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**Explaining the Success of Roman Freedmen:  
A Pseudo-Darwinian Approach**

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# **Explaining the Success of Roman Freedmen:**

## **A Pseudo-Darwinian Approach**

by

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**Report**

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## **Dedication**

To my family.

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## **Abstract**

### **Explaining the Success of Roman Freedmen:**

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In Roman society, freed slaves were elevated to a citizen-like status, yet they never had the full rights of their free-born counterparts. Despite the inequality of the system, many freedmen appear to have found great success in the realm of business. This report endeavors to reveal why it was that this group prospered within the Roman economy using a pseudo-Darwinian perspective. Scholarship has, for the most part, tended to avoid Darwinian lines of thought in sociological studies but this report shows the power of this type of thinking. The first chapter clarifies the nature of slavery in the Roman world and the wide variety of experiences that slaves could have. Chapter two considers the different ways that slaves could be manumitted and how a freedman's status could differ depending on the formality of his release from servitude. The third chapter examines the literary representations of freedmen in the genre of comedy and Petronius' *Satyricon*. Chapter four turns to the archaeological evidence and provides a sense of how freedmen represented themselves to the wider community. Lastly,

the fifth chapter, using a pseudo-Darwinian model, will show that the image of the successful freedman is not an anomaly of the archaeological record or a trope of Latin literature but an inevitable outcome of the intense selection that slaves underwent.

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## **Introduction**

Manumitted slaves occupied a particularly interesting position in Roman society. On the one hand, their servile past forever constrained them to a position near the bottom of the social order. The only members of Roman society that freedmen could consider inferiors were those slaves who had not been freed. On the other hand, despite their low social position, in many instances freedmen appear to have amassed substantial wealth through business ventures. Their limitations were not only social, but also encroached on their political rights. As we shall see, although slaves of Roman citizens were given some citizen rights once manumitted, it was not full citizenship since their ability to participate in the political process was restricted. In this study, I examine why it was that a group with so many systemic disadvantages still found so much prosperity in the Roman world. In order to do this, I will adapt Darwinian Theory to suggest that the success of freedmen was not simply a fact in Roman society, but an inevitability produced by the operations and dynamics of the slave system.

All freedmen had something in common: they had spent a portion of their life in the service of a master who owned them as property. Being a slave, however, was not a uniform experience. In chapter one, therefore, I will outline the nature of slavery in the Roman world; several factors could affect the experience of servitude for an individual. Some slaves knew no other way of life, having been born into the position as the offspring of another slave. Even in the circumstance of a master impregnating one of his own female slaves, the child would be of servile status, and owned, rather than recognized by the master/father. Other people entered into servitude later in life when they fell on hard times and could not support themselves

financially. One advantage of being a slave was that it became someone else's economic interests to keep you alive and relatively healthy. For some desperate individuals the care of a master was more valuable than liberty. In contrast, other people became slaves unwillingly due to war or piracy. How people entered into servitude would have drastically affected their experience and how resistant they would be to their status and its inherent degradation.

Beyond how one became a slave, the work and treatment of slaves could vary substantially. While some slaves were systematically broken by masters who pushed them for maximum productivity, other slaves were highly skilled and were entrusted with important business or domestic tasks. Perhaps the most remarkable aspect of Roman slavery is just how skilled some of the slaves were. What we would today consider highly respected positions such as a doctor or a teacher were often filled by slaves in the Roman world. Due to the variety of ways in which one could enter slavery, the slave population had a diverse range of skill-sets and could fulfil practically any position one might need. Depending on the type of work and the proximity of the slave to the master and his family, the means by which the master could motivate the slave would differ. Our ancient evidence, as we shall see, conforms with economic theory regarding what incentives were most suited to various kinds of tasks and modes of employment. Consequently, the type of work that a slave was involved in impacted on the way his master treated him.

Chapter two charts the legal and social aspects of manumission in the Roman world and the position in which freedmen were likely to find themselves when their days of servitude had come to a close. Just as there were many ways to become a slave in the Roman world, there were just as many ways to transform into a freedman. The process of manumission could be

performed in a very formal way involving magistrates, a census, or a will, or by means of an informal agreement between a master and his slave with no real legal recognition. The way that a slave was manumitted could impact on his situation moving forward and civic rights. Although more formal manumission involved a greater degree of bureaucracy, the benefit for the freedman was a more certain legal status and the ability to confirm his manumission in a legal context.

With the lives of slaves and the process of manumission clarified, we can then turn to the representation of freedmen in literature in chapter three. A comprehensive examination of every reference to freedmen would be unnecessarily onerous. Let us simply say that freedmen were a near constant presence in literature from the Roman period which reflects their importance to the society at large. For the purposes of this study, I shall focus on two key representations of freedmen. The first is one of our oldest genres in Latin literature: the comedy. Drawing from the texts of Plautus and Terence, what we shall see is that the stereotype of the wealthy freedman had not yet taken hold in Roman culture in the middle republic. Freedmen and the freeing of slaves occur in the plays but do not tend to occupy a major role. The freed characters do not have an association with great wealth or power, though they can prove influential on the progress of the plot and often manipulate other characters. The second literary work is Petronius' *Satyricon*, from the reign of Nero. The *Cena Trimalchionis* is a particularly infamous depiction of an immensely wealthy freedman who, although sparing no expense at his dinner party, fails to impress some of his guests due to his lack of refinement. This text is the quintessential representation of a wealthy, yet unsophisticated freedman. By this period, following Augustus' opening up of opportunities for freedmen to participate in their community

and Claudius' heavy reliance on freedmen in the management of the empire, the trope of the wealthy freedman had been cemented.

In both Roman comedy and the work of Petronius, as well as Roman literature more widely for that matter, one of the greatest limitations on our ability to gain insight into the lives of freedmen was the fact that these texts, almost without exception, were written by and for aristocrats. Consequently, the representations of freedmen in literature are not how freedmen perceived themselves, but rather the attitudes that aristocrats held toward them. In chapter four, therefore, we will turn to the archaeological record. The great advantage of this evidence (and the reason why no study of freedmen would be sufficient without it), is that a good number of works were commissioned by freedmen. While the available literature only allows us to see freedmen from the perspective of their social superiors, archaeology enables us to take on board what freedmen thought of themselves and the image that they wanted to put forth to the wider community. I begin with a discussion of one of the most famous houses in Pompeii, The House of the Vettii, which is usually presumed to have been the residence of a pair of freedmen. As we shall see, many of the assumptions and interpretations made by art historians are problematic and using the House of the Vettii as evidence for the gaudy artistic tastes of freedmen is foolhardy. Alternatively, the funerary monuments of freedmen give us a better sense of the viewpoints of Roman freedmen. Since the monuments are often accompanied by inscriptions, we can be certain of their attribution. Moreover, there are stylistic features that recur regularly, such as an emphasis on the world of business and the presentation of families that help us to see the attitudes of some freedmen. The fact that the monuments exist at all is testament to the success that some freedmen had given that commissioning such works was

not cheap. The iconography of freedmen's funerary monuments helps us to see how they amassed such financial resources and their priorities.

In the final chapter, I will explore why there is a stereotype of rich freedmen in literature and why archaeological evidence suggests that some number of freedmen were successful in the world of business. Darwinian Theory, although central to the biological sciences, has only been reluctantly taken up in the social sciences for the last few decades. Before considering freedmen from a Darwinian perspective, I will briefly explain the process of evolution by means of natural selection and why some scholars, misguidedly, have been hesitant to approach sociological questions along these lines. Then, by considering the process of manumission in a similar way to artificial selection in biology, we shall see that the resultant population was a highly capable, well-connected group. With regard to manumission, slaves were selected both for certain personal attributes (such as their skills and ability to integrate into Greco-Roman culture), and based on circumstances beyond their control (such as their master's disposition and wealth). In each case, for the slaves who were situated favorably in terms of these selection pressures, upon manumission, these same traits and circumstances would prove helpful in their lives as freedmen. Therefore, not only was success among freedmen a reality in Roman society, it was an inevitable product of the system.

## Chapter 1:

### Roman Slavery: The Slave Experience

Before we consider the lot of the manumitted slave in the Roman world, it is worthwhile for us to bear in mind their range of experiences as a slave prior to obtaining their freedom. Slavery is a complex phenomenon that has too often been handled in an overly simplistic way. There are nuances that are easily overlooked when trying to determine which individuals were slaves and what the institution of slavery actually entailed.<sup>1</sup> There was more than one way for someone to enter into a position of slavery and this background could drastically affect the experience of enslavement. Servitude was, subjectively speaking, a different experience for someone formerly free and driven into slavery than it was for someone born a slave who did not know of another possibility. It is worth noting, for instance, that the leaders of all three major slave revolts were free foreigners who had been enslaved by Rome.<sup>2</sup>

One could be born a slave if their parent was also in servitude at their time of birth; the child would be the property of their parent's master.<sup>3</sup> The extent to which this helped to grow slave populations is difficult to reconstruct, but some literary references suggest that it was

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<sup>1</sup> Testart (2002) 176 warns that slavery is a very precise term and some slave-like situations should not be bundled under the umbrella of slavery. See, for instance, the discussion of debt bondage later in this chapter.

<sup>2</sup> Sen. *De Ira* 3.29.1-2 discusses how captives reduced to slavery from a position of freedom may be particularly resistant to their new status as slave. Maurice (2013) 112 notes that attitudes were typically more positive toward home-born slaves (*vernae*) than they were toward slaves coming from outside. It is notable that the leaders of the three major slave revolts in Roman history were all foreigners. Diod. 34/5.2.1-8 identifies Eunus, the leader of the first Sicilian revolt as Syrian. The second Sicilian revolt is a little more complex, with several leaders, but Diod. 36.5.1-2 identifies one of the leaders, Athenion, as a Cilician. Plut. *Cras.* 8.2 proposes that Spartacus was originally Thracian; see Donaldson (2012) 28, 98 and Baldwin (1967) 289, 293. Bradley (1983) 449-51 argues against the notion that these slave revolts aimed at establishing their own monarchies.

<sup>3</sup> See Knapp (2011) 179.

significant.<sup>4</sup> According to Nepos, Cicero's friend Atticus insisted on only using slaves born in his household.<sup>5</sup> Columella suggests that a female slave, upon rearing three slave children, should be exempted from work or offered manumission for even more progeny.<sup>6</sup> We could question the reliability of a handful of literary references. Nonetheless, although they may well not reflect reality perfectly, they must bear some resemblance to actual practice to have appeared as they do. Beyond being born a slave, there were two common ways for a freeborn individual to find themselves in a situation that might be termed slavery in the Roman world: one possibility was being sold as a chattel slave due to becoming a prisoner of war or kidnapped by pirates; alternatively, people could become slaves due to an inability to pay a debt.

### **Debt Bondage**

Debt bondage was a recurrent issue in the ancient world. Livy's veteran centurion is one of the most famous examples of this problem in Roman history. He served his country and received military distinctions, but upon his return from war found himself buried in debt to the point where his creditor seized him (Livy 2.23.3-7).<sup>7</sup> The juxtaposition of his noble war scars, which were exclusively on his chest, with the signs of whipping to his back, sparked an outcry from other indebted individuals and propelled the Republic into a crisis. A similar breaking-point was seen in archaic Athens, where Solon was given control of the city and carried out a set of

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<sup>4</sup> Parkin (1992) 1-2 describes the projections of modern scholars in the areas of demography and population are both "intricate and subjective," and suffer from a lack of the necessary evidence. Frier (2008) 787 similarly remarks that "the underlying demographic structure of the early Roman empire is only dimly perceptible."

<sup>5</sup> Nepos *Att.* 13.4.

<sup>6</sup> Columella 1.8.19. See Perry (2013) 57-8.

<sup>7</sup> Note that this character is more than likely fictional, but he represents the issue well and shows the potential for debt bondage to become a systemic problem.



reforms to “shake off the burdens” (σεισάχθεια): “He made the people free both at the time and for the future by prohibiting loans secured on the person, and he laid down laws, and enacted cancellations of debts both private and public.”<sup>8</sup> According to Testart, however, if an individual accrued debts and, as a consequence of defaulting on repayments, was compelled to repay the lender in the form of forced labor their status was not entirely equivalent to that of a slave.<sup>9</sup> Their situation certainly had some similarities, including working without financial compensation, but crucially their lender did not have all of the rights of a slave master. Harris, similarly, when analyzing the reforms of Solon, distinguishes between debt-bondage and being enslaved due to a debt.<sup>10</sup> In the case of debt-bondage, which is comparable to what Testart labels “paying off debt with labor,” the debtor does not assume the status of a slave. It was only in the rarer instance of actually selling oneself into slavery that the term slavery is appropriate.<sup>11</sup>

One crucial feature of slavery that is not part of debt bondage is the loss of status as a citizen. Part and parcel of this was also the loss of any legal recognition of kinship, a point that Finley rightly stresses was part of slavery but not of other slave-like statuses.<sup>12</sup> Typically, in a culture where slavery is commonplace, the slave’s ability to participate in society is severely

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<sup>8</sup> Aristot. *Ath. Pol.* 6.

<sup>9</sup> Testart (2002) 176-7 emphasizes the difference between “pawning” where a debtor is forced to work for the lender, without the work actually diminishing the loan, and a situation of “paying off debt with labor” where hours worked are calculated in order to deduct time served from the amount owed.

<sup>10</sup> Harris (2002) 417 stresses the difference between debt-bondage, where debt is paid off through labor, and debt-slavery, where an individual is sold into slavery by the lender so that the lender can recoup the money immediately. He argues that Solon was preventing the selling of debtors into slavery, not the phenomenon of debt-bondage which continued in Attica. Lee (2011) 27-8 classifies both chattel slavery and debt bondage as forms of unfree labor, but also highlights the distinction that should be made between the two, despite their similarities in terms of exploitation and vulnerability for the worker.

