote areas because of the Persian and Arab conquests, this possibility broke down. Other figures of authority, like members of the clergy or "great men" (elders?) in a village, were called upon by the weaker party to mediate in cases of conflict. One almost mechanical consequence of the lack of state authority was that the interest rates, which had been lowered by Justinian to between 4% and 6% for private loans, soared to 16.67% in the seventh century. After the Arab conquest, the hands-off attitude of the new rulers reinforced the power of the local elites. The principle of the Caliphate that gave autonomy to the "people of the book" to govern their own people allowed village and town elites to control wealth, justice, and forms of coercion all at the same time, with no recourse for weaker group members. The imperial legal frame of reference remained, but it was both interpreted and applied by the same local elites: there was no longer a central instance to control its implementation. The only form of recourse against abuse was to enter a relation of patronage with another member of the elite.

Very soon it became possible to appeal to the Arab governor or to the qadi of the province, and several papyri show debt litigations having taken that route. Mostly these were creditors who had not been repaid, and the cases concern relatively large amounts of money.[39] Often such litigations were complex cases that defy binary oppositions such as creditor/oppressor *vs* debtor/oppressed. For instance, in 786-787, a case was brought before the governor of Egypt ʿAli b. Sylaymān al-

[38] *O.CrumVC* 71 (Hermonthite nome, 8th c.?).
[39] Tillier 2015; Tillier 2017, esp. 62-64 and *passim*.

Hāshimi al-ʿAbbāsi by a man whose father had died while he was a child. The father had lent four dinars to a certain Ilyās, who for a number of years used part of that money for the subsistence of the orphan, but then had left taking the rest with him. This left the orphan without means of subsistence, even though he was officially the creditor.[40]

The early caliphal regime was still a strongly military one, with the soldiers in the provincial capital living – and seasonally raiding their Byzantine neighbours – off the extractive revenue from taxation and extraordinary requisitions.[41] It was very evidently inspired by the Roman model, and in that respect did not at all herald a transition to virtual money and a "human economy." Taxes were demanded in gold coins, which would even be sent back if they were not of the right alloy with an injunction to send the righ amount.[42] The reach of the apparatus of control set up by the state was very broad, and we see, much more systematically than under Rome, a carceral organisation run by the caliphal administration alongside the private initiatives that were common locally. By the late eighth or early ninth century there was in Fusṭāṭ a prison for debtors, and the reasons for their imprisonment were duly recorded in the archive of the qadi, who had sent them there.[43] Those prisons were administered by the governor, who had political and military authority, rather than the qadi, even though the latter could imprison individuals in them.[44] This seems to have been the case not only in the capital, but also in towns and cities along the Nile Valley, such as al-Ushmūnayn, at least by the tenth century.[45]

* * *

This quick overview covering the Roman and early Islamic periods shows that on the ground, credit and debt practices varied little from the establishment of Roman rule down to the early Fatimid period. There was, in that respect, no opposition between Rome and the Caliphate, but rather a strong continuity of approach and of administrative culture, despite the constant evolution of ideologies of power at the centre, and the variety of geopolitical situations in which Egypt and Nessana found themselves embroiled over that millennium. Throughout, the central administration – call it "the state" – appears from below as a remote rule-setter and arbiter. Made to benefit the most powerful, its rules were also protective of the weak, who could – and did – use

[40] *P.World* p. 186; see Tillier 2017: 107-108.
[41] See the overview in Sijpesteijn 2013; on the financing of the military see Kennedy 2002; and on the logistics of this system inearly eighth-century Egypt see Papaconstantinou 2015.
[42] *SB* XX 15102 (Aphrodito, 19 February 709).
[43] Tillier and Vanthiegem 2018.
[44] Tillier 2008.
[45] *P.Ryl.Arab*. 15; see Tillier 2017: 137; for Jerusalem and Cairo in the Fatimid period see Rustow 2008, 162-164.

them as a form of recourse, which was essential if the rules were to have any legitimacy in the eyes of the population.

As in most large territorial polities, resource extraction was devolved to local administrators, which was what one might call a high-risk, high-gain approach, at once counting on their greed and hoping it would not spin out of control. Much of the abuse usually associated with such extraction was carried out locally: not by impersonal agents of an impersonal centre, but by the man down the street, acting as the last link in a hierarchical chain of individuals who all sought to turn the imperial system to their advantage. This created a triangulation between the central authorities, the local powerful, and the weaker and otherwise defenseless inhabitants, which gave the latter a degree of leverage, something that was especially effective in periods when the state felt threatened by local forces. In both empires, such power dynamics meant that there was constantly a latent conflict between local elites and imperial centre, resulting in attempts from the latter to restrain abusers by "protecting" the peasants.

