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BUSINESS LIFE AND ECONOMIC CONDITIONS
IN PALESTINE
OF THE FIRST TWO CENTURIES OF THE COMMON ERA.

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TO MY MOTHER.

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with deep gratitude, the
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TABLE OF CONTENTS.

	PAGES
Bibliography	i-ii
Abbreviations	iii
Introduction	1-2
Chapter One Agricultural Commerce	3-13
Chapter Two Business Life in Store and Shop	14-25
Chapter Three The Real Estate Business	26-31
Chapter Four - The Worker As An Economic Factor.	32-60
Section I - Professional Workers	33-37
Section II - Skilled Workers and Artisans	37-50
Section III - Unclassified Workers	51-52
Section IV - Trade and Workers' Legislation	52-57
Section V - Workers' Organizations	57-58
Section VI - Slaves	58-60
Chapter Five General Economic Survey.	60-70
Appendix A.	

BIBLIOGRAPHY.

Mishna

Talmud -

Babli

Jerushalmi - edition Krotochin.

Tosephta - edition Zuckermann - Trier, 1882.

New Testament - Revised Edition.

Bernfeld, S. - "Jüdische Geschäftsmoral - Das Lichtheft 7 -
Berlin 1925.

Büchler, Adolph - The Political and Social Leaders of the
Jewish Community of Sepphoris - Oxford, 1909.

- The Economic Conditions of Judea after the
Destruction of the Second Temple - London, 1912.

Delitzsch, Fr. - "Jüdisches Handwerkleben Zur Zeit Jesu -
Erlangen - 1879.

- Jewish Artisan Life (English Translation of
above) New York, 1883

Edersheim, Al. - The Life and Times of Jesus the Messiah, 2 Vols.
London, 1884.

- Sketches of Jewish Social Life - London - 1908

Farbstein, David - Das Recht der Unfreien und der Freien
Arbeiter - Frankfurt a/M - 1896.

Goldin, Hy.E. - Mishna BabaMetzia - New York - 1913.

Graetz, H. - Geschichte der Juden - Leipzig, 1856.

Herzfeld, L. - Handelsgeschichte der Juden des Altertums -
Braunschweig - 1879.

Hirschberg, A. - Chaye Hatarbuth L'Yisroel - Warsaw - 1923-24.

Hoffman, M. - Judentum and Kapitalismus - Berlin - 1912.

- Jastrow, M. - Talmud Dictionary - 1903.
- Josephus' - Works - Whiston Translation - Chicago - 1901.
- Klausner, Jos. - Jesus of Nazareth - New York - 1925.
- Krauss, Samuel - Talmudische Archaologie, 3 Vols. - Leipzig, 1910-12
- Mathews, Shailer - A History of New Testament Times in Palestine
New York - 1908.
- Mielziner, Moses - The Institution of Slavery Among the Ancient
Hebrews. - Cincinnati, 1894.
- Preuss, J. - Biblisch-Talmudische Medicin - Berlin, 1911.
- Rieger, J. - Versuch Einer Technologie und Terminologie der
Handwerke in der Mishna - Breslau, 1894.
- Rosenzweig, Ad. - Kleidung und Schmuck - Berlin, 1905.
- Rosenzweig, Ar. - Das Wohnhaus in der Mishna - Berlin, 1907.
- Schürer, Emil - The Jewish People in the Time of Jesus Christ.
New York, 1902.
- Sombart, Wer. - Die Juden und das Wirtschaftsleben - Leipzig, 1911
The Jews and Modern Capitalism,
London, 1913

LIST OF ABBREVIATIONS.

References to Talmud and Mishna are abbreviated following the forms as listed in Jastrow's Talmud Dictionary:

Mishna is referred to as: Sabb. 2:2

Talmud Babli is referred to as: Sabb. 12a

Talmud Jerushalmi is referred to
in the Krotochin edition as: J.Dem. 2:22 C

Tosephta is referred to as: Tos. Sabb. 2:2

Chaye Ha B'Y - Chaye Hatarbuth B'Yisroel - Hirschberg

E.C.J. - Economic Conditions of Judea After the Destruction of the Second Temple - Buchler.

Gesch. - Geschichte der Juden - Graetz.

Handelsgeschichte - Handelsgeschichte der Juden des Altertums - Herzfeld.

H.J.P. - History of the Jewish People in the Time of Jesus Christ - Schurer.

J.A.L. - Jewish Artisan Life - Delitzsch.

J. of N. - Jesus of Nazareth - Klausner.

Jos. - Josephus

T.A. - Talmudische Archaeologie - Krauss.

BUSINESS LIFE IN PALESTINE.

INTRODUCTION.

In considering the subject of business life in Palestine of the period of the first two centuries of the Common Era, we find that it is necessary to make clear at once the scope and meaning of the term "business life." To take the narrower meaning of commercial activity as reflected in, and contributed to by organised business institutions, would hardly suit the present purpose of giving a general survey of the business activities in Palestine of the period mentioned, wherever such are found. Thus, we will find it proper to consider the whole general field of buying, selling, producing, and related activities not merely as parts of an organised business structure (which we have today and which, as such, did not exist in ancient Palestine), but as we find them engaged in upon farm, in store, shop, or factory, in streets, or even in private houses; all as more or less individual efforts with but little relation one to another and, at best, only organised in a most elemental manner. In this way, we will present a picture of the business life of the country, which will include not only a consideration of business activities of the actual agents of business, but those of the contributing and assisting factors in the world of commerce, such as the professional worker, the skilled worker or artisan, the unskilled laborer, and even the slave. We thus hope, thru the medium of this picture of the business life, to reflect something of the state of the economic background of the life of the people who

dwelt in Palestine during the period under consideration.

CHAPTER ONE.

AGRICULTURAL COMMERCE.

With this in mind, we may proceed at once to the treatment of the business of agriculture, perhaps the most important part of business life in Palestine. Small and broken up by topographical irregularities as the country was, it was nevertheless intensely cultivated and made to produce all that it was possible to secure from the soil.¹ Altho we find that Palestine is usually geographically divided into three sections, Judah, Galilee, and Trans-Jordania, with accompanying differences in the products of each, we shall however deal with the products and connected business activity of the country as a whole. For even then the whole country is not of very great extent and territorial differences are therefore not apt to be many, or greatly marked. Likewise, we find that topographical differences (הרי - hill-or mountain-country, שפלה - lowland, עמק - valley-country) affect the soil products, but only in so far as some products are particularly noted in having come from some certain district of the country.² Yet, this does not form a sufficient distinction to merit it separate treatment.

Despite the smallness of the country, we find that Palestine had a rather well-developed agriculture. A large

1. Del. - J.A.L. p. 26.

2. Bicc. 1:10 תמורות שבועמקיים - Tos. Bicc. 1:5 -

רמזי עמקיים

variety of grains¹ was raised, sufficient not alone for home consumption, but probably providing as well for the exportation of quantities to foreign lands.² If we can infer anything from the large number of garden-products, the Palestinian farmer did not concentrate alone on grain-raising, but gave much of his time and land to truck-farming.³ Fruits, altho limited in variety (as compared with the modern abundance) were also given their share of attention by the cultivators of the land.⁴ This is particularly so in the case of olive- and vine-raising and palm-tree cultivation (date-palms), which constituted very important farm-industries of the country.⁵

-
1. Kil. 1:1-9 gives a rather complete list of the grains; also Maas. 1:1-8
5:8
Maas. Sh. 1:4
Orl. 3:7
Lists of which are to be found in Appendix A.
 2. D'mai 2:4; 5:6; speaks of **הסִיטוּזִית ומוכְרֵי תבואָה**, as wholesalers in grain; dealers who dealt in large quantities. Their business might, however, have been only domestic; yet, Shebi 6:5 might indicate that produce and oil were exported.
 3. Kil. 1:1-9.
Orl. 3:7
 4. Ibid.
Also, Maas. 1:4; 2:5,6.
 5. Jos. Wars 3:3;3 - (especially in Perea).
" " 3:10;8 - (especially in Gennesareth).
Kraus - T.A., Vol. II, p.214, par. 177.
Die Dattelpalme und der Olbaum sind die Hauptrepräsentanten der alten Flora des h.Landes (L.Löw, Graph. Requis. 1, 82).

We find that olive-trees grew in all parts of Palestine; those, however, that were most productive were to be found in Galilee.¹ We also find that Perea² was likewise adaptable to the culture of the olive-tree. A number of cities in various parts of the country were especially noted as sources for the olive-oil supply of the country.³ Tekoa is credited with first place as the olive-oil center, with Regeb in Perea as second and Giscala in Galilee as third.⁴ It is of interest to note that it was John of Giscala who is credited with having profited well from a clever deal in oil.⁵

Altho the kinds of olives are roughly divided into two groups (**זית שמן** - oil olives and **זית אכילה** - eating olives) we find that there were a number of varieties taking their names either from the place of their production⁶ or from

1. Men. 85 b.
Jos. - Life, Chapt. 13; Wars, 2:21;2.
2. Jos. Wars, 3:3;3. cf. Bico. 1:10
3. Tos. Men. 9:5 --
Tos. Men. 8:3
4. Tos, Men. 9:5, known as - **גוש חלב**
5. Jos. Wars 2:21;2. - John of Giscala had monopoly in oil.
6. Peah 7:1 - **זית נטופה** - Netofah olive (or olive that dripped oil).
(Tos. Peah 3:9) - **זית שפכני** - Shifkhon olive (or olive that yielded much oil).
(J. Peah 7:20a } - **זית בשני** - Beshan olive (or either rich olive or dry olive, - see J. Peah 20a top).

the quality of the fruit.¹ The quality of the oil depended not alone on the kind of olive, but more upon the state at which it was gathered and the stage of the pressing from which it came.²

Besides the use of the olive as a source of oil³ it was in itself an important food. In fact, the olive must have been a rather popular fruit, for they were sold at places where numbers of people were in the habit of congregating.⁴ Here, as in modern resorts, stalls must have been placed nearby where they were convenient and attractive to the passers-by.⁵

-
- i. Kel. 17:8 - (^{אגורי} - med. sized olive
^{אגרוסי} - med. sized olive - see Ber. 39a,
 phrps. another name
 Ab Zar 2:7)
 Tos. Ab Zar 4:8) ^{שלחין} - olives which came free from
 kernels easily.
 Men. 8:3)
 Tos. Toh. 10:12) ^{אגרוסי} - shrivelled olives - not used
 for oil.
 Ibid 11:5 ^{זיתים פרידי} - wild olives.
 Jer. Peah 7:20a - ^{זית} - a superior kind of olive.
2. Men. 8:4 - three are gatherings of olives and three stages
 of pressing from which oil is secured.
 Men. 8:5 - quality evaluated there.
3. Which was used for food, unguent, medicine, lighting-fuel -
 See (Kraus - T.A., Vol. II - p.226).
^{אפת} - an olive by-product of the waste pulp after
 the pressing, was used as a fuel also - Sabb.4:1
4. Kraus (T.A. Vol. II - p.229), maintains, however, that
 olives were sold at b.houses, as a means of securing fresh
 oil for anointing the body after bathing - he quotes Maas.4:1
 in support.
5. Tos. Hb. Zar 4:8 ^{זיתים השלחין הנמכרים על פתחי מרחצאות}

The industry of olive-culture received severe set-backs during the destructive days of the Hadrianic Wars, when the whole land was more or less devastated. But this industry, apparently a very vital and important one in the country, soon recovered from the blows of the war, so that the olive was again¹ an article of consideration in the produce of the country. (Herzfeld L., in his Handelsgeschichte quotes Plin. 15:4 to the effect that the olives of Dekapolis were sent as far as Italy).