<sup>11</sup> As Harris (2002) 417 emphasizes, in the case of selling oneself into slavery, that the debtor would forfeit all of his rights (including citizenship).

<sup>12</sup> Finley (1980) 75 contrasts the Roman slave’s complete loss of kinship ties with Spartan helots, for instance, who maintained their family networks.

limited. The Roman slave's offspring were not their own and they could not be formally married; informal arrangements were always possible within a household, but the master still had the power to split up slaves that were related or sell some of his slaves if he wished. Loss of the right to have recognized kin, in contrast, was not a component of debt-bondage. Moreover, slavery was a permanent situation for a slave unless the master permitted his manumission; in contrast the debt-laborer was not the property of the creditor. The possession was only over his labor and he continued to hold his citizen status. Additionally, there was a clearly defined end point to his service – when the debt was repaid.<sup>13</sup>

So for the Roman citizen slipping into debt, unless he actually sold his person into formal slavery, the term “slavery” is not really appropriate. Wiedemann documents how in the 320s BC, the enslavement of debtors was outlawed in Rome.<sup>14</sup> To be clear, debtors could still be forced to work and were still responsible for the debt, but the lender was no longer legally able to sell the debtor into slavery to make their money back.

In terms of entering into formal slavery, therefore, debt was not a very common pathway.<sup>15</sup> Typically debt-bondage did not entail all of the aspects of slavery and being driven into slavery by a debt was outlawed in the late-fourth century. The more typical path to slavery

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<sup>13</sup> See Harris (2002) 417 on the nuances between a *nexus* in the twelve tables, who simply owed labor to repay a debt, and the *addictus* and *iudicatus* who could be sold into slavery. Biezunska-Malowist (1982) 117 emphasizes that slaves were excluded from the society in which they served, including ties of kinship.

<sup>14</sup> Wiedemann (1980) 37. See Livy 8.28, Val. Max. 6.1.9, and Dion. Hal. 16.5.

<sup>15</sup> Although not the main source of slaves, Knapp (2011) 182 is right to note that fathers, since they had complete control over their children, could sell them into slavery to repay a debt.

was defeat in war or capture by pirates.<sup>16</sup> Turning to the capture of enemy combatants and civilians, Caesar's campaigns in Gaul are a useful case study.

### **Prisoners of War**

In Caesar's *Bellum Gallicum*, we see many instances where individual combatants, non-combatants, and large groups are enslaved following Caesar's victory over them. Caesar, for instance, conquered the Veneti. With their surrender, he executed the Venetian senate and sold the rest of the population as slaves in response to their lack of respect for ambassadors.<sup>17</sup> Such an action, however, was not simply used to set an example for poor conduct from Gallic populations. Riggsby notes that Caesar often killed or enslaved entire towns.<sup>18</sup> Moreover, Collins stresses that the narrator of the *Bellum Gallicum* mentions such actions (which to the modern reader are atrocities), in a matter of fact manner; in no way were these instances exceptional.<sup>19</sup> In fact, they were so regular that the number of individuals sold into slavery is estimated by modern scholars to have numbered more than a million.<sup>20</sup> Moreover, this treatment was not exclusively a Caesarian impulse. Other military victories saw the slave market swell. At Agrigentum, for instance, the Romans enslaved the population during the Second Punic War.<sup>21</sup> Bradley stresses that the capture of defeated populations, and in particular female non-

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<sup>16</sup> Treggiari (1969) 1-3.

<sup>17</sup> Caes. *B.G.* 3.16.

<sup>18</sup> Riggsby (2006) 103.

<sup>19</sup> Collins (1972) 933-5.

<sup>20</sup> Tatum (2008) 45.

<sup>21</sup> Livy 26.40.13. See Bradley (1987) 45 for a breakdown of mass enslavements from 262-142 BC. Similarly, Aemilius Paullus enslaved 150,000 after the Third Macedonian War; see Polyb. 30.15 and Dillon and Garland (2013) 302.

combatants, should be seen as an important connection between the enslavement of the conquered and the swell in slave numbers due to slave-born offspring.<sup>22</sup>

### **Kidnapping and Piracy**

Finding oneself on the losing side of a Roman military campaign appears to be the most significant component of the slave trade, but to this can be added less structured conflict. Piracy and brigandage was a continuous problem in the Mediterranean, as the commands of several Roman generals indicate. Publius Servilius Vatia Isauricus' command of 78-74 BC, although not formally an anti-pirate campaign, did include many military operations against pirate strongholds, as did several other generals in the war against Mithridates.<sup>23</sup> Marcus Antonius was given a special command against pirates in 74 BC and he focused his efforts on the pirate center of Crete in 72. Antonius was not victorious, which led to the largest-scale campaign against piracy by Gnaeus Pompeius Magnus (Pompey the Great) in 67 BC, a success by all accounts that resulted in a pacification of the seas within months.<sup>24</sup> De Souza debates to what extent these were campaigns against actual pirates and to what extent piracy was a propagandistic tool to justify aggression; we see such labelling remaining effective in the Early Imperial period with the smearing of Sextus Pompey as a lowly pirate commander.<sup>25</sup> Despite Roman efforts to suppress

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<sup>22</sup> Bradley (1987) 50. Rather than seeing warfare and breeding as alternative forms of slave-labor growth, they can have a cumulative effect. See Harris (1980) and (1999) on the various sources of slaves and their effects on the slave population. Joshel (2010) 81-7 suggests that a considerable proportion of slaves came with the influx of war prisoners. See Scheidel (1997) and (2005) on the population and distribution of slaves in Italy. However, McKeown (2007) 140 stresses that reconstruction the demographic makeup of Roman slaves is very difficult and that the results of modern scholars tend to be a reflection of the assumption applied to the data rather than any real facts.

<sup>23</sup> See De Souza (2008) 82 for an account of the various commands against pirates.

<sup>24</sup> Jones (1956) 189 suggests that the combination of Roman expansion and piracy would have swelled the slave population up until Pompey's pacification of the seas in 67 BC.

<sup>25</sup> See De Souza 88-89. See Aug. *R.G.* 25 for the labelling of Sextus Pompey as a pirate.

piracy, the threat of being reduced to slavery upon capture by pirates was very real. Even a young Julius Caesar was apparently captured and only secured his freedom by paying a ransom.<sup>26</sup> Not all captives were so fortunate. An example is the inscription of Gaius Tadius Severus: his inscription tells us that he, along with his son, was seized by bandits and forced into slavery.<sup>27</sup> Knapp notes that, although it was technically illegal for citizens to be sold into slavery, upon capture by human traffickers, it was highly unlikely that the “plea for restoration of freedom before a magistrate” could be enacted.<sup>28</sup> Once caught, unless one had access to considerable wealth and could buy off captors for a better price than would be achieved at the market, the opportunity for freedom was limited and the likely outcome was to enter the slave market. In a similar manner to prisoners of war, we can easily imagine how individuals enslaved against their will might be resistant to the new position, especially if they had been a citizen previously.

We can clearly see that an individual could become a slave in Roman society under a variety of circumstances. Some slaves were born into the status while others were freeborn Romans who either fell on hard times or had the unfortunate experience of being kidnapped. Others still were defeated parties in military conflict. Equally varied was the experience of individual slaves. Some would have found their living conditions unbearable with physical, psychological, and sexual abuse a common occurrence.<sup>29</sup> For others, conditions would have

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<sup>26</sup> Plut. *Caes.* 1-2 and Suet. *Jul.* 4.

<sup>27</sup> *ILS* 8506.

<sup>28</sup> Knapp (2011) 181-2.

<sup>29</sup> See Richlin (2014) 181-3 on the threats, and at times occurrences, of physical assault on slaves in Plautine comedy. Such physical abuse of slaves, even if not universal, at least was common enough that it could be a regular trope on the stage.

been better than the average free person. It is for this reason that we must be careful speaking too broadly about the phenomenon of chattel slavery in Roman society. It was very different for each participant.

Moreover, even if the conditions of servitude were identical for two slaves, we cannot assume that their experience was the same. Due to the multiple ways that one could enter into slavery, the reaction of individual slaves to their circumstances could be markedly different. To take an example, let us imagine two slaves with identical jobs. One was born to enslaved parents while the other was a prominent citizen in a city hostile to the Roman army who was captured and enslaved. While the individual born into slavery would probably be relatively accepting of his fate and more than likely has the support of his biological family (even if as slaves their bonds could not be legally recognized), the enslaved foreigner would be much less accustomed to slavery and might well prove resistant. This may appear to be just a convenient comparison, but it is actually grounded in reality. Rome had suffered two large-scale slave revolts in Sicily and a third, led by Spartacus, in southern Italy. In each case, although our sources reveal less than we would like about the leaders of the rebellions, what we can observe is that each was captured in war and then enslaved.<sup>30</sup> Those born into such conditions (along with those who had voluntarily given up their freedom) would perhaps be more accepting of enslavement having known nothing else.

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<sup>30</sup> See Urbainczyk (2008) 51-74 on the leaders of the Sicilian slave revolts and Spartacus. Also see Strauss (2009) 17, Bradley (1989) 58-60, and Westermann (1955) 64-5.

## The Master's Perspective: Using and Abusing Slaves

Roman attitudes to chattel slaves are somewhat unsettling to the modern mindset. The concept of possessing another person is fortunately alien to most of us, although human trafficking is still an issue today and the days of modern slavery are not too distant from our time.<sup>31</sup> To the Roman slave-master, however, his slaves were just another resource at his disposal and the use and abuse of other humans was never seriously questioned. Varro describes the ways that people divide the resources that are used to perform agricultural work into three categories: "The class of instruments which is articulate, the inarticulate, and the mute; the articulate comprising the slaves, the inarticulate comprising the cattle, and the mute comprising the vehicles."<sup>32</sup> In a similar vein, Cato, when listing the agricultural objects to be sold off when capital is required simply lists less fit slaves among the many other tools and resources that are no longer necessary: "Sell worn-out oxen, blemished cattle, blemished sheep, wool, hides, an old wagon, old tools, an old slave, a sickly slave, and whatever else is superfluous."<sup>33</sup> In these instances, what is clear is the attitude toward the slave: they were an object and a possession. Contracts for the sale of slaves also emphasize the master's focus on utility and function with little concern for humanity while Pliny compliments his friend's selection of slaves for the fact that they look "suitable" but he eagerly awaits whether they will be "useful."<sup>34</sup> As a

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<sup>31</sup> On the modern phenomenon of human trafficking, see Cullen-DuPont (2009) 3-6 who points out that slavery has been a universal for most of human history, and persists today despite the United Nations pronouncement sixty years ago that "slavery and the slave trade shall be prohibited in all their forms." Also see Lee (2011) 3-10 on the nature of modern forced labor and the many forms it can take.

<sup>32</sup> Varro *De Ag.* 1.17.1.

<sup>33</sup> Cato *De Ag.* 2. See Bradley (1994) 54 and Hopkins (1978) 123 on the view of slaves as objects rather than people.

<sup>34</sup> *P. Oxy.* 95 and Pliny *Letters* 1.21.

chattel slave, your owner was exactly that: the person who owned you and had complete control over you.<sup>35</sup>

But not all slaves received the same treatment. Despite their non-existent legal rights, they did not suffer to an equal extent. This was largely determined by their value as a slave based on their skillsets and abilities. The Roman slave population can be broadly divided into two sections: rural slaves and urban slaves. The former worked in agricultural settings and are generally considered to have had a far lower likelihood of manumission, significantly worse living conditions, and a low life-expectancy.<sup>36</sup> Economic theory supports the ancient evidence. A transactional-costs model of agricultural organization shows that slavery was not necessarily the most effective system of labor in every case; it depended on the nature of the work to which the labor was being applied.<sup>37</sup> Laborers can be divided into free/tenant and slave/wage farmers. For the free or tenant farmer, the incentives for maximizing productivity are the profits that they generate for themselves or their resulting ability to pay rent from successful production. In contrast, there is no incentive for the wage/slave worker outside of compulsion by their master/employer, usually in the form of docking pay for wage-laborers or abuse and punishment for slaves. Applying pressure and abuse to workers requires expenses in the form of supervision, which is not always effective. While abuse may produce greater effort, it typically

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<sup>35</sup> Finley (1980) 73-7 emphasizes the advantages of total control for a slave master.

<sup>36</sup> McKeown (2011) 27 stresses that although we do see close relationships between slaves and their masters, these relationships exclusively involved household slaves. Also see Joshel (2010) 42, Gruen (2010) 969, and Wiedemann (1987) 28. Hopkins (1978) 118 emphasizes that the majority of agricultural slaves only found their freedom in death.

<sup>37</sup> See Fenoaltea (1984) 635-40. Berliner (1974) 395-427 uses a similar model to compare American and Soviet labor systems.



does not improve care and attention in workers and can even have a negative effect on the quality of work.