It is also important to note that papyri provide ample evidence that violence perceived as legitimate was not – far from it – a state monopoly throughout the period. The local powerful – often within a single village – clearly considered it was their right to detain debtors or seize their goods or family members, without any due process. One could interpret the constant efforts at centralisation and increased control mechanisms on the part of imperial regimes as an effort to ensure that monopoly, and this was precisely what offered a break to those who suffered from the local manifestations of oppressive violence. At the same time, central authorities could benefit from community discipline and local mechanisms of inclusion and exclusion, and harness to their advantage those aspects of community life that correspond least to the "human economies" of *Debt*: coercion, dependence, and exploitation of anyone perceived as weak or unprotected, even – if not especially – of people one met "face to face;" indeed, sometimes of one's own children.

The evidence from Egypt comes, in its way, to corroborate the sustained critique of *Debt* by Miranda Joseph, for whom the very welcome debunking of a number of myths by Graeber (barter and primordial debt) goes hand in hand with the reaffirmation of another myth, based on what she calls the Romantic discourse of community. In that narrative, "communities" function on relations of interpersonal trust, which are displaced by the abstracted and depersonalised "arithmetic" and calculation that come with the non-communal.[46] Because of their local and often rural origin,

[46] See especially Joseph 2013 and Joseph 2014, which are direct replies to Graeber; both are based on an earlier argument made in Joseph 2002.

papyri bring to the light the degree of intracommunal exploitation and the development and establishment of hierarchies that all rely on the latent violence of debt and obligation – which, in most cases, are not as differentiated as they are in *Debt*'s main argument. In that world, the existence of formal, impersonal institutions is seen as positive, and the state, not *despite* but *because* of its distance, is understood as a delocalised potential protector.

The case of the seventh century is instructive in that respect. It saw the Persians conquer the country and then retreat, only to be followed by the Arabs some 12 years later, whose internal problems for another quarter century prevented stability and long-term organisation. When the organisation came, it initially left a large degree of autonomy to local communities on internal economic and social matters. During that period of weak centralisation, we see the levels of local oppressive behaviour rise, and with them the requests for the intervention of patrons. Where the Romans had maintained interest rates at official levels, moneylenders in the autonomous Christian communities of the Caliphate did not hesitate to overburden their fellow villagers.[47]

To come back to Joseph's critique, I would argue that it is not only the myth of the community as a human economy that needs debunking, but also that of the middle ages as a society based on such communities. These were territorial, non-voluntary communities that were coercive, exploitative, abusive, and exclusionary. They did not, at least in the period treated here, offer a safe haven against an oppressive "state" – where individuals and their debts were concerned they often even represented the opposite. The main way of escaping exploitation within the community was through local networks of patronage, which in turn involved various forms of dependence. The more patrons one had, the more likely they were to avoid dispossession – but that was at the expense of more dependence: one was able to pay off one debt by contracting another one. Patrons gave their help, but in a system of reciprocity that typically upheld the existing hierarchy, so that the system could hardly fit the model of "baseline communism," even at its simplest. In such cases, which certainly did exist, the intracommunal assistance could be framed more usefully in terms of "the instrumentality of sociability" and "the sociability of instrumentality," as Alena Ledeneva has put it.[48]

[47] This is not unlike the mechanism at the heart of the contemporary Indian agricultural crisis, where the withdrawal of the state and of formal credit institutions – which, however profit-oriented, were bound by rules – left the most destitute peasants at the hands of local loan sharks at an unprecedented scale: Sadanandan 2014; see also Mishra 2007.

[48] Ledeneva 2018: 31-32, and chapters 1 and 2.

Because debt situations were so much a mix of both local and supra-local, of legal and human, of sets of rules and networks aimed at circumventing them, of patronage and social competition, all at the same time, the role of money throughout the period does not appear to have had the function of quantification alone. Its convertibility was constant, into objects, produce, and/or services of perceived equivalent value, and the loans themselves were sometimes in a mix of two or more of those. Nor was this less exploitative than pure coin loans. Local communities did not function on credit money as opposed to imperial coin money: rather, they provided micro-clusters of credit money economies that subsumed coin money into their broader exchange system, and were embedded within a macroeconomic system of coin money. The point of contact and conversion between the two was taxation: if taxes were demanded in coin at the base of the supply chain, the need for coins touched every inhabitant, and resulted in loans from local grandees that helped protect individuals vis-à-vis the fiscal administration, but at the same time were virtually impossible to repay, at least in coin.

Thus the effect of state policies and coin use on intracommunal debt seems to have been indirect. The leverage given (or not) to local elites and communal leaders was essential in determining the fate of the rural population, and the extractive weight put on local societies made competition within them more or less acute. Unsurprisingly, imperial authorities varied their approaches over time according to their needs, and the consequences on the ground varied accordingly. This did not, however, map neatly onto our modern reified constructions of ancient and medieval empires, nor onto our equally reified historical periods: it changed more than once within each of these empires and periods, so that many “axial age” characteristics were prominent in the Umayyad and Fatimid caliphates, and many “medieval” characteristics just as prominent in the Roman empire. Ultimately, the development of binary oppositions based on received categories requires from the narrator of a story a clarity in assigning characters to one or the other that appears artificial when tested on the ground.

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