The wine-industry, to this day perhaps the most important in Palestine, was not less so in early days. All parts of the country were adaptable to vine-culture; the hill-country² was terraced for the purpose, but valley-land was most suitable³ for the needs of the vineyard. First in importance as a wine-center was Keruchin, with Beth Rimah and Beth Laban, Signa,⁴ and Aziz following in order of importance.

1. J. Peah 7:20a top אחר ר"ש בר יקים לא אמר ר' יוסי אלא בראשנה
שלא היו הזיתים מצויין שוב אוריינוס הרשע והחריב את כל הארץ אבל
עכשו שהזיתים מצויין יש להן שבחה.

2. Shebi. 3:8,9 Men. 8:6

3. Sharon and Carmel and Gennesareth vallies were greatly farmed. See Nidd. 2:7. Tos. Nidd. 3:4; Nidd. 21a; Sabb. 77a. The Rishon l'Zion Vineyards in the Sharon Valley are famous even today.

4. Men. 8:6
(Krauss cites Ed. Löw - Men. 8:11 - in note 589 - p.603,
Vol. II)
Kil. 6:3,

Not always was the product of the vineyard converted at once into wine. We know that the grapes were often carried to the market to be sold there ¹ and it is quite possible that like other fruits they were also sold direct from the vineyards, ² as do many small growers and farmers today. The wine, however, was the product of greatest commercial importance. It was sold ³ locally at the markets for retail consumption and shipped to many places as a principal article of the export trade. ⁴ Vinegar, ⁵ or soured wine, (made so either by accident ⁶ or purposed ⁷) was a useful by-product of the wine industry. It was used not alone in cooking, but is recommended as a refreshing beverage as well. ⁸

1. Tos. Toh. 11:7

2. Maas. 2:5

3. Tos. Ab Zor. 4:12 - speaks of retail sale and wholesale as well.

4. Ibid; and see Klausner - J. of N., p.186.

5. Ned. 6:9 mentions חומץ מרורית (vinegar made from late fruits), also in Ter. 11:2, do we find mention of חומץ תפוחים - a beverage made of apple juice - possibly cider.

6. Gitt. 3:8; Sand 101a

7. Men. 8:7 Tos. 1:2 - vinegar made from תמך (the husks of pressed grapes).

8. J. Sabb. 14:14d ----- החמץ מיישב את הפה

Other fruits that formed part of the general stock-in-trade were the figs and dates, ¹ in particular. They were on sale in the markets and bought as they were in small quantities ² were undoubtedly an important article of daily food. Many were likewise packed and pressed into cakes, thus forming a convenient shipping product. ³

Cattle-raising as an extensive trade in Palestine was not possible due to the natural limitations of the land and to the restricted demand for animal products, since meat was eaten but little, as a rule, in the Orient and, once the cattle were slaughtered, the meat was difficult to preserve. Still, herding of small stock was quite possible in the rocky portions of the country, as sheep and goats are hardy animals and suited to the rough nature of the land. In fact, the herding of small stock was considered a profitable business and recommended as one way in which to become rich. ⁴ These

1. דבש תמרים - a date product called date honey; apparently a substitute for bees' honey - Ned. 6:9; Ter. 11:2
2. Maasr. 2:1-6 - possibly due to economic depression or scarcity of figs and other fruits, only small quantities could be bought at one time.
3. Maasr. 2:7
4. Chullin 84 a, 84b - הרוצה שיתעשר יעטוק בבהמה דקה
Altho there was a prohibition against raising small cattle in Palestine (B.Kam. 7:7), it is however, expressly stated there that such cattle could be raised in the wild places.

small and hardy animals were advantageous from two angles, one as a source of food, providing quantities of dairy products much eaten in the Orient, and furnishing the wool for the manufacture of articles of clothing and general fabrics.¹

Of the two animals generally herded, the goat was considered the better, probably due to its hardier nature.

Large cattle, such as cows and oxen, were always held at a premium.² As the beasts generally used for the heavy farm work, they were much in demand and we find that lending, borrowing, and hiring of animals for periods of time, as they were needed, were common practices.³ As beasts of burden, the ass and the mule⁴ were then even, as in this day, the most relied upon animals, and were particularly adapted to the poor and narrow paths and roads of ancient communication.⁵

1. B. Kama 10:9; Kraus T.A., Vol. I, p.138. See also notes 107-111.

2. B. Metzia 86b - מונחן שובבין שוין

3. B. Metz. 8:1,2; 6:3-5; Kraus T.A., Vol. II, p.116 - takes this as an indication of the poverty of the people; it may also merely indicate the scarcity of cattle as naturally existant in a small country. cf. B.Kama 7:7 and Bartanora's comment thereto.

Also the fact that conscription of animals for the government forced labor seems to have been common, is to be considered in this connection. (See B. Metz. 6:3).

4. Horses not so much in use and were usually imported for use at court and in warfare.

5. Kraus T.A., p.117.

Ass-drivers were known as a group of unreliable fellows - not trusted - Demai 4:7.

Cattle-dealing was apparently a rather important business. In Jerusalem we find a market (שוק של פסחים) devoted to the purpose¹ and considerable legislation bearing on the sale of animals to an idolater² which would indicate that the business was quite extensive. Of the by-products of cattle-raising, we have first those of the dairy, milk and cheese, (goats' milk in particular) consumed as an article of diet by all (even of therapeutic value)³. The wool was of commercial value as a native raw material suitable for all sorts of manufacture. The wool-dealers are likewise credited with a market in Jerusalem,⁴ and we hear of where they, in combination with the dyers, formed a sort of monopoly upon the trade, demanding a share in all the business that came into the city from the outside.⁵ The meat of slaughtered animals was to be bought and sold, as a rule, in the markets. The hides represented a valued source of material and were used for the making of sacks, clothing, shoes, coverings, harness, and parchment.⁶ The hides were either prepared at home, or were

1. Erub. 10:9 (wrongly given as Erub 8:9 in Klausner - J. of N. p.176, note 8). This taken by some to refer to perfumer's mart, but is to be more accurately translated as cattle-dealers' market - see Klausner, as above.

2. B.Metz. 1:6,7.

3. Makhsh. 6:5; Tos. B. Mets. 5:4
Tos. 3:3

העצים מפני שוק חלביות

4. Erub. 10:9 - רבי יוסי אומר שוק של צמחים היה - the confusion here as to whether it was a cattle- or wool-dealers' mart would indicate that both were sold at same market, as would seem natural.
See Jos. Wars, 5:8;1

5. Tos. B.Metz. 11:24 רשאי הצמחין והצבועין לומר כל מקח שיבא לעיר
6. Kel. 24:12; 26:5. צהיה כוללן שותפין בו

sent to the leather worker or tanner (¹קורטן or ¹מורט), who either dressed the hides for a fee, or who bought them and resold them after their being properly tanned. Among other parts of the animal that were used were the horns, ² which were made into musical instruments. Already the ancients had learned the care of our modern packing houses, where nothing is wasted. The blood of animals that were slaughtered was found to be a valuable fertilizer, and was marketed to ³ the gardeners.

With reference to the agricultural and cattle-raising occupations, we have a great abundance of legislation affecting and controlling the commercial activities bound up with them. But, since this legislation is primarily of a religious nature and, as such, is apart from the matter of business laws and ethics (to be treated later), we will not dwell upon any exposition of it here. The laws of Maaser (tithing), Bikkurim (first-fruits), D'mai (doubtful things), and etc., may have imposed many duties upon the farmer and the dealer in their products, yet we can hardly say that they were laws of business.

Hunting and fishing were carried on as trades in a

1. Krauss, T.A., Vol. II, p.259

קורטן - worker and dealer in leather
(trans. by Jastrow) would indicate
as much.

2. The word קרן is used both for the animal horn and the instrument. See also Krauss, T.A., Vol. III, p.96.

3. Yomah 5:6 וּמִמֶּנּוּ לְזָבֹחַ - altho this deals with the blood of sacrifices, since it was the practice to sell the blood from such, no doubt the blood of other slaughtering was likewise sold and used.

limited way in Palestine, but never to any great extent,
as to be of commercial importance.¹

1. Herzfeld, L., discusses hunting and fishing in his
"Handels-geschichte" on page 105, and Krauss, in his
"Talmudische Archaeologie, on pages 143-146.

CHAPTER TWO.

BUSINESS LIFE IN STORE AND SHOP.

In general commercial life, we notice that business activities center around, or in certain definite places provided for the transaction of business. So, in Palestine, barter and sale was carried on in stores and shops, in markets, and thru traveling merchants and peddlars. Stores were located either in the dwelling or courtyard of the owner,¹ or in districts set aside as the business section of the city.² Of stores, we find mention of quite a variety, the green-grocer,³ the baker,⁴ the dyer,⁵ the carpenter,⁶ and the butcher⁷ -- all had their shops. We also hear of the wine-shop where, perhaps, like in an European cafe,⁸ food was also sold. There was, however, the food and sweet-shop, also (רשף), where⁹ confections were sold. There the shop-keeper or salesman ('3130)

1. B.Bath 2:2

2. Ibid 2:3

3. Tos. Makhsh. 3:9,10

4. B.Bath 2:3

5. Ibid.

6. Tos. B.Kama, 6:25

7. Chullin 95a.

8. Ab. Zar. 5:5; Tos. B.Mets. 3:27

9. Koh. R. to 1:18.

and sometimes it was the saleswoman - (ת'313n)¹ - sold their wares. These stores at the best were never very large, but were really little more than enclosed stalls or bazaars, as found thruout the Orient today. The market was a larger² affair, either devoted to the sale of general merchandise, in the manner of a permanent fair, or was given over to the exclusive use of one group or kind of merchants.³ A number of cities were noted for the markets which were located in them; and in Jerusalem, in particular, due no doubt to the large number of visitors there, markets and stores were numerous.⁴ Special days were set aside as market days, as is the custom in the markets of many modern cities.⁵ The temporary fair, on a large scale, was also held in various cities⁶ and was an important merchandising center. Besides, those merchants who had fixed places for the sale of their goods, the peddler and traveling merchant, helped in the distribution of merchandise.⁷ These would travel from place to place and

1. Keth. 9:4

2. Krauss, T.A. Vol. II., p. 356, ^{Tos} Ab Zar. 4:12 (mentions the ^{ת'313n} - another term for retail market). Also Arakhin 6:5².

3. Jos. Wars 5:8;1 ; 2:19;4 ; Bets. 5,a. Makhsh 6:2

4. See Kraus T.A., Vol. II, p. 356; also Ker. 3:7 speaks of market of Emmaus.
Herzfeld, Handelgeschichte, p. 145

5. B.Bath. 22a

6. Krauss, T.A., Vol. II., p. 356; also Tos. Ab.Zar. 1:5;
Chullin 91a - ^{וְהָיָה כִּי יִשְׁכַּח} also Kerith^ה 3:7

7. Massr. 2:3, peddler of baking D'mai 5:4.

peddle their wares, and it seems that thru them the early Jewish girls were able to secure trinkets and other feminine adornments, even as the early settlers in America would depend¹ on the Jewish peddler for like articles.