In this vein, tasks can be divided into two categories: effort-intensive and capital-/care-intensive.<sup>38</sup> Slave labor is better suited to effort-intensive jobs such as quarrying, mining, and the labor-intensive periods of the agricultural cycle. These roles, in the Roman context, would be filled by rural slaves. The advantage of slave labor is that slaves can be applied for longer periods of time than a free worker to tasks where quantity is more important than quality. Some might feel that such economic considerations are anachronistic, imposing the mindset of our modern economies of globalization and finance onto the ancient world; a cursory glance at Cato's *De Agricultura*, however, makes it clear that the farm-owning aristocrat was highly sensitive to the productivity and efficiency of his farm (or at least should be in Cato's eyes).<sup>39</sup> With regard to the effort-intensive category of work, in large scale tasks with repetitive, unskilled, effort-based activities, economies of scale allow supervision costs to be reduced.<sup>40</sup> So slave labor, encouraged through the threat of punishment, was an economically-effective system for such effort-intensive operations. Apuleius, for example, describes slaves working in a mill where bruises and scars show the brutal motivation that the owners of the mill used on the workers.<sup>41</sup> Similarly, Diodorus Siculus describes the absolute corporeal destruction that

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<sup>38</sup> An important work in this area in terms of American slavery is Goldin (1976) where she considers the economic underpinning of urban slaves who were able to work in conditions that resembled free work. Also see Kolchin (1987) on the economic models of American slaves and Russian serfs. Fenoaltea (1975) 695-7 uses a similar transactional costs model applied to the agricultural practices of medieval England.

<sup>39</sup> Cato *De Agr.* 2 states that the owner should "make a calculation of the laborers and the time consumed" and find ways to always have the slaves being productive, regardless of the time of year or weather conditions.

<sup>40</sup> Findlay (1975) 924.

<sup>41</sup> Apul. 9.12.

slaves suffered in the Spanish mines.<sup>42</sup> Cato, as we have seen, also presents slaves in agricultural settings as having the minimum possible resources and being pushed to produce the maximum output.

Capital-/care-intensive tasks, in contrast to effort-intensive ones, are better suited to free and tenant workers. The incentive of profit or taking care of impending rent payments induces the worker to pay attention and complete their job diligently. Moreover, in this situation, there is no need to cover the cost of supervision, as the worker does not need to be scared into doing their work. Instead, with the appropriate incentives in place, free and tenant workers have ample reason to work well. For the tenant owner, their incentive was to maximize productivity, in order to meet their rental obligations and produce a surplus as profit. For the free worker, paid in the form of a wage, their incentive was that there could be potential for better pay or promotion within the organization, as well as the desire to retain their paid position. In these incentive-based labor-systems, the workers have a very direct interest in maximizing their own productivity.

In the Roman world, however, despite the situational economic benefits of tenant workers, slave labor was applied to both effort-intensive and capital-/care-intensive tasks.<sup>43</sup> Rather than being limited to mines and agriculture, slaves occupied roles of great skill and importance, from domestic chores to business transactions and secretarial work.<sup>44</sup> These were

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<sup>42</sup> Diod. Sic. 5.38.1.

<sup>43</sup> Finley (1980) 81-2 stresses that there was not “a slave ‘level’ of work.” Slaves performed tasks at practically every level of society. Dillon and Garland (2013) 295 also emphasize that slaves could fill practically every position in Roman society.

<sup>44</sup> Maurice (2013) 126-37 discusses the use of slaves and freedmen in the area of education. Also see Too (2001) 19 on the rise of Greek teachers of freed status in Rome.

the jobs of urban slaves whose living conditions and life expectancy were higher than their rural counterparts. The most famous example is Cicero's secretary Tiro. Originally his slave and later his freedman, Tiro is credited with having published Cicero's correspondences after his former-master's death and from the evidence we have, the two appear to have had a genuine fondness for each other.<sup>45</sup> Additionally, in Cicero's letters, we see countless references to slaves who carry letters to and from aristocrats, sometimes of a sensitive nature.<sup>46</sup>

Due to the nature of capital/care intensive tasks, an inducement for competent work was necessary. Physically or psychologically abusing a slave in order to produce more work on a farm was effective, but the same strategy would bear little fruit for urban slavery, which was based around the world of business and the domestic sphere. In these instances, dangling the elusive carrot of manumission in front of the slave encouraged diligence, a thorough approach to their work, and removed the need for constant supervision.<sup>47</sup> Slaves filled the important and highly-skilled positions within the areas of administration and commerce, where workers needed to be reliable and independent.<sup>48</sup> It is therefore misleading to speak of a single institution of Roman slavery. Rather, the experience of slavery was wholly different depending on the skills and attributes that each slave possessed. This sensitivity is nothing new. In the late

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<sup>45</sup> See Hall (2009) 9 on the ways in which we can see Cicero and Tiro bridging the social gap between former-master and freedman. See Tempest (2011) 5 and Shackleton Bailey (1971) xi on Tiro's publishing of Cicero's manuscripts. See Williams (2012) 232-3 on Cicero's imagery of friendship and love in his letters to Tiro. Dubois (2009) 102 notes how Cicero shows genuine care for Tiro when he writes to him during his slave's sickness.

<sup>46</sup> See Hall (2009) 16-18 on the letter writing practices of Roman aristocrats and the sheer volume of correspondence produced by Cicero. See Hooper and Schwartz (1991) 12-14 on freedmen as letter carriers and their responsibilities.

<sup>47</sup> Hopkins (1978) 126, 131. Also see Findlay (1975) 926-7 on the balancing act between the cost of positive inducements and the cost of supervision in a punishment model of labor control.

<sup>48</sup> Knapp (2011) 239.

1960s, Treggiari saw a division between Hellenized/Romanized individuals and slaves from more exotic locales that would directly impact on their likely vocation and future prospects.<sup>49</sup>

With this in mind, let us now turn to the figure of the freed slave. Due to such varied experiences among the enslaved, the possible consequences of manumission also varied significantly. Before considering how freed slaves were represented in art and literature and which slaves were more likely to be freed, we must clarify the manumission process and its social and legal ramifications.

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<sup>49</sup> See Treggiari (1969) 8-10.

## Chapter 2:

### From Slavery to Freedom: Manumission

For many slaves, there was no future beyond servitude; as Hopkins stresses, for the majority of slaves the only escape from enslavement was death.<sup>50</sup> Where we do see slaves and the phenomenon of manumission appear in the literary or epigraphic record, it is the exception not the rule. For this reason, attempting to postulate even a rough estimate of slaves' demographics or population is futile. For one thing, we have the issue of survival of evidence, particularly in the realm of archaeology. On top of the slaves who produced evidence that has not survived, there is also the considerable number of slaves that, due to their lowly position, were never in a position to produce evidence for us at all. Due to the incalculability of these silent groups any estimates are fraught with danger. What can be said with certainty is that, when discussing manumission, there is a silent majority who do not factor into the debate. As described in the previous chapter, those slaves that found themselves in positions that involved effort-intensive labor were unlikely to be manumitted or have the means to leave evidence of their existence behind. It was the slaves working in capital/care intensive positions who had a hope of manumission, but even in these positions, there was no guarantee.

Manumission was likely to be the most significant moment in a slave's existence. It was a rebirth and transition from a complete lack of rights to an enfranchisement of sorts into Roman civic life.<sup>51</sup> The particulars of both the mechanics of the process and its results in terms of social

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<sup>50</sup> Hopkins (1978) 118.

<sup>51</sup> Mouritsen (2011) 38 emphasizes the parallel between manumission and birth, former master and parent. Lindsay (2009) 94-5 notes how simply adoption and manumission can be confused in the epigraphic record. We cannot always assume that the *cognomina* is a marker of a servile history. It can

status could vary markedly. Some involved a formal process before a magistrate while others were far more low-key, requiring only an informal ceremony between master and slave. The most significant factor in terms of the manumitted slave's position within Roman society was how legally recognized their status was and whether it also conferred a form of Roman citizenship.<sup>52</sup>

Cicero provides us with a helpful summary of the possible avenues for citizenship and manumission when discussing it as a hypothetical legal topic in his *Topica*.<sup>53</sup> Advising on the way in which an advocate can confirm in court that an individual is of free status (or in this case establish that he is not), he states (Cic. *Top.* 10):

*si neque censu nec vindicta nec testamento liber factus est, non est liber; neque ulla est earum rerum; non est liber*

If an individual has not been made a free man by the census or by the magistrate's rod or by his master's will, he is not free; none of these things are so, therefore he is not free.

What is relevant to this discussion is to what extent such a remark reflects actual manumission practices. The fact that he presents this categorization of manumission types suggests that it at least represents the sort of processes that would be recognizable to a Roman

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easily be produced due to adoption and conquered peoples would often take on the name of their conqueror. Also see Dixon (2005) 102-5 on the limitations of assuming status based on an individual's name without more context.

<sup>52</sup> A common oversimplification is to say that all freed slaves received Roman citizenship. Knapp (2011) 237 stresses that the status of freed slaves was not uniform. When he uses the term freedman, he means a slave that has been freed by a Roman master in a manner that allows him to possess a form of Roman citizenship. Not all slaves obtained any formal citizenship upon manumission. See Treggiari (1969) 37-64 on the legal status of freedmen and their rights; they were not entitled to all of the rights of free citizens.

<sup>53</sup> See Wallach (1989) 314 and Hubbell (1967) 377-8. The work is a treatise on modes of argumentation in forensic oratory dedicated to C. Trebatius; although Cicero claims to be translating Aristotle's work of the same name, it appears to be based on an unknown Hellenistic treatise.

audience (and more particularly, an audience of Roman jurors). It seems unlikely that he would present an argument that is not at least close to reality. In this setting, therefore, two points are worth considering. First, for the argument to be viable for use in a forensic speech, it had to reflect real Roman attitudes. Although Cicero could be manipulating the situation in order to prove his point more strongly, there are limits as to how he can twist a process as common as manumission. His Roman jury would have to at least feel that it is a realistic portrayal of freeing slaves. At best, for the purposes of our inquiry, Cicero's presentation is accurate. At worst, it is inaccurate but still conforms to the expectations and understanding of the average Roman juror and so cannot be too far from actual practice. For this reason, Cicero's statement is accurate enough to warrant consideration and any discrepancies will only be minor. Second, and this is especially important for the context of this passage, Cicero is only describing the processes of manumission that could be forcefully established in court. He is not outlining all the possible ways for a slave to be freed, but only those that could be proven in court; these are therefore the most formal procedures for manumitting a slave. As we shall see, there were less formal procedures for manumission that Cicero does not mention here; these may have been common, but they were difficult to establish in a court of law. The *Topica* shows us what Cicero, on an intellectual level, thought was the best approach to such matters. This strategy was not limited to the theoretical realm, however, as one of Cicero's opponents appears to have used these arguments against him in the *Pro Archia*.

We do not have a record of how the prosecution argued against Cicero but we can reconstruct aspects of what was said based on Cicero's speech for Archias.<sup>54</sup> It appears that the very argument that Cicero was proposing in *Topica* was more than likely utilized in a modified form by the prosecution in the case. The issue of the case was whether Cicero's Syrian client had Roman citizenship. Cicero argued that he had received citizenship via his enrolment at Heraclea. Due to the agreements following the Social War, allied states could now have Roman citizenship, including Heraclea. The paper trail was minimal consisting of only a series of high profile witnesses to validate Archias and the documentation of a praetor whom Cicero describes as Archias' personal friend.<sup>55</sup> Cicero laments that the prosecutor, Grattius, demands documentation of Archias' citizenship at Heraclea, which is impossible to supply since the archives at Heraclea were burnt down during the tumult of the war (Cic. *Arch.* 8):

*hic tu tabulas desideras Heracliensium publicas, quas Italico bello incenso tabulario interisse scimus omnes*

at this point you demand the public records of the Heracleans, those records which we all know were destroyed when the archives burnt down during the Italian war.

Similarly, the prosecutor appears to have attacked Archias' citizenship on the basis that he had never appeared in a census, though several had occurred since he had supposedly been made a citizen. This Cicero dismisses with a degree of wit (Cic. *Arch.* 11):

*census nostros requires. Scilicet; est enim obscurum proximis censoribus hunc cum clarissimo imperatore L. Lucullo apud exercitum fuisse, superioribus cum eodem quaestore fuisse in Asia, primis Iulio et Crasso nullam populi partem esse censam.*

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<sup>54</sup> Alexander (2002) utilizes this approach to reconstruct the case for the opposing side in a selection of defence cases.

<sup>55</sup> Cicero refers to Metellus as Archias' *praetorem familiarissimum suum*. Rhetorically, Cicero is representing Archais as a well-connected individual. We may doubt the authenticity of Metellus' records as such a friendship may have swayed him to add Archais to his roll.



You ask us for the census. Of course, for it is a secret that at the time of the most recent census, this man was with that most brilliant general Lucius Lucullus among his army, during the prior census he was with the same Lucullus who was then quaestor in Asia, and that during the first census by Julius and Crassus, no part of the people was counted.

Although he could produce no evidence of Archias' enrolment as a citizen, Cicero does claim an alternative means of proving his status; in order to be enrolled as a Roman citizen in the fallout of the Social War, allies had to be enlisted by a praetor: Cicero presents the roll of Q. Metellus.<sup>56</sup> Cicero's main problem is that he does not have any of the clear-cut evidence that he outlines in the *Topica* (except for the records of Metellus, which may be suspect due to his allegiance to Archias); if Cicero had such documentation, the case would probably not have gone ahead at all.

What is evident from Cicero's handling of Archias' citizenship is that the ways that legal disputes were managed bears a close resemblance to the description of manumission disputes in the *Topica*. The hypothetical arguments regarding manumission in the *Topica* appear to be more than just a theoretical possibility; we can see from the *Pro Archia* that they were actually used in courts of law for similar cases. In a legal setting appearing on a census, the records of a magistrate, or official municipal archives were the simplest ways to verify citizen status. In the case of manumission, the census, magistrates, and master's will all seem logical enough as formal records of a slave's freedom. We can therefore feel relatively confident that Cicero's account of manumission reflects the more formal procedures that were able to be established in a court of law.

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<sup>56</sup> Cic. *Arch.* 7, 9.

### ***Manumissio Censu***

The first form of manumission that Cicero mentions is *manumissio censu*. The slave would appear before the censor at the time of the census in order to be included on the census list. A citizen was, by default, free and so to be listed as a citizen meant no longer being a slave.<sup>57</sup> Treggiari suggests that, despite the fact that Cicero mentions *manumissio censu* first, it was not a common practice in his day.<sup>58</sup> For one thing, this form of manumission was not very efficient. As the *Pro Archia* shows, while in theory the census was held every five years, in reality this was not the case and at times the census was held but not actually counted.<sup>59</sup> The advantage of *manumissio censu* for the slave was that a very clear paper trail was created if a dispute ever arose. This is probably why Cicero mentioned it first: it was the easiest to verify. Despite the firm legal standing it provided, however, as the census became more and more erratic in the late republic, and as the infrastructure of magistrates became more developed, the process of *manumissio vindicta* was far more significant.<sup>60</sup>

### ***Manumissio Vindicta***

*Manumissio vindicta* was a far more manageable system as it was available at any time through a regularly appointed magistrate rather than being limited to the taking of the census. It appears that there were a variety of eligible magistrates who were qualified to officiate at

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<sup>57</sup> Gardner (2002) 8 considers whether the censor declared the slave to be free or simply pretended that they had always been free now that they were on the census list.

<sup>58</sup> Treggiari (1969) 27.

<sup>59</sup> Treggiari (1967) 25; Cic. *Arch.* 11. Holland (2004) 225 notes that the census of 28 BC was the first full census in forty years.

<sup>60</sup> Treggiari (1967) 25-7.

such a ceremony, including the non-senatorial *praefectus Aegypti* that Augustus established.<sup>61</sup> As Romans began to operate further and further from Italy, the need to conduct official processes in the provinces was more and more necessary. The *manumissio vindicta* had the advantage of convenience over *manumissio censu*, while still having the formality of a magistrate to make it easily verified in court. In both of these instances, the slave would not only be freed, but also gain the citizen status of his master. If his master were Roman, he too now had the prize of Roman citizenship, though he did not receive all of the rights of a citizen. The procedure involved a mock court case before a magistrate, in which an advocate for the slave would hold a case for the slave's freedom against the master. The master would essentially lose the case without contesting it and the decision in favor of the slave would be performed through the use of the magistrate's rod (*vindicta*).<sup>62</sup>

### ***Manumissio Testamento***

The final formal manumission that Cicero mentions is *manumissio testamento*. This involved the manumitting of the slave via the master's will. Once again there was a formal paper trail that meant that the slave's new status could be easily verified. Riggsby notes the intricate requirements that had to be fulfilled for a will to be legal, including seven witnesses who were Roman citizens.<sup>63</sup> Again, just as a slave manumitted via the census or magistrate would have a permanent reference point for their new status, the legal document of the master's will could function in the same way. What was missing in *manumissio testamento*, which was an important part of both *manumissio censu* and *vindicta*, was the expectation of an ongoing relationship

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<sup>61</sup> Just. *Dig.* 40.2.21: *Apud praefectum aegypti possum servum manumittere ex constitutione divi augusti.*

<sup>62</sup> See Stewart (2012) 121, Gardner (2002) 8-9, and Treggiari (1967) 23-4.

<sup>63</sup> Riggsby (2010) 154.

between former master and former slave.<sup>64</sup> Although some scholars have considered *manumissio testamento* the most economically expedient option for a slave master since they utilized the slave's labor until they were of no use to the master personally, scholarship now questions this analysis and the system of *testamento* is now seen as less than ideal.<sup>65</sup> As Mouritsen notes, supposing *manumissio testamento* was the most sensible form of manumission from the master's perspective assumes that manumission always resulted in a loss for the master.<sup>66</sup> In reality, there were situations where freeing a slave could open up greater opportunities for the master by having a citizen represent his business interests rather than a slave.<sup>67</sup> Moreover, it can also be argued that the most economically sound time for manumission in many cases was earlier than the death of the master. For one thing, manumission removed the expenses of up-keeping the slave for the master.<sup>68</sup> Dionysius of Halicarnassus, in a moralizing tone, contrasts manumission in the noble past with the corruption of today. In particular, masters now manumit their slaves in order to take advantage of the distributions of grain to which citizens were entitled (Dion. 4.24.5)<sup>69</sup>:

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<sup>64</sup> Mouritsen (2011) 185 notes the strange situation that the *manumissio testamento* presents since "it involved a separation of the freedman from the person who granted him his freedom." Shelton (1998) 198 outlines how manumitted slaves were required to provide several days labor per year. Also see Gardner and Wiedemann (2013) 152-3. Campbell (2011) 173 indicates that the former master typically assumed the role of patron.

<sup>65</sup> Watson (1987) 29, for instance, argues that using the will to enact manumission allows the master to extract the maximum work from the slave during his lifetime and an enthusiastic mourner in death to boot.

<sup>66</sup> Mouritsen (2011) 181.

<sup>67</sup> Treggiari (1967) 142-53 discusses the utility of freedmen as service-providers for their former masters in the form of secretaries, letter carriers, and business agents. See Park and Maxey (1975) 62-71 on the freedmen that appear in Cicero's letters.

<sup>68</sup> Note, however, that the legal digests describe how the former master (now the manumitted slave's patron), also had responsibilities to support their client. See *Dig.* 38.1.18-19.

<sup>69</sup> Dion. 4.24.5. See Mouritsen (2011) 52 and Treggiari (1967) 28.

οἱ δ' ἵνα τὸν δημοσίᾳ διδόμενον σῖτον λαμβάνοντες  
κατὰ μῆνα καὶ εἴ τις ἄλλη παρὰ τῶν ἡγουμένων γίνοιτο  
τοῖς ἀπόροις τῶν πολιτῶν φιλανθρωπία φέρωσι τοῖς  
δεδωκόσι τὴν ἐλευθερίαν.

Some are freed in order that, when they have received the  
monthly allowance of corn given by the public or some other  
largesse distributed by the men in power to the poor among  
the citizens, they may bring it to those who granted them their  
freedom.

Whether Dionysius' complaints should be taken too seriously is debatable. It reflects the historiographic tendency to praise the old and lament the recent, rather than any real issue. Regardless of whether Dionysius' comments are historically accurate, it at least represents the fact that there were ways that a master could benefit from manumission in a tangible way.<sup>70</sup>

In all three official forms of manumission the slave would have a concrete record of his new status and would therefore have a form of legal citizenship. It was not full Roman citizenship without limitations, however. The most marked contrast between freeborn and freed Roman citizens was that manumitted citizens could not hold public offices. On a theoretical level, this is a stark distinction, but in practice, it would not have been an issue. Only a tiny fraction of the Roman population ever ascended the *cursus honorum*. Less formal opportunities were still available outside of the Roman political scene at the municipal level, but even these were only a goal for upper echelons of Roman freedmen.<sup>71</sup> In Rome, freedmen could engage with the wider

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<sup>70</sup> Although the freedman could not stand for office, they were able to vote. For some masters, this would have proved a useful benefit.

<sup>71</sup> Mouritsen (2011) 71-5 stresses that the ideology behind barring freedmen from office was the discomfort felt around manumitted slaves exercising personal authority. Eder (2005) 31 notes that the alternative offices of the *vicomagistri* and *Augustales* were an opportunity for freedmen to engage in public life.

society as *vicomagistri* when Augustus reorganized the neighborhoods of the capital.<sup>72</sup> Outside of Rome, many freedmen entered into the order of the *Augustales*, an order that had a combination of political, religious, social and cultural elements; it was a parallel line of progression that was open to freedmen.<sup>73</sup>

### ***Manumissio Inter Amicos***

There was an alternative, informal procedure that required less ceremony or official supervision and was therefore the most convenient. But this convenience came at the expense of formally recognized citizenship. The *manumissio inter amicos* was a sort of gentleman's agreement where the slave was granted freedom at the master's consent, perhaps with some of the master's friends as witnesses.<sup>74</sup> But his status was far more limited than his more formally manumitted counterparts; citizen rights, such as the corn dole, would not be an option.<sup>75</sup> Additionally, one of the defining characteristics of slavery as discussed in the previous chapter would continue to affect the informally manumitted slave: the negation of kinship ties. Due to the legally ambiguous nature of this status, Treggiari proposes that informal manumission was

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<sup>72</sup> See Lott (2004) 89-97 on the reorganization of Rome during the reign of Augustus and the introduction of the "*magister vici*." Galinsky (1996) 300-1 outlines the role of the four *magistri* in each *vicus* and their *ministri* who were made up of slaves.

<sup>73</sup> See Galinsky (1996) 310-12 who positions the *Augustales* between the *decuriones* and the *plebs*. He also emphasizes that the institution was fluid and varied from town to town. As was so often the case with Augustan institutions, it was not dictated from the top down, but grew up from the grassroots. Hope (1998) 189-91 points out that serving with the *seviri Augustales* was an opportunity for a freedman to enter into public life since they were barred from more traditional offices. Cooley and Cooley (2004) 149 and Campbell (2011) 172 stress that the vast majority of *Augustales* were freedmen, but not all. Also see Ostrow (1985) 90-1 on the use of the order to encourage public benefaction from freedmen who were otherwise unable to contribute on a public scale.

<sup>74</sup> See Knapp (2011) 238. A master could also free his slave by letter, but, like *manumissio inter amicos*, the slave was not formally recognized under *manumissio per epistulam*. See Perry (2013) 60.

<sup>75</sup> Gardner and Wiedemann (2013) 144-6 discusses how informally manumitted slaves did not have the same rights as those manumitted in more formal ways.

not the most common situation, and may well have been a temporary fix when a magistrate was not easily accessible or for poorer masters who could not afford the time required to bestow manumission through the formal channels.<sup>76</sup>

Due to the highly ambiguous status of the informally manumitted slave, when references are made to freedmen as a class, the more formally manumitted freedmen are what is implied. Freedmen were numerous and influential in Roman society and freeborn Romans reacted to them. For the reaction of Roman society at large, we can examine some of the literary representations of freedmen. Typically aristocratic in perspective, they in no way reflect self-fashioning by freedmen (artistic representations are far more useful for this as we shall see in chapter four). What the literary record does present is how other Romans (at least those from the aristocracy), felt about freedmen as a group. We will therefore now turn to a sample of literary representations of freedmen. Rather than attempting to be comprehensive in my examination, I will focus on two key areas of Roman literature that, at least to some extent, reflect Roman social attitudes: the comedies of Plautus and Terence, and Petronius' *Satyricon*.

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<sup>76</sup> Treggiari (1967) 29-30. Knapp (2011) 238 stresses the limitations of an informal manumission.

## Chapter 3:

### Literary Representations of Roman Freedmen

For the average Roman, dealing with freedmen in day to day life was a constant. It is therefore no surprise that we continually see freed characters in Roman literature. In this chapter, I will survey the evidence for freedmen in the key genre of comedy and Petronius' depiction of the *Cena Trimalchionis*, which also has comedic elements.

Before turning to these works in detail, I need to explain why they are appropriate choices for socio-historical analysis of the sort that I am making. Gleaning information about the real world is complicated when in the genre of comedy and the comedic. By their very nature, the plotlines and characters often involve elements of hyperbole or inversion.<sup>77</sup> Although comedy can involve exaggeration and distortion, there is always a touchstone to the reality of Roman society since, without any social context, a joke ceases to be funny. We can therefore assume that, when a reference is made to a freedman in a comedic texts, there is a relationship between the literary presentation and historical fact. The difficulty, however, is to grasp how the literary reference connects to reality. Is it an example of exaggeration where there is a seed of truth but an element is pushed beyond expectations? Or is the comedic effect produced through incongruity, where impossible or highly unlikely elements are placed together for comedic effect? These two instances are illustrative of the potential to be led astray when trying to find the truth behind the comedy. In one instance, reality would be a less exaggerated version of what is presented; in the other, reality would be the opposite of what the author states.

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<sup>77</sup> For this reason, Yavetz (1988) 154-5 warns against using comedies as a source for social history. Moore (1998) 181 notes the outrageous behavior of slaves on stage.



Understanding the context and punchline of a joke is crucial in order to find the grain of truth that is ever-present. We must therefore be cautious not to put too much weight on evidence of these sources.<sup>78</sup> Since they are heavily reliant on our interpretation of the works, there is a considerable risk that we simply find what we want to find.

It may seem that we should therefore overlook comedy entirely for evidence of social history, but to do so would be a mistake. The works of Roman comedy are some of our earliest examples of Latin literature and without them we are essentially left in the dark about what was happening at that time. Despite the complexity of the evidence we must make the best of what we have.

Turning to Petronius, who was writing under Nero, I need to explain why I have chosen a work so far removed from Plautus and Terence chronologically. Needless to say, some significant events occurred in the intervening period and freedmen were not unaffected. As already mentioned, under Augustus freedmen had an avenue for integration of a sort into the civic sphere as *Augustales*.<sup>79</sup> Under Claudius, freedmen began to exert considerable influence over the imperial administration.<sup>80</sup> Between these two disparate sources of comedy and Petronius, therefore, there is the potential to see how the status and perception of Roman freedmen within Roman society may have changed. We will see that the presentation of

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<sup>78</sup> For this reason, McCarthy (2000) 16-17 does not consider her study to be social history, but rather a “literary reading that analyzes the effect of social forces.” She feels that the text is too complicated to attempt anything more. Segal (1987) 132-6 notes the *Saturnalian* quality of comedy in which roles and authority is inverted.

<sup>79</sup> Walker (1995) 73 notes that the opportunities for freedmen opened up during the reign of Augustus.