The ancient Jewish merchant had two main sources of supply for his stock in trade. With the smaller merchant, as a rule, it was the custom for him to make the articles which he sold. The artisan was also the merchant selling not a large variety of goods, but merely a few kinds, and sometimes only that one article which he manufactured himself. The merchant who did business on a somewhat larger scale was the one who was dependent upon importation as the source of his supplies. We can readily imagine that a rather lively export and import trade was carried on, especially when we consider that "more than half of the articles of commerce enumerated² by Herzfeld came from abroad." We also are impressed by the numerous references thruout rabbinic literature, to ships, sailing, and sailors, and can deduce from them that shipping was carried on extensively, exporting the surplus of Palestinian products and importing the many things that the country could in nowise furnish itself.³ Another source of supplies for articles of trade was the factory, which, as such, was⁴ developed in a limited way as a place where an artisan would

1. B.Bath 22a - במכילן המחירין בעירות כדי שיהו תכשיטין
מזוין לבנות ישראל.

2. Klausner, J.of N., p. 186

3. Kel. 15:1; Tos. Ter. 2:13, also Herzfeld, Handelgeschichte, pp. 149-53. Also Ab. Zar. 5:2; Nid. 50a - R.Akiba connected with shipping; also Krauss, T.A., Vol. II, p. 355

4. Klausner, J.of N., p. 178

with the help of one or two of his family, or of outside workers. We do also hear of certain towns or cities, the whole of which were given over to the carrying on of the one main kind of trade or manufacture,¹ (compare modern places, such as Gloversville, Ironton, Wagon Works, taking their names from the main industry there centered). Among such places were Magdala (²מגדל מלכא), known as a dyeing center,³ Kefar, Hananya and Sichnin, famous for their potteries,⁴ Arbel and Beth Shean, where rough and fine linen products were made,⁵ and Sepphoris, noted for its weavers.⁶ Probably Amaki was known as the center of the shoe-making industry.⁶ Lydda was a city noted for its merchants (⁷תגרי לוד), who were reputed for their cleverness and their charging of high prices.⁷

Of the methods of increasing or attracting business, the ancient merchant was not entirely ignorant. For one thing, he knew that an attractive shop would draw custom; he therefore did some interior, as well as exterior decorating to his store.⁸

1. Klausner, J. of N., p. 118

2. J. Maasr. 3:50 c top.

3. Tos. B. Mets. 6:3; B. Mets 74a

4. Koh. Raba to 1:18

5. J. B. Bath III:3

6. Kel 26:1 ^{צמקי} ^{לדב}
also ^{לדיקי} ^{לדב}

7. B. Mets. 4:3. See also Bartinoro to this.

8. B. Mets. 69b; Bets. 5a; AbZar. 1:4 probably refers to non-Jewish shops, which were decorated with wreaths. Tos. Makhsh. 3:9 - wares were displayed on outside of store.
B. Kama 6:6 - stores were lighted with lamps.

Prizes or premiums were also given away as an advertisement, particularly to attract the children. Credit and a charge account were features that the storekeeper then placed at the disposal of his customers. Indeed, from the Mishnaic passage telling of the Divine system of credit and collections, we might easily imagine that the credit business already in those days was conducted along the lines of the present day installment house, characterised principally by the thoroughness of their means of collection.¹ It is quite possible that one of the means most practiced to secure added business was the age-old one of price-cutting, altho, no doubt, efforts were made to control the practice by having fixed prices.² Articles bearing the trademark of, or being sold under the maker's name, were also sold and being known as such increased the sales of the maker for his product, as in the case of stoves of earthenware, where we find mention of two kinds, Aknai's stoves³ and Ben Dinai's stoves.⁴ Bakers, likewise, were in the habit of either marking or making their product so that it could be identified as coming from one baker or the other.⁵ It seems that the storekeeper acted also as a banker or depository for his customers, as an added convenience to them.⁶ Employers could send their

1. Ab. 3:16

2. B. Mets. 4:12

3. Kel 5:10 (see Tos. Y.T. to this also).

4. Ibid and Bartenora to Kel 8:9

5. D'mai 5:4

6. B. Metzia 3:11 -(This was a common practice of storekeepers until modern times, of the last few generations, when banks have become so prevalent).

workmen with orders to the storekeeper for goods to be charged to their account. This was another convenience offered by the ancient storekeeper. This is to be compared with the "company store" in small industrial towns today.¹

[Altho one would expect that the ancient merchant had complete freedom in the conduct of his business, we find that it was quite to the contrary. Custom and law regulated his business to an even greater extent, proportionately, than we notice prevalent today. What exactly constituted a transaction,² just what exchanges had to take place, were clearly defined. When an article was sold, what as a necessary part went with it as part of the sale, as for instance what went with a ship, when it was sold, the essential parts, mast, sail, anchor, etc., was all explicitly determined, so that the chances of taking advantage of some innocent party were thus materially lessened.³ Then, in the whole matter of cheating, (weights and measures were carefully protected and guarded from being false),⁴ overreaching or overcharging,⁵ there were laws to control and govern such practices. Even the matter of the return of a purchase was provided for, and permitted by law.⁶ Deception in selling

1. Shevoth 7:5 B.Mets9:12

2. B.Metzia 4:1

3. B.Bath 5:1-5

4. B.Mets. 3:7,8; B.Bath 5:10-11

5. B.Mets. 4:4-10,12.

6. B.Mets. 4:3,6.

was strongly condemned, and not alone the deception of fellow-¹ Jew, but even in stronger terms the deception of the non-Jew. Yet we do know that deceptions of many sorts were practiced, particularly in the matter of dilution, adulteration, and falsifying of products of food and drink.² However, especially in the case of the necessities of life, every effort was made to protect the consumer by watching the quality of the goods sold and keeping the prices fixed to a normal level, less regard being paid to the demands of the producer than to those of the consumer. (With the matter of present day farmers' demands before us we see this attitude of the ancients to be the very opposite of the one held generally today). Any action, if taken, that might cause a rise in market prices, was generally avoided.³ Dealing in "futures" was likewise limited, since an agreement to sell could not be made until the market prices had been published.⁴ In general, the effort was made to fix the market prices, not to create a monopoly, but rather to establish a normal standard, which would be as low as possible. An interesting feature of ancient business control was the market-master, or market-overseer (רב שוק, בעל שוק, אֶמְרוֹנִימוֹס). His duties were to especially watch the sale of necessities, to safeguard their purity, to keep their prices normal, to inspect

1. See S. Bernfeld, Jüdische Geschäftsmoral - Das Licht - Vol. 7
pp. 9, 10, 18, 24, 25, Tos. B. Kama 10:15 המזל את הגוי חיב

להחזיר לגוי, חמור גזל הגוי ממזל יש' מפני חילול השם

2. See Krauss, T.A. Vol. II, p. 369

3. Taan. 2:9 B. Bath 8b

4. B. Mets. 25:7 -- 26

the weights and measures, and in other ways to protect the welfare of the public.¹ His office was an highly respected one.²

Zoning laws have been hailed as the mark of a modern city. Yet, they were not unknown in ancient Palestine. For there, already, laws had been made restricting the location of certain businesses and factories to particular sections of the city. Likewise, a business which might be constituted a nuisance or a detriment to another business, was legislated for, and restricted as to location.³

The business man is today respected in most quarters. And, for the Jew, some consider it the only natural occupation. Many have contended that the Jew was fitted for nothing else, and we even know of Sombart's famous work, (Die Juden und das Wirtschaftslieben - The Jews and Modern Capitalism) , which sought to prove that the Jew was by nature suited to be the business man and so constituted as to be the natural people to evolve the idea and system of modern capitalism. This case has, of course, been greatly argued about so that it will only be necessary for us to briefly comment upon the matter, and for the rest, to refer to the sources in literature in order to complete our survey here of the conditions of business life and activity in ancient Palestine. In the classical passage

1. H.Dem 2:22 c top 26 אגוזימוס גדול ודחוק עליו להיות מוכר בזול

Tos. Kel 6:19 - as examiner of wine Tos. Ab. Zar. 76a
taster of wine. B.Bathia 89a - אוקימו אגוזימוס בין לשפיר

2. Krauss, T.A. Vol.II, p.373 -.contrasts him with the tax-gatherer and duty-collector who were greatly disliked.

3. B. Bath 2: 2,3,8,9.

on this subject in rabbinical literature, we certainly find no approving word for those engaged in, or seeking to enter commercial life.¹ The statement of Rabbi Gorion condemns the business man among others as being engaged in a thievish occupation and advises against a father teaching his son to be one. For a complete review of this matter and a criticism of Sombart's theories,² we can consult Moses Hoffman's "Judentum und Kapitalismus." Of course, the question arises then, whence the cause for all the business activity engaged in by the Jew of ancient times, even as given here before. We must recognize that, first of all, commercial life is necessary for the maintenance of any people, and it is natural that the native of a land should be interested to some extent in the commerce of his country. Yet, in Palestine, we know that much of the commercial activity that was carried on was thru the agency of foreigners, particularly the Greeks. In fact, many of the terms that were used in trade language were Greek terms taken over into the Hebrew.³ From this we can readily see that commerce was not the chief, nor the most highly regarded occupation of the ancient Jew.⁴ It has been remarked by writers

1. Kidd 4:14

2. See also, Edersheim, Sketches of Jew. Soc. Life, pp. 201-205. Delitzsch, J.A.L., pp. 25, 27, 29. Klausner, J. of N., p. 185.

3. Klausner, J. of N., pp. 184-85; Schürer, the Jew P. in times of J.C., II Div., Vol. I., pp. 37, 41.

4. Jos. Con. Ap. 1:12.

on this subject that in all of the sixty-three tractates of the Talmud scarcely a word occurs in approval of commerce as a desirable occupation.¹

In connection with this discussion, it is of interest to know the treatment accorded to those who engaged in the so-called "shady" occupations in business life. Usurers, gamblers, and slave-dealers were debarred from the giving of testimony.² This was a stern measure, indeed, against unlawful business, which flourishes today despite the laws forbidding it, all because our best citizens are engaged in it.

Money, as an article of common use, was not employed or circulated in ancient Palestine to any great extent. Money was coined in various and varying denominations, and was used particularly by the people in the cities; the peasant folk, as a rule, having but little of it and acquiring their few necessities thru barter. But the money that was used had to have some distributing place, somewhere to which to bring it, and somewhere from which to receive it. For such simple purposes, a rather elementary sort of banking was carried on. The banker, known as פתורא, שרפסיש, שלחני, usually acted as a money-changer, giving small coins for larger ones, and taking a fee for the exchange.³ He examined coins for their genuineness, for which he received a fee.⁴ He also received coins for deposit and was permitted to make use of them for his own

1. Edersheim, Sketches of Jewish Soc. Life, p. 205.

2. R. Hash. 1:8; Snh. 3:3

3. Tos. Shek. 1:8 gives a clearer statement than Shek 1:6, 7.

4. Tps. B. Kam. 10:10.

purposes.¹ He could not loan the money, however, for an interest charge to Jews, altho it is quite probable that he did so to non-Jews, since the law only forbade doing so to the former, and not to the latter.² To his Jewish depositors he was, likewise, not allowed to pay interest; the safety that he was bound to guarantee for deposits left with him, amply repaid the depositor. In one way the ancient banker acted very much like our modern bankers. An employer could give his workers orders on the banker for their salary.³ In that way the banker took care of the payroll, a common practice in many industrial centers today, where the banks often even advance the money for, as well as make up the payroll for firms dealing with them. An interesting sidelight as to the position of the banker, indicating that his was not a most elevated one, is given when the banker is cautioned with other tradesmen not to parade about on the Sabbath with the signs of their trade upon them. In the case of the banker, it was the wearing of a coin in his ear.⁴

There also seems to have been, at least in or near Jerusalem, a sort of exchange where the business men met for the settlement of their business and other transactions. There seems, however, not to be complete agreement in this matter, for Krauss⁵ takes it to refer to some sort of an exchange and clearing-house, and apparently finds some support for this meaning of

1. B. Mets. 3:11,12; Meil. 6:5.

2. Great care was exercised to prevent any form of interest-taking; see B. Mets. 5:1-4.

3. B. Mets. 9:12. Tos. B. Mets. 10:5, המחרה לאלו חזקתו ואלו חזקתו של חזקתו

4. Tos. Sabb. 1:8

5. Krauss, T.A., Vol. II, p.353.

the term in Pesikta Rabbati, s.41, which states: א"ר יוחנן, אף כיפה של חשבונות היתה חוץ לירושלים וחשבונותיהם היו יוצאים ועושים חוץ לירושלים תחת אותה הכיפה מחוץ לעיר.

whereas Herzfeld¹ takes this to refer to a city or place where a warehouse is situated, possibly near a port where ships were loaded as would follow out of Tos. Demai 1:11: הלוקח מן הספיצה ביפו מן הספיצה בציפורי חייב ל' יהודה אומר כופת היישוב וכופת אגסיפטרס....