<sup>80</sup> See Boren (1977) 178 and Campbell (2011) 128 on the power and influence of Claudius’ freedmen. Aldrete (2008) 70-1 focuses on the power and wealth of Narcissus, the most successful freedman during Claudius’ reign. Weaver (1972) 207-11 discusses the immense network of freedmen under Claudius, who had their own freedmen underneath them.

freedmen in comedy was markedly different from that of Petronius, which shows that the attitude of Romans toward freedmen evolved over time. I will begin with the earlier of our two representations: the representation of freedmen in Roman comedy.

### Freedmen in Comedy

The genre of comedy was immensely popular in Rome and although there were many other authors, two writers have survived for us to read and represent important figures in early Latin literature: Plautus and Terence. Both authors appear to have utilized Attic precursors but they do not appear to have simply translated the Greek originals; they could add their own personal touches and adapt them to better suit a Roman audience by adding new characters or plot points or melding scenes.<sup>81</sup> Another means of personalizing a play was the process of *contaminatio*, in which aspects of multiple Greek plays were brought together to form a single

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<sup>81</sup> Scholarly debate around the origins of Roman comedy is fierce, particularly because so much of Greek comedy does not survive. On Old and New Comedy in Athens, see Robson, J. (2013) 3-4, Sutton (1993) 55, and Quinn (1979) 93. See Hunter (1985) 59 on the cut and paste nature of new comedy, in which characters were very generic and plot-lines relatively repetitive. Fraenkel (2007) 260 notes that, unlike Old Comedy, New Comedy included no references to current events. In this way, it was more amenable to adaptation. Barsby's (1986) 3 list of stock characters includes the "young man, the girl-friend, the old man, the wife, the slave, the old nurse, the pimp, the bawd, the courtesan, the cook, the soldier, the parasite." Moore (1998) 50 stresses the tension between Greek models and Roman innovation. Parker (2001) 127-32 discusses the threats of torture that masters use against slaves in Plautus' plays. These elements are not found in the Greek originals, nor in the adaptations of Terence. Moore (2001) 168-9 notes that the lot-taking scene in Plautus' *Casina* involves more than the standard three actors of Greek plays, and that we can assume the inclusion of Cleostrata is a Plautine adaptation. See Ludwig (2001) 206-15 on the debate around how closely Terence stayed to the Greek originals, in contrast to Plautus who made greater adjustments. Gruen (2001) 84, 86-7 outlines how, despite the stock nature of the characters and plot, Plautus' comedies could still reflect and comment on the issues of the day, even if there could never be a "one-to-one correspondence between characters or events and their real-life counterparts." Moreover, Plautus gave his plays a Roman feel by adding Roman "legal, political, and religious institutions." Halporn (1993) 208 suggests that it is most helpful to see Plautus' works as a "piece of Roman art rather than a reproduction of Greek literature." Also see O'Bryhim (2001) 246-7 on the use of Greek precursors by Plautus and Terence.

whole.<sup>82</sup> The portrayal of freedmen in the plays, as Rawson argues, is perhaps the most useful type of character for gleaning aspects of Roman culture, since they are unlikely to have been presented in the Greek originals and would bear the most resemblance to the Roman reality of, or at least the perception of, the class in Roman society. They are less likely to bear the residual characteristics of the original Greek plays as they were more likely to have been created for the Roman audience from scratch and even when adapted from the original, they would be moulded into a more Roman character.<sup>83</sup>

Slaves are ubiquitous in Roman comedies and, when they do receive manumission in one form or another, it is either dealt with only momentarily or comes at the play's conclusion. Typically, such glimpses of freedom are fleeting and we are left to imagine the ongoing conditions of such characters outside of the scope of the play. In Plautus' *Casina*, for instance, the titular character is a slave girl. The *paterfamilias*, Lysidamus, lustfully contrives to sleep with her with the help of his slave, while Lysidamus' absent son is meant to be betrothed to her.<sup>84</sup> In the concluding moments of the play, it is revealed that the slave girl has actually been a citizen all along (Plaut. *Cas.* 1013-14):

*Haec Casina huius reperietur filia esse ex proximo  
Eaque nubet Euthynico nostro erili filio.*

This *Casina* will be discovered to be the daughter of this man  
from next door and she'll marry Euthynicus, our master's son.

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<sup>82</sup> See Fraenkel (2007) 179-80 on the way that Plautus merged two Greek originals to create his own new play, *Poenulus*.

<sup>83</sup> See Rawson (1993) 216.

<sup>84</sup> See Moore (2001) 161-2 for a fuller synopsis.

It could be argued that this is technically not a manumission, but rather a restoration of the girl's true status; regardless, we do not see the consequences of this on stage.<sup>85</sup> A more concrete example of a manumitted slave is Fidicina, a lyre player. When Periphanes asks if she has been bought, she replies (Plaut. *Epi.* 497-8):

*FID: Nec me quidem emere quisquam ulla pecunia  
Potuit: plus iam sum libera quinquennium.  
FID: No one could have bought me for any money  
I've been free for more than five years.*

Moreover, she discusses another musician who has also been manumitted (Plaut. *Epi.* 503-9):

*PER: Sed tu nouistin fidicinam Acropolistidem?  
FID: Tam facile quam me.  
PER: Ubi habitat?  
FID: Postquam libera est  
Ubi habitat dicere admodum incerte scio.  
PER: eho an libera illa est? quis eam liberauerit  
Uolo scire, si scis.  
FID: id quod audiui [iam] audies.  
Stratippoclem aiunt Periphanei filium  
Apsentem curauisse ut fieret libera.  
PER: But do you know a lyre girl called Acropolistide?  
FID: As well as myself.  
PER: Where is she living?  
FID: Now that she's free I can't say with any certainty where  
she lives.  
PER: What? She's free? I want to know who freed her, if you  
know.  
FID: You will hear what I have heard. People say that  
Stratippocles, the son of Periphanes, took care in his absence  
that she should be free.*

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<sup>85</sup> Rawson (1993) 215. See McCarthy (2000) 114 on the brevity of the conclusion to the romantic plot. Konstan (2001) 138 notes the common trope of the illegitimate, non-citizen girl who turns out to be an eligible object of affection after a recognition scene uncovers her true identity. See Stewart (2012) 132 on this trope in *Casina* and several other Plautine plays.

The conclusion of the play also has the manumission of the tricky slave, Epidicus, by his master, Periphanes (Plaut. *Epi.* 725-8):

*PER: optimum atque aequisimum oras. Soccus, tunicam, pallium tibi dabo.*

*EPI: quid deinde porro?*

*PER: libertatem.*

*EPI: at postea? Nouo liberto opus est quod pappet.*

*PER: dabitur, praebebo cibum.*

PER: What you say is very good and fair. I'll give you shoes, a tunic, and a cloak.

EPI: What else?

PER: Your freedom.

EPI: But after that? A new freedman needs something to munch.

PER: it will be given, I shall give you food.

Once again, the manumission of the slave is reserved for the final moments of the play.<sup>86</sup>

In the case of the female musicians, their freedom occurs offstage and we again gain little insight into their future lives. What we can see, however, is the potential for a manumitted slave to find himself in a precarious situation after he is freed. Epidicus seeks a guarantee of support from his master once freed, showing that, at least in his mind, there was a risk that he might end up in a worse situation without the stability of his master.<sup>87</sup> Provisions for the future life of the freedman are also hinted at in several other instances. Trachalio in the *Rudens*, for instance, not only receives his manumission, but also a betrothal and a guarantee of support from his former master.<sup>88</sup> In the *Menaechmi*, Messenio requests support from his master, Menaechmus, and makes this request specifically so that he can stay free in the future and not fall back into

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<sup>86</sup> McCarthy (2000) 109 notes that clever slaves typically "get off scot-free."

<sup>87</sup> Rawson (1993) 224.

<sup>88</sup> Plaut. *Rud.* 1218.

servitude.<sup>89</sup> In his dialogue with his master and his master's brother, Sosicles, the freed slave requests the *praeconium* (auction) of his master's property (Plaut. *Men.* 1146-56):<sup>90</sup>

*MES: numquid me morare quin ego liber, ut iusti, siem?*

*MEN: optimum atque aequissimum orat, frater: fac causa mea.*

*SOS: liber esto.*

*MEN: quom tu es liber, gaudeo, Messenio.*

*MES: sed moliores opus auspicio, ut liber perpetuo siem.*

*SOS: quoniam haec eunerunt, frater, nostra ex sententia, in patriam redeamus ambo.*

*MEN: frater, faciam, ut tu uoles. auctionem hic faciam et uendam quidquid est. nunc interim.*

*Eamus intro, frater.*

*SOS: fiat.*

*MES: scitin quid ego uos rogo?*

*MEN: quid?*

*MES: praeconium mi ut detis.*

*SOS: Dabitur.*

MES: Do you have any objections against me being free, as you said I should be?

MEN: What he asks is absolutely good and fair, my brother. Do it for my sake.

SOS: Be free.

MEN: I'm happy that you're free, Messenio.

MES: But I need a better omen in order to be free for good.

SOS: My brother, since this went according to our wishes, let's both return to our country.

MEN: My brother, I'll do as you wish. I'll hold an auction here and sell whatever there is to sell. Now in the meantime, let's go inside, my brother.

SOS: Yes.

MES: Do you two know what I'm asking you for?

MEN: No; what is it?

MES: Let me be the auctioneer.

SOS: It is given.

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<sup>89</sup> Stewart (2012) 150-1 explains how uniquely full the depiction of this manumission is, with a full sense of consequences and the future stability of Messenio.

<sup>90</sup> Plaut. *Men.* 1156. See McCarthy (2000) 61.

Being an auctioneer was a very Roman touch, especially as it was a profession often held by freedmen, which makes this a likely addition of Plautus himself.<sup>91</sup> It is improbable that these elements existed in the Greek original.

While Messenio looks to his master to support him (at least in the short-term), the *advocati* of Plautus' *Poenulus* are entirely independent of their former-masters. They are a group of characters who are already of freed status prior to the events of the play. The group emphatically proclaim their status in their first piece of dialogue (Plaut. *Poen.* 515-22):

*ADV: heus tu, quamquam nos videmur tibi plebeii et pauperes,  
si nec recte dicis nobis, diues de summo loco,  
diuitem audacter solemus mactare infortunio.  
nec tibi nos obnoxii [sumus] istuc quid tu ames aut oderis:  
quom argentum pro capite dedimus, nostrum dedimus, non  
tuom;  
liberos nos esse oportet.*

ADV: Hey you, even though we seem low-class and poor to you, if you insult us, you rich man of good birth, we usually boldly punish the rich man with trouble. We aren't bound by what you love or hate. When we paid money for our freedom, we paid our own money, not yours. It is right that we are free.

Due to the centrality of this group to the plot, the *advocati* are often considered to have been present in the original Greek play; however, it appears that Plautus has expanded and modified their role and status somewhat.<sup>92</sup> They are incredibly independent and seem to have absolutely no ties to their former masters, who would typically act as their patrons post manumission. They emphasize that they put down their own money to buy their freedom. The freedman, Sosia, in Terence's *Andria* is the exact opposite. Despite his free state, he is still very

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<sup>91</sup> See Rawson (1993) 225. Stewart (2012) 155 comments on how appropriate it is that the materially obsessed Messenio should end up as an auctioneer presiding over material goods.

<sup>92</sup> Rawson (1993) 218.

much connected with his former master, Simo, and they each show loyalty to the other. From the opening lines, the close relationship between former master and former slave turned cook are made clear (Ter. *And.* 32-4)<sup>93</sup>:

*SIM: nihil istac opus est arte ad hanc rem quam paro, sed iis  
quas semper in te intellexi sitas, fide et taciturnitate.*

*SOS: exspecto quid velis.*

SIM: It's not your art that's needed for what I am preparing, but those qualities which I have always known reside in you, loyalty and discretion.

SOS: I await what it is you want.

Such warm sentiments continue as the master recounts the historical facts of their relationship (Ter. *And.* 35-9):

*SIM: ego postquam te emi, a parvulo ut semper tibi  
apud me iusta et clemens fuerit servitus*

*scis. feci ex servo ut esses libertus mihi,*

*propterea quod servibas liberaliter.*

*Quod habui summum pretium persolvi tibi.*

SIM: Ever since I bought you, when you were a small child, you know how just and kind I have been to you as my slave. I made you no longer my slave in order that you might be my freedman, because you served me like a free man. I bestowed upon you the highest reward that I had.

The continuation of a relationship between a master and slave does not contradict the ancient reality. As discussed in the previous chapter, there was an expectation that a freedman would continue to support his former master and was often obligated to render services for him. Likewise, former masters were often expected to support their freedmen after manumission.<sup>94</sup>

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<sup>93</sup> See Lowe (1985) 75 on the nature of freed cooks in comedy.

<sup>94</sup> Verboven (2002) 201, 293 notes that a *patronus* was often a guardian of his freedmen and that letters of recommendation were at times written for freedmen. Saller (1982) 24 compares the master/slave relationship with that of the patron/freedman.



What is apparent is that, beyond the manumissions at the end of the play, there was no (or at least no immediately apparent), generic topos of the freedman in comedic plays. Freedmen in comedy can vary in terms of independence and how sympathetic we are toward them, but some common trends can be found. For one, in both Terence and Plautus, freed persons do not appear to be overly wealthy. When discussions regarding the future prospects of the freedman are presented, they predominantly suggest basic provisioning. Epidicus is concerned with how he will feed himself, not exactly grand plans. Furthermore, even the *advocati*, although entirely independent from their former masters, describe themselves as poor. We have to be cautious, however, when contemplating these examples. Although the addition of freedmen is almost certainly a Roman innovation, it is difficult to be sure exactly to what extent they are original. The *advocati*, for instance, although probably not freedmen in the Greek original, probably did exist as some sort of *metic* foreigner; whether the part involved speaking or not has been debated.<sup>95</sup> Their poverty may well be a reflection of their status in the original play as foreigners, rather than any comment on freedmen in Roman times. From our meagre sample, we cannot infer too much, but the evidence tells us that the presence of freedmen in Roman society was significant enough to warrant their representation in stage plays, even in Plautus' day. Though the stereotype of the wealthy freedman is not apparent, the class are represented in the comedic texts.

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<sup>95</sup> Duckworth (1952) 100 suggests that the *advocati* originally spoke while Lowe (1990) 296-7 argues that they were originally silent characters based on tragedy rather than comedy.

### Freedmen in Petronius' *Satyricon*

The second literary representation of slaves and freedmen under consideration is Petronius' *Satyricon*; of particular prominence is the infamous depiction of the *Cena Trimalchionis*.<sup>96</sup> Readers are treated to a glimpse of the pretensions of a *nouveau riche* freedman who has, upon manumission, gained considerable wealth.<sup>97</sup> While his financial resources parallel the upper echelons of Roman society, Trimalchio entirely lacks the refinement and tastes of those who were born into positions of favor.<sup>98</sup> Whether this work should be specifically categorized as satire, a novel, or a parody, what can be said is that the source needs to be handled with care when contemplating social realities.<sup>99</sup> Exaggeration and embellishment are

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<sup>96</sup> See Slater (1990) 17-20 on the difficulty of attaching Petronius' work to a particular genre. However, Slater points out that, in the style of parody, although it will manipulate genre conventions, the parody itself does not typically fall into only one genre. He gives the example of a film critic bringing his friend along to a parody of *Citizen Kane* and noticing that the friend enjoyed the film, only to find out that the friend had never heard of *Citizen Kane*. Petronius' work is similar in that, even without knowing the specific origin of a joke, we nonetheless understand it. See also Conte (1996) 140-70, Boyce (1991) 1, and Connors (1998) 6-7, 14-19 on the question of genre in the *Satyricon*.

<sup>97</sup> Rankin (1971) 11-12 discusses the unprecedented individuality that Petronius gives to his characters, a remarkable shift from the tendency of ancient literature to work in stale stereotypes, as mentioned with reference to New Comedy above. Note that Trimalchio had received *manumissio testamento*, along with "a senator's fortune" as joint heir with the Emperor. See Pet. *Sat.* 76. Andreau (2009) 118 stresses that we should not read the text as an entirely accurate depiction of freedmen as it is full of exaggeration and caricatures.

<sup>98</sup> Fantham (1996) 164 notes that some scholars have interpreted the *Cena* as a parody of the Emperor Nero, but Trimalchio can simply be a parody in and of himself as well. Fredericks (1974) 99 proposes that Petronius is probably critiquing Nero's penchant for opulence and Greek art and culture. Also see Walsh (1996) xxviii-xxix. Frangoulidis (2008) 81-3 suggests that the entire *Cena* episode shows Trimalchio's efforts to control everything, including death. See Hooley (2008) 87-8 on the production of satire that blossomed under the artist emperor. Also see Vout (2009) 101-2 on Petronius and Nero.

<sup>99</sup> Hooley (2008) 148, 151 notes the complexity of attributing a particular genre to the *Satyricon*. It could be a novel, a satire, or a combination of the two. Petronius seems comfortable to cross the boundaries of genres combining poetry and prose and combining elements from disparate genres like mime and epic. See Panayotakis (2009) 48-63 on the the multifarious references to literary precedents in a variety of genres that Petronius used.

ever-present, but as is so often the case in humor, there has to be a reference to the actual world.<sup>100</sup>

The tale is told from the perspective of the narrator, Encolpius; while our author, Petronius, is probably of aristocratic origin, his narrator's status is less elevated. While he does seem to find Trimalchio's shortcomings amusing, he does not appear to be, in reality, markedly different from his host in status. He is, as a matter of fact, at least to some extent a parasite; the parasitic client, leeching off of patrons for financial, nutritional or other benefits is a generic trope of satire.<sup>101</sup>

Several elements of Trimalchio and his fellow freedmen are worth noting. Firstly, though he is financially successful, Trimalchio is unable to assume the status of a Roman elite. He does, however, ascend to the top of the alternate ladder of offices that was open to freedmen, attaining the position of an *Augustalis*.<sup>102</sup> He is conscious of status symbols that have the capacity to label individuals as part of the upper classes, but is unable to assume such an identity in full. As Goldman notes: "Trimalchio is acutely aware of the significance of such marks of honor and their relationship to status: he wears a ring that apes the equestrian and a scarf with the broad purple strip of the senator. Where Trimalchio falls short is in the subtle qualities of education, accent, and gesture."<sup>103</sup> Trimalchio wants to be an elegant host and thinks he

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<sup>100</sup> Gloyn (2012) 261 discusses the potential for the narrative to depart from reality, but also the constraint that there must always be a point of contact with reality for the humor to work. Also see Walsh (1996) xix-xxiii. Connors (1998) 22-4 also discusses Petronius' use of parody.

<sup>101</sup> Green (1974) 30-3 discusses, with reference to Juvenal, the common attack on abusers of the patron/client relationship, including at dinner parties.

<sup>102</sup> Pet. *Sat.* 30.

<sup>103</sup> Goldman (2008) 59. Also see Slater (1990) 59 on Trimalchio's napkin and ring. Boyce (1991) 98-9 comments on Trimalchio's "social schizophrenia." He simultaneously embraces his servile past while striving to enter higher social orders.

achieves this, but the harder he tries the further he gets from refinement.<sup>104</sup> One distinct difference between Trimalchio and the typical Roman elite was Trimalchio's pride in commerce and trade, a business from which senatorial elites had to at least appear to be separate.<sup>105</sup>

The dinner guests can be divided into two parts, but this is not on the basis of status: they all appear to be freedmen. What does divide the group is their use of language.<sup>106</sup> They are differentiated in terms of linguistic style, not social strata.<sup>107</sup> On the one hand, there are those that, like Trimalchio, have financial success but none of the social or cultural markers to match their prosperity. These characters tend to prioritize money and speak in a lowlier manner. The other half of the party attendants can be grouped as *scholastici*, well educated in rhetoric and oratory. The scene, however, is not simply one of cultured versus humble. As is the case with the most skilled satirists, no one is beyond reproach and the *scholastici*, although laughing at their absurd host, are equally viable targets as parasites. They may have the educational

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<sup>104</sup> Frederick's (1974) 100 appraisal is particularly damning of Trimalchio: "The host, Trimalchio, and his friends pretend to elegance, cultivation, and learning, but turn out to be nothing more than vulgar philistines ... Although he plays the wealthy patron of culture surrounded by his huge household, most of the dinner he gives – both the food and the entertainment – could be better described as a circus." Andreau (2009) 122 comments that modern readers may find it surprising that wealthy freedmen like Trimalchio do not try to distance themselves from their servile past. In fact, as we shall see in chapter four, freed slave's funerary inscriptions appear to have also acknowledged their prior status as a slave.

<sup>105</sup> See Pet. *Sat.* 75-6: "Once I used to be like you, but I rose to the top by my ability. Guts are what make the man; the rest is garbage. I buy well, I sell well. Others have different notions. But I'm like to bust with good luck ... But we never have enough, and I wanted to try my hand at business. To cut it short, I had five ships built. Then I stocked them with wine — worth its weight in gold at the time — and shipped them off to Rome." Note the stark contrast between Trimalchio's attitude toward shipping and that of the aristocrat Cato in his famous opening sentence to his treatise on *De Agricultura*. Cato *Agr. praef.*: *Est interdum praestare mercaturis rem quaerere, nisi tam periculosum sit, et item fenerari, si tam honestum sit* "It is true that to obtain money by trade is sometimes more profitable, were it not so hazardous; and likewise money-lending, if it were as honourable."

<sup>106</sup> Knoche (1975) 121 notes the contrast of educated and uneducated speakers at the dinner. Also see Fredericks (1974) 108. Rankin (1971) 31 comments on the balance Petronius strikes between producing individual linguistic styling among his characters, while also creating his own Petronian style for the work as a whole.

<sup>107</sup> Goldman (2008) 51.

training, but nonetheless find themselves attending such parties because, as their names betray, they too are freedmen who also happen to have less wealth.<sup>108</sup>

Much has been made of Trimalchio's wife, Fortunata. We first meet her when Encolpius asks his neighbor about her (Pet. Sat. 37):

*Non potui amplius quicquam gustare, sed conversus ad eum, ut quam plurima exciperem, longe accersere fabulas coepi sciscitarique, quae esset mulier illa, quae huc atque illuc discurreret.*

I was not able to eat any more, but turned to my neighbor to get as much news as possible. I proceeded to seek for far-fetched stories, and to enquire who the woman was who kept running about everywhere.

Hermeros, seated next to Encolpius, informs him that she is Trimalchio's wife, Fortunata, "*quae nummos modio metitur*" (who counts her money by the bushel).<sup>109</sup> He undercuts this portrayal immediately, however, by pointing out that only a little while ago, you wouldn't accept bread from her hand. He praises her as *sicca, sobria, bonorum consiliorum*, but again undermines these positives with the fact that she has *malae linguae, pica pulinaris*. Although the adjectives *sicca, sobria, bonorum consiliorum* are positive, they are not what one would typically attribute to a Roman matron, which is what Fortunata, as a newly established citizen, would aspire to be. More typically, matrons were characterized by *pudicitia, fides*, and

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<sup>108</sup> Goldman (2008) 50, for instance, points out that Agamemnon, despite being a rhetorician, is also probably a freedman based on his name. Moreover, he is not a rhetorician in Rome, but in Campagna. We should not confuse this with an aristocratic perspective. Fredericks (1974) 108 notes that although the likes of Agamemnon, Encolpius, and Eumolpus speak with the language of an educated individuals, they are still "thorough parasites." Conte (1996) 123-4 and 176 describes the reciprocal relationship between the two sections of the party.

<sup>109</sup> See Boyce (1991) 90-4 on the patterns of his speech.

*chastitas* among others.<sup>110</sup> Trimalchio, however, only seems to respect her for her ability to dance the *cordax*, a raunchy Greek dance.<sup>111</sup>

The discussion then turns to Fortunata's husband and the other male guests, but later, Fortunata reenters the narrative. She is embarrassed as Habinnas manhandles her and, while she compares jewelry with Scintilla, it is Trimalchio who insists on weighing the jewelry to determine whose is most valuable.<sup>112</sup> Once again she is acting appropriately since jewelry is often associated with upper-class women, but the men in her life pull her down by shifting the moment from a discreet and matronly interaction between two women to a contest in wealth.

We get a valuable glimpse into the men in Fortunata's life as the individual sitting next to Encolpius relates the backgrounds of the other individuals at the party. First he explains just how wealthy the host, Trimalchio is (Pet. Sat. 37):

*Iipse Trimalchio fundos habet, qua milvi Volant, nummorum nummos. Argentum in ostiarii illius cella plus iacet, quam quisquam in fortunis habet. Familia vero babaebabae, non mehercules puto decumam partem esse quae dominum suum noverit.*

Trimalchio has estates wherever a kite can fly in a day, a millionaire of millionaires. There is more plate lying in his doorman's room than other people have in their whole

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<sup>110</sup> Gloyn (2012) 261-2 points out that Fortunata does behave appropriately, but is continually undermined by her past and the inappropriate behavior of her husband and his friends. As a new citizen, she should be able to put her past behind her. See Hemelrijk (2004) 7-16 on the social position and expectations of aristocratic women.

<sup>111</sup> Pet. Sat. 52. See Gloyn (2012) 270.

<sup>112</sup> Pet. Sat. 67. See Gloyn (2012) 264-7. Note that Fortunata has a very similar reaction to that of a noble matron when Habinnas gropes her: "*Au au*" illa proclamavit aberrante tunica super genua. Composita ergo in gremio Scintillae incensissimam rubore faciem sudario abscondit. (She shouted, "Ow! Ow!" as her dress flew up over her knees. She took refuge in Scintilla's arms, and buried her burning red face in a napkin.) The fact that she felt shame in this situation, unlike the men behaving badly around her, shows that she is acting more like a citizen than a slave.

fortunes. And his slaves! My word! I really don't believe that one out of ten of them knows who his master is.

Trimalchio is not the only man with wealth, however (Pet. Sat. 38):

*Reliquos autem collibertos eius cave contemnas. Valde succossi sunt. Vides illum qui in imo imus recumbit: hodie sua octingenta possidet.*

But do not look down on the other freedmen who are his friends. They are very juicy people. You see that one lying at the bottom of the end sofa: he has eight hundred thousand.

What is immediately apparent about these freedmen is their resourcefulness and financial acumen. The previously mentioned freedman started out hauling wood before, while another freedman shows how, even in tough times, he is able to find a way (Pet. Sat. 38)<sup>113</sup>:

*Quid ille qui libertini loco iacet, quam bene se habuit. Non impropero illi. Sestertium suum vidit decies, sed male vacillavit. Non puto illum capillos liberos habere, nec mehercules sua culpa; ipso enim homo melior non est ... Inclinatorum quoque rebus suis, cum timeret ne creditores illum conturbare existimarent, hoc titulo auctionem proscrispsit: C. Iulius Proculus auctionem faciet rerum supervacuarum.*

That person there too who is lying in the freedman's place is well pleased with himself. I do not blame him. He had his millions in his hands, but he has had a bad shaking. I think even his hair has debt. No fault of his I am sure; there is no better man ... When his business was failing, and he was afraid his creditors might give him trouble, he advertised a sale with this title: "Caius Julius Proculus will offer for sale some articles for which he has no further use."