At the same time, it is probable that the כיפה was a warehouse that acted as a place of exchange and as a clearing-house, as well, as it would be only natural that a place where merchants and agents gathered for business connected with the warehouse that they should engage in other business activities.

1. Handlesgeschichte, p. 147.

CHAPTER THREE

THE REAL ESTATE BUSINESS.

The buying and selling of real estate, land, and improved property, was a rather important part of commercial activity of ancient Palestine. Altho there were landowners, holding large estates,¹ it was not the general condition, as it was in the Europe of the Middle Ages, where the barons and nobles held all the land, the balance or greater part of the population being their serfs and holding no land. Even after the destruction of the Temple in 70 C.E., when the Roman Government had taken over entirely the land of Palestine, landowing still continued,² the transfer of properties from one another still continued, all no doubt having been made possible by the Roman Government selling the land back to the Jews in Palestine and demanding after that only that the taxes be paid, without being greatly concerned as to who paid them. Land, improvements thereon of dwellings, business properties, courts, (including the group of houses surrounding the court, etc.), fields, and even whole cities,³ were bought and sold in the real estate business of the country.

Property was usually sold for a cash consideration, accompanied by a deed of sale. This applies to fixed real property, such as land and building improvements, which were

1. Buehler, E.C.J. - pp. 33-40

2. Ibid, pp. 29 to 40, also Jos. Wars 7:6;6.

3. B.Bath 4:1-8

subject to levy for debts, damages, and indemnities.¹ A money payment for only part of the value of the land was not sufficient to acquire the whole of the property unless a bond was given for the payment of the balance of the purchase price of the property in question.² Altho in this connection, we find that if a number of properties in different parts of the country were being purchased, apparently in one lot, as soon as one parcel was considered as sold and acquired, the others were likewise considered.³ The deed that accompanied the sale of property as above seems in many cases to have been registered. This institution of the recorder's office or registry, (*מקדמי - כסף*), seems not to have been of Jewish origin at all, but was brought to Palestine by the Romans and was a Roman institution,⁴ which was used mostly in the cases where a Jew had dealings and transactions with a non-Jew.⁵ From the methods used in disposing of and redeeming property that had been sanctified for the Temple use, we can infer that some sort of auction system was the practice, with the preference given to the original owner as long as his bid was

1. Kidd. 1:5 and see Bartinoro

2. B.Mets. 77b

3. B.Bath 67a

4. Gitt 1:5; Tos. Gitt. 1:4.

5. Tos. Ab. Zar. 1:8; 6:2.

higher than the others.¹ It is probable that this method of auctioneering was used in selling real estate under other conditions.

The acquisition of a dwelling (*בית דירה*) in a city was considered sufficient to give the status of citizen to the one who had acquired that property and was to be regarded in lieu of twelve months' residence, the other requirement for citizenship.² This liberal attitude might on one hand have only been an effort to have people settle down in the city and on the other hand to encourage them towards buying property in the city and in that way become a more certain and settled member of the community.

In the real estate business of ancient Palestine, the renting and leasing of properties, lands, and improvements, seems to have been more important and common than the buying and selling activities. It is a known fact that the people of that period were not in the habit of changing ownership of real estate thru frequent transactions as is the ordinary and everyday business today. In the farming districts, tenant-holding and share-holding of farms were common practices among the peasants.³ These methods of tenantry and leasing were known usually under four categories, the entrepreneur, or share farmer (*קבלן*) who undertook the farming of a piece of land for a share of the produce, the tenant-farmer (*אריס*) who could not produce enough from his own land and who farmed the land of a large land-owner for a share of the produce thus raised, the tenant-farmer (*תורכס*) of the third category

1. Arakhin 8:2-3

2. B.Bathra 1:5

3. See Krauss, T.A., Vol. II, pp. 108-111.

who rented a piece of land and, in payment, had to furnish a definite rental in kind, and the tenant-farmer (רוד) who paid for the use of the land by a fixed money rental.

These were the principal methods employed and it is quite possible that others, combinations of these, were also resorted to on occasion. The obligations of tenant and landlord were all specified by law,¹ the underlying principle of which was the following of local usage and custom of treating of the land in question as the precedent governing all subsequent tenants. This whole institution of tenanted and rented lands must have become most prominent during the period of Roman government when oppressive taxes and maurauding officials made it well nigh intolerable for the small landowner to keep his property and to derive a livelihood from it.

The renting and leasing of urban properties, altho not so active and frequent as that of rural lands, was nevertheless rather common. Houses, courts, (groups of houses), stores, and other places of business were rented, usually by the month, and sometimes by the year.² The landlord's responsibilities to the tenant, as to his term of occupancy and repairs upon the property,³ were clearly defined by law. The tenant was likewise

1. B.Mets. 9:1-10.

2. B.Mets. 8:6-9; Ibid 8:6 shows careful consideration for the tenant who could not be asked to vacate during the winter-time, unless in a city (ד'כר), where only thirty days' notice was required at any time.

3. Ibid 8:6-9; Ibid 10:2,3; Tos. B.Mets. 8:27-33.

governed in his use of the property by laws calculated to prevent undue wear upon, or damage to it.¹

In the matter of renting and selling properties for use by non-Jews, the Mishna at first gives an opinion which would prevent such in the land of Palestine.² The opinion of Rabbi Jose, which is to the contrary, is the one that was adopted, however, with the reservation that this was not to include dwelling-properties and bath-houses.³

Governing the sale of goods, there were laws to prevent over-reaching, (נאציא), but in real estate transactions these laws did not apply.⁴ In the matter of rentals, however, it is quite probable that they did, as a general price could be determined, whereas in the case of real estate sales, it was the principle that an established price was not determinable, but might easily vary.

To facilitate the carrying on of business, particularly the larger business than mere retail trading, it has always been necessary that certain papers and documents be made between the transacting parties. Already in ancient Palestine, as in other advanced country of the time, such documents were in existence, and were used quite commonly. Promissory notes, bills of contract, bonds of indebtedness, bills of sale and acquittances of debts were among the papers ordinarily used in the business life of that day.⁵ One document that deserves separate

1. Tos. B.Mets. 8:30

2. Ab.Zar. 1:8

3. Ibid Zar. 1:9

4. B.Mets. 4:9

5. B.Bath. 10:1-8; B.Mets. 1:6-8 אלו דברים שאין להם אוצאה
והקרקעות.....

mention is the Prozbole (פרוזבול), which was important in making possible any sort of commercial life and activity. The law of the Sabbatical year (Deut. 15:1-3), with its release of indebtedness, discouraged the making of loans,¹ and, as a result, hampered business enterprise, which is dependent upon borrowed capital for its financing. Indeed, Hillel is supposed to have introduced this modification of Biblical law for the benefit of society.² Its most important role was as a business instrument, which made it possible to collect debts at any time. The principle of issuing the Prozbole was that the debtor had to be the owner of real estate in order to issue a prozbole for his debts, even tho the debts may have been greater than the value of the land.³

During the time of the Hadrianic persecutions, when it was difficult to observe the Law, if a Prozbole was not produced by the creditor, the debt was nevertheless collectable, it being deemed that the document had been destroyed because of fear of detection by the Roman authorities.⁴ In general, the principle governing the issuance of documents was that an agreement which was made in violation of the law, was void and useless.⁵ With the presence of Roman authority in Palestine, the writing of documents was affected, inasmuch as the dating of the document was written according to the year of the reign of the Emperor then in power.⁶

1. Shebi 10:3

2. Gitt. 4:3

3. Shebi 10:6-7: אין כותבין פרוזבול אלא על הקרקע.

4. Gitt. 37b; Kit 89a

נב"ה גובה שלא בפרוזבול

5. B. Mets. 7:11

6. Yed. 4:8

CHAPTER FOUR.THE WORKER AS AN ECONOMIC FACTOR.

The commercial activity of ancient Palestine was by no means altogether the result of the efforts of the business man, the merchant and the dealer. Their share was not even the most important, altho it might seem to occupy the more prominent position, as such activities as were theirs, usually looms larger in the picture of a people's life, usually because they appear in the centers of population, and there are bound to attract popular notice. Yet we know that the bulk of the people who contribute, either directly or indirectly, to the commercial activity of the country, are those who make up the working, the artisan, the professional classes of the people. Their activities are usually carried on individually; especially was this true in ancient Palestine, where the single worker or artisan employed only his own self, and perhaps the help of an apprentice, in the carrying on of his trade or occupation. The organization of workers into groups had only developed in a very elemental way (to be discussed later), centers of large numbers of the same kind of workers were only few¹ and then not very large in size. From this it is natural to expect that the artisan class would not be a prominent one, altho from the number of different occupations and professions, from the people engaged in them, it is altogether right to look upon the skilled

1. See above, p. 17.

worker and professional as adding materially to the economic welfare and activity of ancient Palestine.

SECTION I - PROFESSIONAL WORKERS.

Among the professional class of workers, those engaged in medical pursuits and related occupations seem to have been, in ancient times, the most outstanding. The medical doctor is of course most prominent; a number of them who were outstanding men in the profession or well-known as scholars, are mentioned by name; Ben Achiya was known as the Temple physician,¹ Todos the Doctor,² Tobia, Theodorus, Rabbi Channina of Sepphoris, and many others of note.³ The doctor either visited the patient or was visited by him, and sometimes was even called from one place to another to attend a patient.⁴ While many people employed the regular services of a doctor from time to time, others, wealthy people who could afford it, had doctors who served them alone.⁵ It was considered an unwise and dangerous thing for a city to be without a doctor and people were advised against going to such a place.⁶ Jews were also cautioned against using the services of a non-Jewish doctor⁷ inasmuch as it was considered

1. Shek. 5:1 - בן אחיה על חולי מעים

2. Bekh. 4:4

3. Krauss, T.A. Vol. I, p. 265 and J. Pruess - Bib. Tal. Medizin pp. 20, 21, ff.

4. Tos. Sabb. 14:14; Yoma 83b

5. B. Mets. 85b

6. Snh. 17b

7. Tos. Chullin 2:21 - comp. AB. Zar. 2:2 and Tos. Ab. Zar. 3:4

as dangerous, for fear lest the non-Jew might cause harm to the Jew rather than bring him healing.¹

The doctor was paid a fee for his services. This is noticed especially where settlements of damages in cases of assault is made, the medical charges (¹⁹⁷), are given as one of the primary costs to be compensated for.² The doctor of medicine did not minister to human beings alone but, no doubt, combined the function of veterinarian with that of the physician.³ The rather sharp condemnation of the physician which we find in the Mishna is difficult to understand. This hardly seems to have been the general attitude.⁴

Altho we find no mention of lady doctors, per se, we do find that, as a medical helper, as an obstetrician, the midwife played a very important role. She was indispensable, especially in ancient times, when physicians were scarce and the need for such services as she was able to give always a large one. The midwife in Jewish history has occupied a very honorable place. Known and mentioned by several different titles, (^{חיה, מילדת, חכמה}), references to her are frequent in rabbinic literature.⁵ She

1. Even then the differing opinions in this matter would indicate a liberal attitude in considering it.

2. B.Kama 8:1,2; B.Kama 85a

3. Bekh. 4:4

4. Kidd. 4:14 - ^{טוב שורפאים לנהנים} - Tos. Y.Tob tries to explain this as being due to the doctor's un-religiousness and his unwillingness to serve the poor. This would hardly answer. We can compare the statement of Eccles. 38:1-12 with this and consider the above merely as a generalization not to be taken seriously.

5. Krauss, T.A., Vol. II., pp.5,6.

was often called from some other place to attend to her patient and she was allowed to violate the Sabbath in the carrying out of her duties.¹ The midwife also received a fee for her services.²

It is of interest to note that some measure was taken to protect the public and to keep a check upon those who practiced as doctors and midwives. The local Beth Din gave them the privilege and permission to practice in the community and in this way discharged a somewhat similar function to that of the State Board when it issues licenses to practice.³

The dentist as such we do not find mentioned, altho we do know that dentistry was practiced in an elemental way, as would be indicated by the use of false teeth (both to match and gold teeth)⁴ and that teeth were also filled.

The apothecary (**רופא**) or druggist was likewise known as a factor in the medical profession in the early days. He had his shop and compounded his medicines, drugs, and perfumes,⁵ which he sold even as the druggist does today.

The scribe or professional clerk, (**לבלר, סופר**), was a well-known figure of ancient Jewish life who has still survived in almost his original form. The scribe of ancient days

1. Sabb. 18:3

2. B.Kam. 59a; Ab.Zar. 26a

3. Tos.Macc. 2:5; Macc. 20b; B.Bath 21a.

4. Sabb. 6:5; Sabb. 64b.

5. Krauss, T.A., Vol. I, p. 242 See also Ecclesiasticus 38:1-12 for summary of feeling towards medicine in general.

was one either engaged in the writing of the scrolls of the Law, of Tefillin and Mezzuzoth,¹ or he occupied the position of a notary or public clerk and as such wrote the legal documents then in use, particularly the "get" or Bill of Divorce.² Scribes in the latter capacity also served as clerks of the court,³ where usually as many as three were employed. As public clerks⁴ the scribes were found in the market-place and in legal cases they were the means used to advertise the proceeding that was instituted, as in the case of giving a divorce.⁵ The profession on the whole was a poorly paid one and it seems⁶ that those who had other means of support readily gave it up. That it should be so is quite natural as many of the ancient scholars found the occupation of scribe a means to earn something of a livelihood.⁷ Some of the scribes had artistic leanings and placed decorative and illuminated work upon their manuscripts.⁸ In the Talmud, a minor mesechta is devoted to a treatment of the subject of the scribe and his work.⁹

1. Pes. 50 b כתב ספרים, תפילין, ומזוזות-

2. Gitt. 3:1; 7:2; 8:8; 9:8; T.Gitt. 2:10

3. Snh. 4:3

4. They may have also occupied official positions as public secretary, as in the account of Jochanan the Scribe - Snh 11b.

5. Gitt 3:1

6. Tos. Bicc. 2:15; Pes. 50b, comp. Sota 20a - how the professional was regarded by one sage.

7. Tos. Bicc. 2:15

8. Shebi. 103b - עד שיצור כולו

9. Mesechta Soferim.

Of lawyers we hear but little in ancient times, since, for one thing, they were not allowed and were looked upon with great disfavor.¹ Only under certain conditions was a representative allowed to appear in court, and then it was hardly as a paid attorney.²

SECTION II - SKILLED WORKERS AND ARTISANS.

Among the skilled workers in Palestine, those engaged in the textile trades, such as weavers, dyers, washers, and launderers, were predominant, at least in numbers. The weaver, (^{בדאי} 'בדאי, אורג'), is spoken of in numerous references in Rabbinic literature. His trade was an important and well developed one by the second century C.E. A.S.Hirschberg has devoted an entire volume to the consideration of the weaver and weaving.³ Here it is in place to note that the trade of weaving was not a well-paid one (as might be inferred from the large number engaged in it) and there are many proverbs that go to show the rather poor economic position of the weaver.⁴ One branch of the weaving trade, however, seems to have been much better situated. Those who wove metallic cloth, (^{שכר} 'שכר')

1. Aboth 1:8; Sabbath 139a

2. B.Kama 70a

3. Chaye Hatarbuth B'Yisroel, Vol. I - הארג ותעשיית הארג
See especially pp. 158, ff.

4. Tos. Ed. 1:3 ^{בדאי} - אומנות ירידה אלא
See also Jos. Wars, 7:11;1
Krauss, T.A., Vol. I, p. 149
Hirschberg, Chaye Ha. B'Y - Vol. I, pp.160-161
Del. J.A.L. - p. 48.

no doubt being engaged in the production of costly luxuries, were able to earn more and occupied a better position as the result.¹ The New Testament mentions another group of weavers,² who are spoken of as tent-makers,³ but who were really makers of material out of which tents were made.⁴ Weavers were employed in the Temple to care for the hangings used there⁴ and it seems⁵ that women were also employed in this occupation as well.

The dyers' trade in ancient times in Palestine was an old and well-established one.⁶ The dyer (**צַבִּי**) was an honored artisan in Palestine. (He seems to have been exempted from the class of those whose professions were considered unworthy because of frequent business with women⁷); his was a

1. Meg. 26a - **בבית הכנסת של טורסיים** - had synagog of their own Ab.Zar. 17b - had one who acted as head of the group - **רבן של טורסיים**. Altho some may consider this as referring to the people of Tarsis, Rashi to this passage, (Meg. 26a), explains it, however, to mean weavers of metal.
2. Acts 18:3 - Paul of Tarsis also one of the weavers of tent material.
3. Del. J.A.L., p. 81
4. Shek. 5:1 - **נשים האומות בפרכות נושלין שכנן מתחומת הלשכה**
5. Keth. 106a.
6. For a complete treatment of the dyer and his trade, see Hirschberg's Chaye Ha B'Y. - Vol. I, p. 209 f., here especially pp. 278-9.
7. Tos. Kidd. 5:14 -

knowledge of chemistry, it is therefore within reason to think of the dyers and those who prepared their materials as being the pioneers in industrial chemistry.

Of those that were connected with the textile trade, there is still another group worthy of mention. That group of workers was made up of those engaged in washing and laundering. The distinction is to be made between those who washed and cleansed either the raw material for the weaver or the rough stuff for the dyer, and those who were engaged in laundering articles of clothing.¹ The former seems to be distinguished from the latter in that he used chemical means and bleached the material whereas the latter merely washed clothing.² The name applied to both was usually *בליב*, making it difficult to know just which one was being referred to. There seems also to have been some launderers who cleaned heavy garments, using chemicals similar to the methods of modern clothing cleaners.³ The launderers and washers usually had their establishments just outside of the city⁴ and no doubt did a thriving business since most of the garments were made of linen and flax which required frequent washing.⁵ The launderers seems to have on one hand enjoyed but little esteem as workers engaged in a respected occupation and yet, on the other hand, we find that

1. B.Kam 93b

2. Hirschberg, Chaye Ha B'Y - Vol. I, pp. 106-7

3. Zeb. 88b

4. Tos. Mikv. 4:10; and Mikv. 8:1. -

5. Hirschberg, Chaye Ha B'Y., Vol. I, p.313, last paragraph.

they are often spoken of in a very complimentary manner.

Altho much of the making of material into various articles of clothing was done in the house, and in very early times all of it, by the time of the Mishna the tailor has already appeared and is mentioned going about with his needle ready for work, wherever he may be required.² The tailor was among those who was allowed to work overtime on the eve of the Passover, no doubt due to the rush of trade at that time, and the need for new garments for the holiday.³ Delitzsch names three rabbis who were known as tailors.⁴

The preparation of the flesh and hides of animals involved a number of different occupations, such as butcher, tanner, shoemaker, and harness-maker. Meat was not a commonly used article in the Oriental dietary,⁵ yet on the occasion of a holiday, or in case the family was particularly prosperous, meat was bought from the butcher (טבח, קצב), who sold the meat which he had slaughtered. The butcher usually had his stall in the market where other foods were sold. The butcher did not enjoy a very happy reputation, if the statement in Kidd 4:14 והבשר שבטבחים שומפן של עמלק

1. Tos. Kidd. 5:14 - Hirschberg, Ibid, p. 313 - makes the distinction that clothes washers were the ones who occupied the better position, while washers of raw materials are to be considered as those mentioned in Tos. Kidd. 5:14.

2. Sabb. 1:3

3. T.Pes 2:18

4. J.A.L., p. 78

5. Krauss, T.A., Vol. I, p. 108, par. 62

was any evidence of public opinion.¹

The tanner^(צבדן, צלעץ) was a very important factor in the proper disposal of animal products. To him the hides were brought to be tanned and prepared for use² and sometimes they were even sold to the tanner.³ The tanner usually received a payment for each hide that he tanned and there seems to even have been some standard price for the work.⁴ No doubt there were also a number of others who helped in the work of tanning, doing one or the other of the related processes in the preparation of the hide, such as salting, scraping, treading, etc.⁵ The tanneries were required to be located at a distance outside of the city,⁶ a precaution due to the objectionable odors of such a plant. There seems also to have been a street on which a number of tanners would often be grouped, similarly to the present condition where certain sections of cities are given over almost entirely to the carrying on of one kind of work. In Palestine, it was thought desirable that the tanneries should be near sources of water supply, much of which was used in the work of tanning. For this reason the tanneries were located on rivers, or in coast towns, one of which, Sidon, seems to have been

1. Eduy 8:2 - R. Zechariah b. Hakatzsch, the son of a butcher, is cited as an authority, which would indicate that not all butchers were held in poor repute.

2. Sabb. 1:8

3. See above, p. 12.

4. B. Bath 5a

5. Sabb. 7:2

6. B. Bath 2:9 - מרחיקין... ואת הבורסקי מן העיר חמשים אמה

famous for tanneries noted for their general cleanliness.¹

The tanner seems to have been looked down upon as one engaged in an undesirable occupation; this mainly because of the disagreeable nature of the work.² The shoemaker was the worker who, in ancient times, did most of the leather working. He not only made and repaired shoes, but harness, saddle-packs, and other articles of leather as well.³ However, shoemaking was the most important use for leather.⁴ Shoes and sandals of various sorts were made of leather. At least two places were noted for the manufacture of shoes and sandals; Amaki and Ledeki were the places which were mentioned above as centers of the shoe industry.⁵ The shoemaking trade was an honored one, engaged in which were a number of prominent rabbis, best known among whom was Rabbi Jochanan the Sandal-maker.⁶

In building construction in ancient Palestine, the stonemason, the carpenter, and the building contractor were the main figures then, as even now; when one wanted to do some building the job was usually turned over to the building contractor (^{קבלן})⁷ whose duties were to bring the workmen and supply such materials and tools as were specified in the contract for the work usually

1. Tos. Ohal 18:2

2. Keth. 7:10

3. Krauss, T.A., Vol. I, p. 176

4. Ibid, P. 176, ff. Pes. 4:6 - ^{קבלן} - used to refer to shoemaker and general leather worker, who was allowed to work on Erev Pesach.