Ability with money may be admirable, but from an aristocratic perspective, it is far from what is ideal. The prioritization of income and profession over the arts is noticeable.

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<sup>113</sup> See also Pet. Sat. 42-3 in which the conversation turns to Chrysanthus, another freedman who, through diligence, accumulated wealth from very little.

When discussing his son's education, a freedman emphasizes law as a worthwhile course of study over literature due to the potential for making money from law (Pet. Sat. 46):

*quia volo illum ad domusionem aliquid de iure gustare. Habet haec res panem. Nam litteris satis inquinatus est. Quod si resilierit, destinavi illum artificium docere, aut tonstrinum aut praeconem aut certe causidicum, quod illi auferre non possit nisi Orcus.*

I want him to have a smack of law in order to manage the property. The law has bread in it. He has dipped quite deep enough into literature. If he is restless, I mean to make him learn a trade, as a barber or an auctioneer, or at least a barrister, something which cannot be taken away except by death.

For members of the aristocracy, education in letters and rhetoric were the respectable skill sets, not practical trades.<sup>114</sup> The consequences of this focus on the practical is evident in Trimalchio himself, who makes mistakes when expounding on themes like mythology and the zodiac.<sup>115</sup>

Before turning to artistic representations of freedmen, there is a final part of Trimalchio's narrative that we should consider. During the party, Trimalchio holds a mock funeral and reads his will. He also discusses the design of his tomb, which he wants his friend Habinnas to construct.<sup>116</sup> We shall see some correlations between Trimalchio's description and the archaeological evidence presented in the following chapter.

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<sup>114</sup> See Shelton (1998) 100-1 on the traditional aristocratic education. Whether this was in fact reality or simply an ideological construct is debatable. See Roberts (2011) 160-2 on the interactions between the *publicani* and senatorial aristocrats. See Cic. *Att.* 114 (V.21) and 115 (VI.1) on the close association between Brutus and some creditors in the East. It seems that senators were involved in the world of finance despite their attempts to present themselves as entirely removed from it.

<sup>115</sup> See Slater (1990) 67-81 on the miscues of Trimalchio. Walsh (1996) xxxii notes that one of the aspects of Trimalchio that Petronius detests is "the pretence to learning which he does not possess."

<sup>116</sup> See Pet. *Sat.* 71 for the description of Trimalchio's tomb.



First, Trimalchio wants a statue of himself with ships sailing. Huskinson notes that the ships represent Trimalchio's business practices as a trader that made him his fortunes.<sup>117</sup> As we shall see in chapter four, funerary monuments often depicted the occupations of freedmen, a facet of their lives that freedmen tended to celebrate.<sup>118</sup> Trimalchio also wishes to be shown presiding at a judge's bench in formal attire, which scholars have considered similar to the tomb of Lucius Storax.<sup>119</sup> Trimalchio does not appear alone, however, but is also shown with Fortunata and his favorite slave. This presentation is also remarkably similar to what appears to have been popular in funerary monuments of Roman freedmen: representations of the family.<sup>120</sup>

Trimalchio's tomb is most interesting for the way that his wishes appear to conform to those of other freedmen based on our evidence from the archaeological record. Petronius' text has influenced many of the conclusions of art historians, but these assumptions have started to come under fire. It is questionable whether a single literary text should shape the way we interpret all of our physical evidence and there is danger that we misread the archaeological data by trying to make connections to Trimalchio. Therefore, let us now turn to the archaeological evidence of freedmen and observe the ways that manumitted slaves presented themselves to the wider community in the real world, rather than the literary imaginations of aristocratic authors.

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<sup>117</sup> Huskinson (2000) 144-5.

<sup>118</sup> The tendency for freedmen to proudly represent their business interests on funerary monuments will be considered in full in chapter four. See D'Ambra (1998) 46-8.

<sup>119</sup> See Kleiner (2007) 84, figs. 6-11. Lucius Storax presents himself seated, presiding over the gladiatorial games he commissioned. Kleiner notes the similarity between what we see on Storax's tomb and in Trimalchio's description.

<sup>120</sup> The use of family imagery will be discussed in the following chapter. See Kampen (2009) 12 and Kleiner (2007) 82-3. In essence, freedmen appear to have celebrated the bonds of kinship that were afforded to them once freed; as slaves, they had no legal kin.

## Chapter 4:

### Representations of Roman Freedmen in the Material Record

As we have seen, literary representations of freedmen are very helpful for developing our understanding of this group within Roman society. What is largely lacking from the literary record, however, are any representations of freed slaves written by *liberti* themselves. Literature was predominantly written by aristocrats for an aristocratic audience. Consequently, there is a pronounced evidentiary bias with literary accounts of freedmen and it can be difficult for us to see freedmen for who they actually were. The physical evidence is therefore vital for a well-rounded examination of Roman freedmen. Of particular importance to this study is that through the material record freedmen are not simply the subjects of art; they become agents actively commissioning monuments and inscriptions.<sup>121</sup> Rather than the literary perspective, which is limited to aristocratic attitudes toward freedmen, whether they be praising or derogatory, freedmen had an alternate avenue for self-expression and self-fashioning in material culture. Physical remains enable us to see freedmen in the light that they saw themselves, or at least in the light that they wanted to present themselves to others. As Petersen states, “to the extent that freed people could accumulate wealth, they could also be prodigious patrons of the arts and architecture. Designing and purchasing a variety of visual art forms –

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<sup>121</sup> Roller (2006) 5 stresses this point well when discussing scenes of dining: “Literary texts, ... were mostly produced by, and primarily intended for the consumption of, a highly literate, predominantly male elite that was located in, well connected to, or socially and intellectually oriented toward the city of Rome. The visual material, in contrast, was mostly produced by, and intended primarily for the consumption of, subelites.”

from domestic interiors to funerary monuments and beyond – many *libertini* partook of the cultural privilege made possible with citizenship and freedom.”<sup>122</sup>

Roman art historians often speak of “freedmen’s art” as if there were an artistic taste that reflected the status of freedmen that was both exclusive to freedmen and stylistically distinct from that of freeborn Romans.<sup>123</sup> Several elements are central to the “typical” freedman’s artistic expression. The first is an over-the-top domestic décor that both lacks cohesion on a narrative level and betrays the *nouveau riche* status of a wealthy freedman.<sup>124</sup> The second is that freedmen typically placed a pronounced focus on the wealth they had accumulated in their post-servile lives and the occupation that had allowed them to achieve this wealth.<sup>125</sup> Finally, freedmen seem to have prioritized bonds of kinship in funerary reliefs, in which relatives are usually presented alongside the deceased emphasizing their nascent family lineage.<sup>126</sup> It is worth noting that evidence from funerary relief sculpture is one of our best assets for understanding freedmen. Although the aforementioned features of gauche décor, wealth and occupations, and family representations have often been identified as typical stylistic preferences for freedmen, more recently some of these assumptions have met criticism. For one thing, it is now debated whether freedmen actually commission some of the most popular artistic examples and Trimalchio has excessively shaped scholarly interpretations of the evidence. Moreover, scholars have begun to undermine the idea that the typical attributes of

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<sup>122</sup> Petersen (2006) 1.

<sup>123</sup> Ramage and Ramage (2000) 78-9, for instance, describes portrait reliefs on funerary monuments as “confined to a specific social class,” the class they are referring to is that of freedmen.

<sup>124</sup> This display of wealth is often compared to Trimalchio’s over-the-top party.

<sup>125</sup> As mentioned in the previous chapter, Trimalchio wanted to have ships displayed on his funerary monument as a representation of his success as a trader.

<sup>126</sup> See the previous chapter on Trimalchio’s image of family with the presence of Fortunata and a young slave.

so-called “freedman’s art” are unique to freedmen. It is difficult to establish that only freedmen used such iconography in their art and that freeborn Romans were not prone to the same fashions. It is equally challenging to prove that there were not freedmen using other forms in their art, as they would be (without any clear identifier such as an inscription), impossible to discern from freeborn commissioners. Finally, as we have seen over the course of the first two chapters, the circumstances and experiences of slaves and freedmen varied considerably, so it is problematic to view them as one single, homogenous group. There may well have been a stereotype of freedmen in Roman thought (Trimalchio for instance), but in reality freedmen were incredibly diverse.

### **The House of the Vettii**

The most famous attribution to Roman freedmen of a taste for the gauche is the House of the Vettii at Pompeii. The Vettii were two brothers that are typically identified as freedmen: A. Vettius Restitutus and A. Vettius Conviva.<sup>127</sup> Clarke describes the interior décor of the house as “overburdened” and states that “the decorative ensembles of the House of the Vettii attempted to pack as many allusions to the world of aristocratic culture as would fit within its modest area.”<sup>128</sup> The house is certainly ostentatious and has been linked with the way in which Petronius characterizes Trimalchio.<sup>129</sup> Just as Trimalchio was unable to produce a cohesive narrative in terms of the mythological allusions and references that he makes at his dinner party, the Vettii too, apparently, did not understand how one should adorn a *domus* appropriately.

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<sup>127</sup> Ellis (2000) 1, Clarke (1991a) 208, and Petersen (2006) 5. The identity of the owners has been established by the find of two bronze seals in the atrium.

<sup>128</sup> Clarke (1991a) 209-10. See also Clarke (1991b) 174-7 and Ellis (2000) 10-11.

<sup>129</sup> Clarke (1991b) 177, for instance, sees a parallel between Petronius’ depiction of Trimalchio and the House of the Vettii. On Petronius’ portrayal of freedmen in literature, see the previous chapter.

Upon entering the *domus*, the first image a visitor is confronted with is of Priapus weighing his member against a sack of gold.<sup>130</sup> This initial Priapus is coupled with another image of the god in the form of a fountain in the peristyle garden at the back of the property.<sup>131</sup> Alongside the images of Priapus, one also finds a myriad of other mythological scenes including Pasiphae, Pentheus, Ariadne, and Herakles.<sup>132</sup>

The second characteristic of “freedmen’s art,” also evident in the House of the Vettii is their penchant for depictions of financial wealth and a celebration of their occupations. While the Priapus in the *fauces* of the House of the Vettii may show the over-the-top lack of restraint characteristic of freedmen, it also implies an emphasis on wealth as Priapus is weighing his phallus against a sack of gold.<sup>133</sup> Moreover, there is also a wall decoration in room *q* that is often interpreted as representing the modes of industry through which the brothers accumulated their wealth. The set of miniature friezes depict Cupids and Psyche engaged in producing perfume, working as fullers treating wool, and making garlands.<sup>134</sup>

Petersen has questioned the status of the Vettii as freedmen. As she points out, there is no explicit evidence to label them as former slaves, yet it has been unanimously and unequivocally agreed upon by scholarship. The status of Conviva as an *Augustalis*, for example,

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<sup>130</sup> See Clarke (1991a) 210, fig. 121; (1991b) 175, fig. 65; and Petersen (2006) 5, fig. 2.

<sup>131</sup> Clarke (1991a) 211, fig. 122; (1991b) 174-7, fig. 66. See Clarke (1991a) 213 on the conflation between Priapus, Dionysus, and Hermaphrodite in the imagery of the garden. What is confusing, regarding scholarship’s dismissal of erudition in the property owners is that these appear to have been very strategically placed with a deliberate narrative, connecting various parts of the domestic space. To suggest that the owners were poorly educated and lacked any sense of class or narrative seems a little misguided.

<sup>132</sup> See Zanker (1998) 191-2 and Clarke (2007) 120-3

<sup>133</sup> See Clarke (1991a) 212 on the connection between Priapus and the god Mercury, who was a protector of commerce.

<sup>134</sup> See Clarke (1991a) 216-7, figs. 124-6; Petersen (2006) 8, fig. 3; and Picard (1968) 77, fig. LI.

does not prove that he was a freedman; *Augustales* were predominantly former slaves, but not in every instance.<sup>135</sup> Additionally, the friezes of the Cupids and Psyches were very small in scale and not wholly unique to Pompeian wall painting; to take such images as a confirmation of the homeowner's status is foolhardy.<sup>136</sup> In fact, the arguments to present these brothers as freedmen are circular and tend to revolve around suggesting that their freed status is confirmed by their opulent home, while using the assumption that they were freedmen to analyze their home's décor. As Petersen concludes, the most appropriate characterization of the Vettii brothers is to describe them as "probably freedmen."<sup>137</sup> We cannot be certain of their status and to extrapolate wider trends about freedmen based off of them is questionable.

Moreover, labelling the House of the Vettii as "gauche" or "overburdened" is particularly awkward as we cannot be certain what was necessarily elegant at the time. The House of the Vettii was decorated after the earthquake of AD 62 in what is termed the fourth Pompeian style.<sup>138</sup> To what extent this was quintessential freedman's art, or just the style of the day is contestable. Images of deities and scenes from myth were certainly not a new innovation. In fact, exempting the first Pompeian style, which imitated colored marble slabs, all three of the other styles involved mythological figures. What is perceived as unrefined may well be simply the new style. The same charge of excessive decoration could be leveled at some of the

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<sup>135</sup> Beard (2010) 199 acknowledges that the case of the Vettii is not open and shut: "The fact that one of the Vettii brothers was a member of the local *Augustales* (part social club, part priesthood, part political office...) is a powerful hint that they were themselves ex-slaves, since *Augustales* were almost entirely made up of that rank of Roman society." The key word in Beard's statement is "almost." Ostrow (1985) 66 proposes that 85-95% of *Augustales* found in the epigraphic record can be identified as freedmen.