5. Kel 26:1; see also above, p. 17.

6. Kith 5:4; Ab. 4:11

7. Shebi 3:9

drawn up between the owner and the contractor.¹ The contractor often employed an overseer or architect to watch the carrying out of the work.² The stone-mason would take the stones from the quarry (it seems that a great deal was already known about the quarrying of stones),³ bring them to the place of building and, after cutting them to suit, put them in place in the building. The carpenter did the necessary wood-work about the house, making the doors, windows, bars, etc., (the term *בן*, meaning to scrape or saw, may apply to other artisans as well as carpenters, - see Jastrow, Tal. Diet.). The carpenter likewise had a shop where those who wished jobs done might come and find him, as is the case now with carpenters in small towns.⁴

Famous among carpenters are Joseph and Jesus in the New Testament, and in the Talmud we find that Shammai is pictured with a builder's rule in his hand, indicating that he also did the work of a carpenter.⁵ The building trade was then considered as a rather dangerous occupation, as we might readily infer from the statement,⁶

שכל העוסק בבנין מתחבט

In the improvement of land thru buildings or farming, one sort of service is of primary importance. That service is

1. Krauss, T.A., Vol. 1, p.20, based mostly on ToB. Mets.11:5

2. A. Rosenzweig, Das Wohnhaus in der Mishna, p. 15.

3. Shebi 3: 5,6.

4. Tos. B.Kam. 6:25

5. Sabb. 31a

6. Yeb. 63a - See also Sota 112 and Rashi

the work of the surveyor. That such services were given by those who made a business of it is certain. The surveyor (משורא) ¹ used a chain as a measure and pins to fasten it, in his work. In one case we hear of Rabbi Jehudah enjoining a certain Rabbi Ada the Surveyor to be most careful in his work, as all land is ² valuable and can be put to use.

The interior decoration of houses and buildings was in the hands of the painter and plasterer(ט"י, ר"י). The plasterer applied the plaster, or lime, or whitewash to the walls. This was often colored before being applied. The plasterer also did tiling and stuccoing. ³ The painter, despite the fact that the Law prohibited designs or figures (lest they be considered as idolatrous images) nevertheless was employed to apply various colors to both the interior and the exterior of the house. ⁴ It is quite possible that all the work of plastering, tiling, and painting, was done by one artisan, since these ⁵ tasks are almost always mentioned together.

1. Kel. 14:13 - שלשלת המ' - יתדות המ'

2. B.Mets 107b - א"ל רב יהודה לרב אדה משיחא, לא תלול במשחתה....

3. Ab.Zar. 3:7; To Sota 8:7; Tos. B.Kam 6:9 - סיידו וכיירו
plastered and tiled - (the word כ"י - Jastrow in Talmud Dictionary - gives as meaning: "to lay out in tiles or panels;" - Ar. Rosenzweig - "Das Wohnhaus In der Mishna," p. 27, gives the word כ"י the meaning "to stucco.")

4. Neg. 2:1; 11:3; Tos. Neg. 5:2.... הבתים בין צבעים.

5. Tos. B.Bath 2:17. Tos. Sota 8:7; Ibid 15:12.

Of those who were engaged in the metal working trades, we note as the most important the iron-worker, or black-smith, (פחמי , נפנ), the gold-smith (זהב), the silver-smith, (כסף),¹ and the copper-smith, (נחושת). The iron worker made tools, utensils, housefurnishings, and fittings of all sorts.² The iron-smith not alone melted and forged the new metal in to the desired article, but old iron,³ scrap and junk was used and made into other vessels.

That the smith sometimes had the shop in his living quarters is seen from the description that we have of Rabbi Joshua b. Channaniah the needler, and the blackened dwelling in which he lived.⁴ Usually the smith had his shop in one of the business streets⁵ and no doubt conducted a store in connection where the articles which he made were put on sale.⁶

The gold- and silver-smiths were the jewelers in ancient Palestine. They made the various articles of adornment; particularly in demand were those for feminine use,⁷ and it is to be

1. The silver-smith and the gold-smith are sometimes differentiated, altho, see Krauss, T.A., Vol. II, p. 308 - "das derselbe Arbeiter in beiden Stufe arbeitete."

2. Krauss, T.A., Vol. I, pp. 309, ff.

3. Kel. 11:3; Tos. Kel. 1:1; 7:10

4. Ber. 28a

5. In this connection it might be inferred from Maas. Sh. 5:15
ועד ימיו היה פטיש מכה בירושלים
that the smith-work was carried on extensively in Jerusalem at one time.

6. Tos. B. Kam. 6:26

7. Kidd. 82a

noted that the variety was quite extensive.¹ These artisans are among those who were apparently engaged in a prosperous trade² and who were probably united into some sort of a guild.³ The N.T. mentions a silver-smith, Demetrius by name.⁴

Along with the artisans who made gold and silver articles of luxury, there are to be considered those who made and sold glassware.⁵ The use of glassware was not common and we find that usually glass is mentioned in connection with articles of gold and silver.⁶ Not all the glass was imported, however, as might be supposed on account of its rarity, but much of it must have been made by native Palestinian glass-blowers,⁷ (𐤀𐤁𐤁𐤁).⁸ These artisans usually sold their own wares in their shops, where it is quite possible that usually a number of pieces of goods were on display, either inside or outside of the shop, arranged on racks or trays made for the purpose.⁹ More common

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1. Kel: 11:8,9.
 2. Jos. Antiq. 14:3;1 - expensive ornaments of gold were made.
 3. As might be inferred from Tos. Succ. 4:6
 4. Acts 19:23
 5. Comp. however, Herzfeld, Handelsgeschichte, p. 125, who thinks it was much in use.
 6. Tos. Kel. (b.m.) 3:10
 7. T.Kel (b.m.) 3:11; Kel 8:9
Krauss, T.A., Vol. II - p. 285 - glass-maker and potter often identical.
Josephus mentions in Wars 2:10;2, a native source for sand-glass.
 8. Pes. 55b
 9. Kel. 24:1

than glass was the clay pottery which was used by the poorest. All sorts of vessels were made of this product, many of which¹ were simple and crude affairs and could easily be made at home. But there were, however, many potters (² טפ, נצי) whose business it was to make the various vessels then in use. These potters made their vessels and then would take up their wares³ and travel about, peddling them wherever possible. This seems to have been the usual method of selling the potter's wares, altho some potters had shops in which they sold the products of their manufacture.⁴ A flourishing trade went on in pottery goods, no doubt due to the general need for the articles, their easy breakability and their cheapness. The cities of Channaniah⁵ and Sichnin were noted as centers of the pottery manufacture. It is of interest to note that, apparently, the manufacture of pottery and glass-ware was not allowed in the district of Jerusalem, since the smoke of the ovens would no doubt mar the buildings and detract from the dignity of the sacred city.⁶

1..Tos. Mikv. 6:15

2. Krauss, T.A., Vol. II, p. 277

3. Chag.3:5; Toh 7:1; B.Kam 3:5

4. Tos. Kel. (bk) 3:8

5. Tos. B.Mets. 6:3

6. See Bartinoro to Chagg. 3:5

Most of the grain that was to be milled was usually ground in a small handmill at home. However, there were millers (ןסניט) who operated mills and ground the grain for¹ those who brought it and who would pay a fee for the service. The miller also bought up the grain from growers, ground it, and then sold the flour.² The baker (באכער) performed similar services, namely: that those who had no provision for the baking of their bread at home might bring it to the baker and have their baking done for a fee.³ The baker and his shop were found more in the larger cities, for there would hardly be any need for them in rural districts.⁴ In the cities, the baker not only sold his bake-goods, but acted also as a restarateur, purveying food and drink to travelers, etc.⁵

The ancient Palestinian was thought to be a rather rough individual who cared little for the polish of civilization in its outward form. This is not wholly true, for we find that the barber (שער) was quite as prominent then and as ready as he is now to give all his multifarious services towards enhancing the appearance of his customers.⁶ He had a thoroly equipped shop, in which it was the custom of patrons often to tarry, sometimes to the neglect⁷ of their prayers. The barber, it

1. Tos. B.Kama 10:9

2. Krauss, T.A., Vol. I, p. 96

3. B.Kama 99b - אין בית הבאכער

4. Tos. Pesachim 1:13 - the baker had a stall in the market and women would likewise bring their bake-goods to sell in the market, Chull. 2:7

5. Krauss, T.A., Vol.I - p.93 - based on Beza 29a

6. Krauss, T.A., Vol. I, p. 196

7. Sabb. 1:2

seems might also have been located in or near the bath-house,¹ where his services would be much in demand. The barber may have also performed another function, that of tatooing, a practice often done by the barbers a few generations ago. We may infer that tatooing was done,² altho no especial artisan is named as having performed that function, and tho it was forbidden by law; if it were practiced it is natural to suppose here that the barber included it in the services he rendered. It had not yet become the custom for women to visit the barber³ in ancient Palestine (as at present in this country⁴), but they were cared usually by the female hair-dresser,⁴ who might also have been a maidservant, or even a slave in the household, or even a professional hair-dresser, who cared only for the toilet of her mistress.⁵

Altho not to be considered in the artisan class, we hear of the occupation of bath-keeper (⁶ 71). The bath-keeper was usually the director or manager of the bath,⁶ which in Palestine was conducted as a private business enterprise,⁷ deriving its income from the fees paid by those who used the baths.⁸

1. Krauss, T.A., Vol.I, p. 196 - based on Kil. 9:3

2. Macc. 3:6

3. Krauss would give us to understand that female barbers also existed - See T.A., Vol. I, p.196.

4. Kel. 15:3

5. Kidd 2:3

6. See Martinoro to Kel. 17:1¹³⁷² (might also have been owners of baths)
Tos. B.Mets. 9:14

7. B.Bath 4:6; Ned. 5:3; A.Zorah 1:9

8. Shebi 8:5; Meil. 20a

SECTION III - UNCLASSIFIED WORKERS.

Among the various workers that are mentioned, we find a few that cannot be classified as employed in either skilled or unskilled occupations. There seems to have been quite a number of sailors (190) employed in the maritime business of the country.¹ On land, there were a large group of men who drove the pack animals (asses and camels) which constituted the transfer system of the country.² In the Temple, among the various workers employed was an inspector of water-works³ and if we knew more about him, we might have found in him the early plumber or pipe-fitter.⁴ We likewise hear of the well-digger, (777)⁵ who would go about digging wells for property-owners⁶, receiving a fee for each job⁷ as done even to the present day in rural districts.

Of women and children as workers we find no very great mention or even legislation concerning them. On the farms it

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1. Krauss, T.A. Vol., I, P. 341 ff.
 2. Krauss, T.A., Vol. II, p. 333 ff
Kidd. 4:14 does not give these a very good reputation.
 3. Sö. Delitzsch considers him, J.A.L., p. 21, altho from
Bartinoro he was merely a well- and canal-digger,
Shekalim 5:1
 4. Simeon, the well-digger of Sichrin, was one who was quite
proud of his trade.
 5. Jas. Tal. Dict. takes 777 as well-master, who sold
water for fees, based on Shebi 8:5.
Tos. B.Mets. 9:14.
 6. Tos. B.Mets. 9:14.
 7. Ibid.

is natural that the women and children helped out in the various occupations¹ and in the home the many articles of use that were made in the home were usually the products of the woman's labor.² Women and children helped out in the stores also, acting often as the sales people.³ That the woman may have sold her wares in the market is not improbable, for already this is known in Biblical times,⁴ and from the mention of the woman who sold her bake-goods in the market⁵ we can infer that this was done with other articles that the woman may have been able to make.⁶ Of course, as slaves, women, as well as children, were made to do many tasks and to assist their masters in whatever occupation they were engaged in, and it is not unlikely that in that way many women and children were employed in the various trades of ancient times.

SECTION IV - TRADE AND WORKER'S LEGISLATION.

Before treating the subject of slaves in general, it will be in place to speak of the legislation that was enacted to control and to order the various transactions and relationships of the artisan and the individual who employed his services.

1. B.Mets. 7:6 ; Snh. 7a

2. Keth. 5:5

3. Tos. B.Kam. 11:7

4. Proverbs 31:24

5. Chall. 2:7

6. B.Kam 10:9

These laws applied to all sorts of workers, even to the professional group. For in the case of the doctor, already the idea and possibility of malpractice was considered and redress and punishment were provided for it. The doctor who was licensed by the Beth Din, if he did harm to the patient by accident, he was free of guilt in the matter, but if it was purposed, he was liable for the injury.¹ If the doctor, in treating the patient, had caused more harm than was considered necessary in the course of the treatment, he was held liable.² However, there is one statement that makes the doctor who is licensed by the Beth Din and who has injured a patient, liable only to the Judge On High.³ Nor was the doctor allowed to inflict an injury merely because the person was willing and had asked that it be done, stating that he would not hold the doctor responsible.⁴ The whole attitude in this matter of judging and punishing for medical malpractice seems to have been a sane and fair one.⁵

The baker who gave advice as to the genuineness of a coin was also held responsible for his advice and had to make good in case he had advised wrongly.⁶ Teachers, planters,

1. Tos. Gitt. 4:6

2. Tos. B.Kam. 9:11

3. Tos. B.Kam. 6:17

4. B.Kam 8:17

5. For a full treatment of the subject, see J.Preuss, Biblische - Talmudische Medizin, pp. 30, ff.

6. B.Kam 99b - אחר ליה לרב זיל חלפיה זיהלה וכתוב אפנקטי דין
עסק ביש.....
Tos. B.Kam 10:10

barbers, and scribes, employed in a city, who had made some mistake in the charge of their duties whose damage was irreparable, could be dismissed without notice being given.¹

Regulations concerning dealing with artisans who are paid for their work by their employers are numerous, and specify when the artisan is responsible for damages done to goods while in his hands.² The builder who spoiled building material while at work, and due to his fault, had to pay for the damage.³ The carpenter who spoiled a chest or trunk or other article while in his hands for repair, had to make good the damage.⁴ If the carpenter were given rough wood to make an article of furniture, if he made the wrong article and made it in an unattractive fashion, he had to pay for the cost of the wood.⁵ The miller, the baker or the butcher who spoiled material given to them for preparation, since they received a fee for the service, were responsible and had to pay for the damage.⁶ The weaver who allowed articles to be damaged while still in his hands, was also required to make good the damage.⁷ The dyer to whom wool was given for dyeing had to pay for the spoiled wool in case he dyed it poorly or wrongly.⁸ In case there was any difference.

1. B.Mets. 109a - 109b

2. B.Kam. 9:31 נתן לאומצין לתקן וקילקלו חייבין לשלם

3. B.Kam 9:3

4. Ibid B.Kam. 101a
Tos. B.Kam. 10:8

5. Ibid; Ibid.

6. Tos. B.Kam. 10:9

7. Tos. B.Mets. 7:15

8. B.Kam. 99b

of opinion about these general laws, the principle that guided the whole matter was¹ invoked, *אין משנין חמצה המדינה*, "we do not depart from the local custom."

As the workmen had certain responsibilities imposed by law, so they also had certain privileges warranted to them. The workman who was engaged in the task of gathering the farm-products was allowed to eat of them so long as he was one of those whose right to do so was, *מן התורה*,² based upon the Torah. The worker was not allowed to change his work with another merely in order to be able to eat of the best.³ But the worker was allowed to eat as much as he wished.⁴ The artisans who were engaged to do certain tasks, were allowed certain parts of the waste of the material given to them for preparation. The washers were allowed to retain the lumps of thread that were left after the washing,⁵ but they were not allowed to use more than three hooks in stretching the garments, in order to prevent causing other threads to fall off.⁶ The carpenter was allowed to keep the planings, but not the chips, if the work was done in his own place, but if done in the employer's house, all the waste of the wood belonged to the owner.⁷

1. Tos. B.Kam. 11:18 - this rule seems to have been followed in all matters regulating workmen's customs and practices.

2. Maas. 2:7

3. Ibid 2:8

4. B.Mets. 7:5; Tos. B.Mets. 8:8

5. B.Kam. 10:10; Tos. B.Kam. 11:13.

6. Tos. B.Kam. 11:13

7. B. Kam. 10:10; Tos. B. Kam. 11:15

The tanner was allowed to retain all that came off with the rinsing water.¹ One fine protective measure for the worker was the fact that so long as the employer was watching the employee,² the latter could not be accused of theft.

Lest the worker abuse the priveleges allowed him, there were definite restrictions to prohibit the buying of goods from workmen. The principle seems to be that wherever the worker offered goods for sale in such quantities as to appear that he might have stolen them from his master, the purchase of such goods was prohibited.³ However, if the worker were to sell goods in such quantities as to appear that he was selling the goods for his master, it was then permitted to buy the goods.⁴ If the worker offered for sale articles which were not his by right, but of which the master knew, it was also permitted to purchase such goods.⁵ To buy goods which were stolen was absolutely forbidden.⁶ The worker was also forbidden to hire out or even to use for his own purposes the animals or tools of his master.⁷

The hours of work that were required of the worker were not limited or fixed to a particular number, but the local custom regulated the matter, so that where it was not the custom

1. Tos. B. Kam. 11:16

2. Tos. B. Kam. 11:18

3. Tos. B. Kam. 11:9

4. Ibid 11:9

5. Ibid 11:9

6. Ibid 11:9

7. Ibid 11:11

for the worker to go to work early and to stay late, the master could not force him to do so.¹ This applied likewise to the food that the master was supposed to provide for the workmen.² The worker was not allowed to have two jobs, namely, to work both night and day, nor was he allowed to give his food away, thus to starve or afflict himself and lessen the work he could do for his master.³

In the matter of paying the worker, there were more definite laws to govern the procedure. In the case of an artisan, if a dispute arose over the amount to be paid for the job, it was the owner of the material that had to bring proof concerning the price fixed, if the article was still in the hands of the artisan; if not, it was the artisan who had to bring the proof.⁴ If the worker, who was employed either by the day, week or month, stopped his work before the end of a day, the employer was required to pay for a full day; he could keep the wages, however, until sunset.⁵

SECTION V - WORKERS' ORGANIZATIONS.

Of trade organizations of ancient times, such as unions or guilds, we can find only the most elemental beginnings. That the merchants and artisans would gather together in one street or market for business,⁶ may or may not have been for mutual

1. B. Mets. 7:1,

2. Ibid

3. Tos. B.Mets. 8:2

4. Tos. B. Mets. 7:17

5. B. Mets. 111a

6. Jos. Wars 5:8;1.

6. Jos. Wars

benefit and would not necessarily indicate that they were organized in any way.

Krauss cites the example of the synagog that was in Alexander, that provided for the separation of the different groups of artisans and he maintains that it was not a synagog, but a sort of a market-hall where all the groups of workmen would each have a separate division so that workers who were in need of work or help could come to the group of which he¹ was a member, by virtue of his practicing the same trade. In Jerusalem there seems to have been a synagog devoted to the use² of the metal-embroiderers; this might indicate that there was some sort of a guild of this group of workers. There is also³ mentioned the master of workmen (רֹבֵן שְׁלֵשִׁים), one who might have been the head of a trade-group. There seems to have been expressions both in favor of and against competition among⁴ workers.

SECTION VI - SLAVES.

The bulk of unskilled labor in ancient times was done by slaves. In ancient Palestine, as in other countries of the Orient of that period, slavery was an established institution. Foreign, non-Jewish slaves were in the majority and as time

1. T.A. Vol. II., p. 258

2. Meg. 26a - בית כנסת של שרשים
See also above p.

3. T.B.M. 11:24, Ab.Zar 17b

4. Macc. 24a
Snh. 59b

went on there was a growing feeling against the ownership of Jewish slaves, as we might infer from the privileges bestowed upon the Hebrew slaves, and the treatment required by law of the master towards him.¹

These slaves were not always inexperienced workers, but often had trades and professions, the possession of which enhanced the value of the slave.² Quite a lively traffic went on in the sale of slaves. There were established slave-markets where the business was carried on; the markets of Gaza, Akko, and Batne were noteworthy as centers of trading in slaves.³

The prices of slaves varied greatly, according to the conditions of the times, from a very small amount, to sometimes a rather large figure,⁴ depending on the supply, which was usually regulated by the existence or lack of a war campaign.⁵ The sale of a slave was usually similar to the sale of real property,⁶ a bill of sale accompanied by a consideration and taking possession, provided the means of exchange.⁷ However, sometimes the sale was affected merely as would be the sale of movable chattels.⁸

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1. Kidd 20a - see also Mielziner, *The Institution of Slavery Among the Ancient Hebrews*, par. 16.
 2. Krauss, T.A., Vol. II, pp. 86 and 90.
 3. Ibid, p. 356.
 4. B.K. 4:5; 5:4; B.M. 8:4; Gitt. 4:9
 5. Schürer - H.J.P. - Div. I - Vol. II - p. 314.
 6. Gitt. 39a
 7. Kidd. 1:3
 8. B. Bath 150b

The Law enjoined humane treatment of the slave,¹ provided for his release and manumission, and prohibited the sale of even non-Jewish slaves to non-Jews, or to masters residing outside of Palestine.² For a summary (brief) of legislation dealing with the rights and priveleges of the slave, see David Farbstein, Das Recht der unfreien und der freien Arbeiter.

1. Mielziner - The Institution of Slavery - par. 20

2. Gitt. 4:9

CHAPTER FIVEGENERAL ECONOMIC SURVEY.

With the foregoing presentation of the conditions of business life in ancient Palestine before us, the question arises as to what extent does it reflect the actual economic conditions of that period, roughly termed the first two centuries of the Common Era? That period, filled as it was with the happenings of enormous influence in the life of the Jewish people, is from the historical point of view but scantily and often unreliably treated in all the sources of the time. The wars, the revolts, the destruction that befell the people were the things that occupied the historian and recorder of ancient times. What were the social and economic conditions as results of these happenings have been left to deduction and inference to reveal. Before the destruction of the Temple in 70 C.E., the economic conditions of the country are somewhat easier to ascertain, having at least the scattered references of Josephus, upon which to base our assumptions. Following the destruction, the accounts of the Latin historians are our sources of information, and with them the difficulty is that they are primarily interested in relating the progress and outcome of the various wars in which the Roman generals engaged. And, as would be natural, reflecting glory upon them wherever possible, and exaggerating or underestimating the Jewish activities wherever it suited their purpose. This was by no means a dishonest

practice of disregarding truth, but merely the manner of the ancient historians, who wrote with an honest national prejudice instead of the modern so-called historical-critical sense.

Our rabbinic sources that refer to these times are merely isolated references in a great mass of literature, and present to us a most fragmentary picture of conditions. It will be our purpose, therefore, not to exhaust the material on this most difficult subject, but rather to show some general and more or less complete survey of the economic background in which the business conditions and life as here pictured were found in that period.

The political conditions of the times preceding the destruction of the Temple in 70 C.E. were the worst possible. Beginning with the rule of Herod the Great (40-3 B.C.E.), and with all the internal strife that preceded it, there was an almost unbroken period of internecine war, of outside oppression, of burdensome taxation, or religious and social unrest that kept the country in a constant state of upheaval. Taxation was the great power that crushed the country, that choked the economic life of that period. Herod had begun the process well; his wars, his extravagant tributes to Rome, his imitation of the Roman zeal for public building,¹ his senseless fury in prosecuting every plan that might further his own ends, aid his position and add to his glory, drained the resources of the small country by the unusual burden of a tyrant's

1. Jos. Antiq. 16:15; 1-4.

impositions. When Herod died and one of his successors, Archaelaud, sought to win the favor of the people, one of their first demands was to be released from payment of annual dues and sales taxes.¹ This shows at once the pressure of the burden of taxation upon the people. And, no doubt, the practice of farming out the taxes,² still prevalent, did much to add to the already heavy burden of taxes, duties, customs, and other revenues demanded of the people.

With the advent of the Roman procurators, this economic difficulty of unreasonable taxation did not find any amelioration. The procurator was sent by the Roman government with one of the primary functions of acting as a tax official.³ From the first procurator, Coponius, that function was carried out with great zeal,⁴ and taxes were levied with the ardour of a patriot and the personal interest of a politician, for the procurator was not unmindful of the possibilities of personal gain.⁵

Famines, which were not an unusual occurrence in Palestine, came to add to the distressing conditions of the times, when even the outside charity of the Queen Helen of Adiabne was greatly appreciated.⁶ Is it any wonder, then, that insurrection and sedition were rife,⁷ that robbery and brigandage

1. Ibid, 17:8;4.

Ibid, Wars, 2:1;2.

2. Jos. Antiq. 12:4; 3-5.

3. Graetz - Gesch., Vol.III, p.245; Schürer, H.J.P., Div.I, Vol. 2, p. 65

4. Ibid, p. 246

5. Jos. Wars 2:14;1.

6. Jos. Antiq. 20:2;5 ; 20:5;2. 7. Graetz, Gesch., Vol.III, p.345

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were resorted to!! It is only the natural commentary to the terrible state of economic depression and disorganisation then existent.

Thus it is not hard to see that whatever business was carried on, whatever commercial activity there was, went on under the greatest difficulties, continued only because the people still lived in the country, and no matter how bad the economic condition and situation, the necessities of life had to be supplied, people must work and produce, buy and sell. And, it is to be remembered that in ancient times, the people were in a measure accustomed to the raids of robber bands and to the demands of the tyrannous rulers who had held sway now in one form or another for several generations. As bad as things may have been, there was commercial activity, engaged in by shop-keeper and artisan, who with characteristic oriental self-possession, worked on despite the antagonism of economic and political conditions.

With the days that preceded the Destruction, with the overrunning of the country by the armies of the Roman conqueror, there is no doubt that the country was thrown into the greatest economic confusion. Business went on in whatever way possible for it, trading and producing whenever conditions of war allowed it, or the need of the occasion demanded it, as in the case of John of Gischala's venture in buying and selling oil. 2

1. Jos. Antiq. 20:9;5.

2. Jos. Wars 2:21;2.

With the final conquest of the country, there is no doubt that, economically speaking, the national structure was wrecked. That many people were sold as slaves and at the lowest of prices by the Romans is not to be doubted.¹ Whether the large figures that we find mentioned² are to be trusted as accurate is certainly open to question, and the probability is that the terrible conditions of the times led to make the historian to make terrible exaggerations, especially when we consider that the number of people sold as slaves, deported and killed, would altogether amount to what would have been several times the number of people that it is estimated as possible for the country to have contained and supported, hardly more than a half-million. That the main center of trading, of commercial activity in store and shop and market, that, Jerusalem was completely destroyed, seems to be established beyond a doubt.³

However, the process of rehabilitation did start as soon as the terrors of war subsided. It is reasonable to suppose that a fairly large group of people were left in the country and that these, in order to live, set to work to build and to produce as soon as possible. There is something about the very horror of a destroyed country that impels the inhabitants to rebuild as soon as possible. It is to be borne in mind, also, that in ancient Palestine destruction at its worst could never have been anything like that following upon a modern war and

1. Graetz, Gesch. Vol. III, p. 448

2. Buchler, E.C.J., pp. 6,7 - gives Josephus' figures.

3. Taan. 4:6

that the structures of an ancient oriental country were, with the exception of a few very imposing public buildings, not very elaborate and altho easily destroyed, also easily rebuilt. Yet the process of rebuilding must have encountered one great difficulty. During the conquest of the country we know that the supplies of materials were heavily drained for war purposes, especially by the conquering armies, who, if accounts can be trusted, almost stripped the country of its building materials.¹

Vespasian retained the land of Judea as private property and to derive revenue therefrom, leased the same,² and we can infer that either thru leases or grants of land,³ the country was once again open to agricultural activity. That in time the land recovered from the war-time destruction and lands were once again cultivated with the result that we hear of wealthy landowners and others of wealth, we have reason to believe and there is some basis for our belief.⁴ The Patriarch Gamaliel seems to have been a wealthy man, as were a number of other scholars who lived in this period, a list of whom Buchler⁵ gives.

Just as there were a number of cities in Palestine that were destroyed during the war,⁶ there were also a number that

1. Jos. Wars. 6:2;7

2. "Buchler, E.C.J., p. 30

3. Schurer, H.J.P., Div. I, vol. 2, p. 253.

4. "Buchler, E.C.J., pp.31ff.

5. Ibid, pp.33-41

6. B., p.67

escaped at least any very great destruction,¹ (especially in Galilee). In these cities it is natural that the Jews of other cities that had been totally destroyed would take refuge.

This must have caused much poverty and increased the number of paupers,² but at the same time it must have assisted in the rehabilitation of the country, when we remember the natural thing would be for the more fortunate Jew to help his less fortunate coreligionist.³ Thus in the matter of a generation or so, of life in business and in workshop must have begun to flourish again, so that the conditions of business life were not merely memories of a past age, but were again becoming a part of the people's life and again assuming the reality of active economic regeneration.

That the land must have recovered from the war-time destruction that laid it low seems to be a fact that we can assume on the basis of two important developments in the post-war life of Palestine. The first is the rapid development of Jamnia as an academic center. True, the city had not felt the destructive force of war,⁴ but unless the country in general had not begun to recover from the war, it would not have been possible for the college of Rabbi Jochanan to grow, as the scholars who were necessary for its existence must have found means for a livelihood and support, or they could not have remained there. This is especially true when we consider that

1. Ibid

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2. Buchler, E.C.J., p. 41.

3. Ibid, p.8

4. Ibid, p. 18

altho Galilee had been rather badly devastated, it was a very fertile part of the country, and, being ruled over after the Destruction by a Jewish governor,¹ had a favorable opportunity for rehabilitation and, indeed, it was Galilee that became the economically active part of the country, rather than Judea. And not alone were schools established in Jamnia, but in other places academies were started and schools for the education of children as well were opened.² The presence of such educational facilities would indicate that the country recovered in time from the effects of war and had begun to re-establish life along pre-war lines. Then when the great revolt broke out under Hadrian and when Bar Kochbah for a while was able to prosecute the rebellion successfully, we can certainly infer from that that the people had already reestablished the old life in the country. They must have been once more engaged in their old agricultural pursuits, trading, and general production must have become almost normal again, despite the hindrances of outbreaks now and then, and the imposition of the heavy taxes of the Roman government. That the revolt of Bar Kochbah was able to continue for three years (132-135 C.E.) its opposition to the large forces and best generals of Rome would indicate that considerable resources were at hand to support the rather large force of men that Bar Kochbah is credited with having gathered.³ If this account of the numbers of his army can be relied upon, it in turn would indicate that the population of

1. Snh. 32b

2. Graetz, Gesch., Vol. IV, p. 50
 Buchler, E.C.J., p. 27.

3. Graetz, Gesch., Vol. IV., p. 151

the land had likewise rehabilitated itself and furnishes in that way further indication that the land had recovered its economic organization by the time of the Bar Kochbah revolt.

Following the disastrous outcome of the Bar Kochbah revolt, the country no doubt presented a complete picture of destruction and general economic ruin.¹ People were again sold as slaves and deported; no doubt, in even larger numbers than before. The Romans proceeded to destroy ruthlessly, knowing that when it would be rebuilt, it would be done so completely, and as a Roman colony. Thus, whatever of rehabilitation took place in the years following was more or less the work of the Roman government. Jerusalem was rebuilt as a Roman colony,² from which Jews were barred.³ Oppressive restrictions and anti-Jewish laws of the Roman government made life for the Jew almost unbearable and impossible,⁴ so that whatever he thought to do in the way of rehabilitating the country was done only with the greatest difficulty. Life in the devastated country was hard at its best and every sort of commercial activity was certain to have the greatest difficulty in surviving. The conquered people were now burdened with taxes greater and heavier to bear than ever.⁵ When the emperor

1. Schurer, H.J.P., div. I, vol. 2, p.314

2. Ibid, p. 315

3. Ibid.

4. Ibid, p. 318

5. Graetz, Gesch., Vol. IV., p. 224.

Pescennius Niger was asked to relieve some of the burden of taxation from the people, his answer was: "Would that I might¹ be able to tax the very air you breathe! " This indicates the pressure of oppressive taxation, from which it is easy to gather that it must have been long after even the end of the second century C.E. before the life of the Jews in Palestine began to recover any of its former normal condition and economic prosperity.

1. Ibid and page 225.

APPENDIX A.

Some Important Vegetables and Grains Mentioned In:

Kelaim 1:1

Barley-corn (panicle) (שעורה) שצורים
Beans ספיר
Beans פול
Beans (white) פול (הלבן)
Bean (an aquatic plant) שופח
Beans (Kidney) שצורים
Corn שיבולת
Oats שיבולת שועל
Peas פורקדן
Rye-grass זונץ
Spelt. כוסמין
Rye שיפון
Kelaim 1:2

Cariander (garden) כוסבר
Cariander (wild) כוסבר (שדה)
Cucumber קישות
Cucumber (bitter) רמוצה
Endives עולשין
Endives (wild) עולשי (שדה)
Gourd (Egyptian) (המצרי) דלעת
Leek כרישים
Leek (wild) כרישי (שדה)
Lettuce (garden) חזרת
Lettuce (hill) חזרת (גלים)
Melon (apple-shaped-cucumber-melon or squash). מלפפון
Mustard (common) חרדל
Mustard (Egyptian). חרדל (מצרי)

Kelaim 1:3

Beets תרודים
Cabbage תרובתור
Cabbage (rounded) כרוב
Garlic שום
Garlic (wild) שומנית
Lupine תורמוס
Lupine (Homogeneous with - פלסלוס) תורמוס
Onion בצל
Onion (dwarf) בצל צול
Orache (garden) לעוזים
Raddish נפויץ
Turnip לפת

Nedaim 6:9

Asparagus איספרמוס
Leek (with head) קפלושות

Orlah 3:7

Beets תרדץ
Orache (garden) לעוזים
Pomegranates רמוצי (בדן)
(Bidan)
Nuts (Perek) אגוזי (פרק)