<sup>136</sup> Petersen (2006) 5-6. Henig (1983) 103 notes that similar cupids are also found at Herculaneum.

<sup>137</sup> Petersen (2006) 5. Hales (2009) 162-4 makes reference to Petersen's study and the assumptions that have been made regarding the Vettii brothers and their décor.

<sup>138</sup> See Henig (1983) 102-3 on the House of the Vettii and reconstruction at Pompeii after the earthquake.

aristocracy, as Pliny the Elder shows discussing how M. Lepidus and L. Lucullus were forerunners of their day in this respect, adorning their domestic spaces with expensive marbles.<sup>139</sup> What can be said is that the adornment of the house is not at all archaizing but is embracing the latest trend; that does not necessarily characterize freedmen, however, but could involve a much wider cross-section of Roman society.

### Identifying Freedmen

Analyses of the Vettii have been influential in the scholarly idea of “freedmen’s art.” But with their actual status uncertain, other examples are necessary to get a sense of how freedmen were represented in the material record. In particular, there are a significant number of funerary reliefs erected for or by freedmen that have survived the ages. Before considering the content and significance of such examples, it is worthwhile to clarify how it is that we go about identifying an inscription as pertaining to a freedman. This is not always simple as the nomenclature of a freedman that has been formally manumitted and, as a result, enfranchised into the Roman citizenry is indistinguishable from that of a non-Roman that has been awarded citizenship without a servile past.<sup>140</sup> For this reason, having a *tria nomina* with a non-Latin *cognomen* is not enough to label an individual as a freedman. We are therefore reliant on other inscriptional clues. Keppie’s and Kleiner’s explanations of the conventions of inscriptions that

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<sup>139</sup> Plin. *N.H.* 36.8. Pliny includes the reaction to Lepidus’ extravagance in the ablative: *magnā reprehensione*. Such a rebuke shows that there was an expectation that aristocratic homes be tasteful and not excessively opulent, but we can see that at least some senators flew in the face of what was expected.

<sup>140</sup> See Keppie (1991) 20. Walker (1995) 73 stresses that the nationality of a slave or freedman cannot be discerned from the origin of their name, as names were given by the master and could have no relationship to the slave’s ethnicity.

involved freedmen is helpful.<sup>141</sup> For one, the abbreviation of *libertus* (*l.* or *lib.*) typically appears between the *nomen* and *cognomen* of the freedman, often preceded by the name of the former-master (the master's name would be in the genitive case but is usually abbreviated to a single letter). Moreover, if the freedman was freed by a female, she is identified by a backward C (C) to represent the genitive of Gaia. Without the clue of the former-master's identity inside of the freedman's name, the only other indicator, though not entirely infallible, is the lack of a filiation. Typically, a freeborn Roman or Greek would include the name of their father (usually abbreviated but if written in full, it would be in the genitive), followed by an *f(i)lius*.<sup>142</sup> In contrast, a freedman was unable to include a filiation as during his life as a slave, he was not permitted to have bonds of kinship.<sup>143</sup> For this reason, when an individual did not self-identify as a *libertus* by providing the identity of their master, sometimes the lack of a filiation is interpreted as opening up the possibility that the individual was a freedman, but this cannot be confirmed with certainty.<sup>144</sup> A non-contentious example should prove helpful in showing what makes for a clear-cut freedman in the epigraphic record.

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<sup>141</sup> See Kleiner (1977) 7, 13 and Keppie (1991) 20. However, see Petersen (2006) 11, 193 who notes that from the late first century on, the explicit self-identification of freedmen became less common. Anguissola (2014) 122-3 shows good judgment in her appraisal of a possible freedman named Diadumenus who is shown posing in the manner of a Greek athlete. Although Diadumenus seems to have been a popular slave name, without a clear inscriptional indicator such as an 'l' for *libertus*, we cannot be sure if this is a freedman or a descendant of a freedman who has continued the family name.

<sup>142</sup> See Harvey (2004) 6-7 on Roman names and filiation.

<sup>143</sup> See chapter one on the restriction of kinship bonds that was a component of slavery in the ancient world.

<sup>144</sup> Similarly, if an individual self-identifies as a member of an urban tribe, this increases the probability that they may be a freedman but without further context we cannot confirm such an attribution. See Mitchell (1990) 246 on the placement of freedmen into the four urban tribes. Also see Knapp (2011) 181 on identifying freedmen from inscriptions.



A funerary relief that is without a doubt of a freedman is that of Lucius Ampudius Philomusus.<sup>145</sup> Philomusus is identified clearly as a former slave by the inscription beneath the relief: *L(ucius) AMPUDIUS L(ucii) ET C(aiae) L(ibertus) PHILOMUSUS* [Lucius Ampudius Philomusus, freedman of a female *domina* and Lucius]. *L ET C L* is unmistakable evidence of Philomusus' status.<sup>146</sup> Beyond the clear inscriptional evidence of Philomusus' status, there are also iconographic features of the frieze that conform to what is considered the stylistic characteristics popular with freedmen. Two features in particular recur in the funerary reliefs of freedmen: representations of industry and business, and representations of marriage and children.<sup>147</sup>

### Funerary Monuments of Freedmen: Industry and Business

Scholarship has stressed the primary position that industry and employment held in the iconography and inscriptions attached to funerary reliefs. This is typically presented as embodying the entrepreneurial spirit of the class of freedmen, in contrast to the aristocratic class, for whom business and trade were seen as unseemly and unbecoming of their stature. As Zanker states, freedmen would "proclaim their life's work, which had brought them wealth and freedom."<sup>148</sup> In the case of Philomusus, his financial interests are represented at either end of

<sup>145</sup> Walker (1995) 72, fig. 50; and Zanker (1977) 13, fig. 59.

<sup>146</sup> Zanker (1977) 13 also uses the equally illustrative example of fig. 67 (CIL VI.21381), *G(aius) Livius G(aii) L(ibertus) Alexander / Aemelia L(ucii) L(iberta) Glucera* [Gaius Livius Alexander, freed by a woman / Aemelia Glucera, freedwoman of Lucius]. An alternative means of identification is a freed slave's mentioning of the price paid to purchase their manumission. See CIL 11.5400: *P. Decimius P. libertus Eros Merula, medicus clinicus, chirurgus, oculusarius; Vlvir. Hic pro libertate dedit HS L̄ ...* [Publius Decimius Eros Merula, freedman of Publius, medical doctor, surgeon, eye doctor, sevir, paid 50,000 sesterces for his freedom.]

<sup>147</sup> Note that these both appear in Trimalchio's description of his tomb design. See the previous chapter.

<sup>148</sup> Zanker (2010) 66. Knapp (2011) 190 notes that around half of all funerary inscriptions about freedmen mention their occupation.

the relief in the form of *modii* (grain measures); these imply that he was in the grain trade in some capacity.<sup>149</sup>

Such expressions of the deceased's professional life are not limited to Philomusus. A pair of freedmen are presented with symbols of their careers *post* manumission.<sup>150</sup> The two men are identified by the inscription beneath their images which reads: *P(ublius) LICINIUS P(ublilii) L(ibertus) PHILONICUS / P(ublius) LICINIUS P(ublilii) L(ibertus) DEMETRIUS* [Publius Licinius Philonicus freedman of Publius / Publius Licinius Demetrius freedman of Publius]. The two are pictured above the inscription, with symbols of their livelihoods beside and above them; to the right, beside Demetrius, are the tools of a carpenter, while blacksmithing tools are shown above the pair. Similarly, Gaius Julius Helius, a shoemaker, has the tools of his trade above his image, namely a last around which footwear were formed.<sup>151</sup> His inscription, moreover, states his occupation (*sutor*), though it is less obvious in terms of his freed status since it does not explicitly identify him as a freedman. He is commonly assumed to be of freed status, however, based on the family ties that are mentioned.<sup>152</sup> Publius Curtilius Agatus, in a similar fashion to Helius, combines visual and epigraphic clues to his profession. In his hands, he holds a cup and a tool, while the inscription reinforces the imagery by stating his profession explicitly: *P(ublius) CURTILIUS P(ublilii) L(ibertus) AGAT(us) FABER ARGENTARIUS* [Publius Curtilius Agatus freedman of Publius, Silversmith].<sup>153</sup>

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<sup>149</sup> See Walker (1995) 73.

<sup>150</sup> See Walker (1995) 74-5, fig. 53.

<sup>151</sup> D'Ambra (1998) 38-9, fig. 19. See CIL 6.33914 for the inscription attached to the stele.

<sup>152</sup> His freed status is deduced from the mentioning of his family members, as will be discussed later in this chapter.

<sup>153</sup> See Mattusch (2008) 39.

### Funerary Monuments of Freedmen: Family

Along with images and inscriptional references to the working lives of freedmen, there is also a strong sense of family – it is usually not the deceased alone who is presented within the window-like structure, but also spouses and children and any other possible family connections. Scholarship has typically considered this a celebration of the attained status of freedman; in contrast to slaves, freedmen were allowed to marry, and their children were full citizens without any legal restrictions.<sup>154</sup> Mayer emphasizes the significance for a freed slave of holding the position of *paterfamilias*: “For freedmen, assuming the legal role of a *pater* was one of the more important trappings of their life’s success, because as slaves they had no right to their offspring.”<sup>155</sup>

Returning to our original example of Philomusus, we have observed the inscriptional practices that indicate freedman status and the emphasis on a life of work and business; additionally, the display of family bonds is also center-stage. Philomusus is not alone but has two unidentified female figures to his left and right, assumed to be his wife and daughter.<sup>156</sup> Again, there are many other examples of such family groupings, which form the basis of our assumptions about the unidentified women at Philomusus’ sides. Lucius Tullius Diotimus, for instance, is represented with his wife Brittia Festa.<sup>157</sup>

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<sup>154</sup> Kampen (2009) 12 states that the purpose of the family imagery was to mark the family as legitimate through the presentation of legal marriages and citizen children. See also Kleiner (1977) 6, Walker (1995) 73, Mayer (2012) 102 and Hope (1998) 180.

<sup>155</sup> Mayer (2012) 116.

<sup>156</sup> See Walker (1995) 73.

<sup>157</sup> Brilliant (1994) 85-6. This couple are almost indistinguishable in terms of gender and have a pronounced resemblance to aristocratic images from the Republican period. Also see Walker (1995) 101,

The offspring of manumitted slaves also appear in funerary reliefs. Kleiner attributes the appearance of children in funerary monuments to the trend set by Augustus' adoption of Gaius and Lucius.<sup>158</sup> Zanker, Mouritsen, and Kampen, in contrast, explain the trend in a much more satisfying manner, as a celebration of the freedman's status as a legal parent with legitimate children.<sup>159</sup> Several elements lend support to Kampen, Mouritsen, and Zanker's proposition. Firstly, not all of the images are of children *per se*; some are of mature sons and daughters. In the relief of the Servilii, our earliest example of a relief with a child, the role of each individual within the family is explicitly shown in the inscription beneath.<sup>160</sup> To the right of the Corinthian capital are the parents: Q(uintus) SERVILIUS Q(uinti) L(ibertus) HILARUS PATER [Quintus Servilius Hilarus, freedman of Quintus, the father]; and SEMPRONIA C(aius) L(iberta) EUNE UXOR [Sempronia Eune, freedwoman of Gaius, the wife]. In each case, these freed slaves explicitly state that they are husband and wife, a status that was not permitted prior to their manumission. Turning to their son, on the left side of the Corinthian capital, his status as a legitimate son is presented even more emphatically. First considering the inscription: P(ublius) SERVILIUS Q(uinti) F(ilius) GLOBULUS F(ilius) [Publius Servilius Globulus, son of Quintus, the son]. The presence of a filiation, not available to manumitted slaves but only to their children, and the emphatic final *filius* leave no ambiguity that this is a freeborn, Roman citizen. Moreover, he is shown wearing a *bullae* around his neck, a right reserved only for full citizens. At times, the child actually takes priority in the monument, positioned in the center with their older, freed

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fig. 75 for the monument of Aurelius Hermia and Aurelia Philematio, a married couple who were both former slaves of Lucius.

<sup>158</sup> Kleiner (1977) 113.

<sup>159</sup> Zanker (2010) 66, Mouritsen (2011b) 143, and Kampen (2009) 11-12.

<sup>160</sup> Fejfer (2008) 116, fig. 69.

relatives around them: the son, as the only fully-enfranchised member of the family, was now presented as a *paterfamilias*.<sup>161</sup> The idea of these monuments was to create a connection from the servile past of the parents to the full citizen status of the next generation.

Things can become even more complicated with families where a master married, and had children with one of his slaves. The family of the Gessii are one such example.<sup>162</sup> The central figure is the freeborn father: *P(ublius) GESSIUS P(ublilii) F(ilius) (tribu) ROM(ilia)* [Publius Gessius, son of Publius of the Romilian Tribe]. To the left is his wife and former slave: *GESSIA P(ublilii) L(iberta) FAUSTA* [Gessia Fausta, freedwoman of Publius]. Finally, to the right is their son, who must have been born prior to Fausta's manumission as he, like his mother, is of freed status: *P(ublius) GESSIUS P(ublilii) L(ibertus) PRIMUS* [Publius Gessius Primus, freedman of Publius].

The exact nature of these monuments is not clear cut. On the one hand, they are typical of *liberti* in their composition and style. They celebrate the achievement of integration into the Roman social order. At the same time, they entrench their different status by reinforcing the servile history of their subjects. While being "freedmen's art" and fulfilling the specific needs of this section of Roman society, at the same time, they are also similar in some ways to the practices of more established Romans. Kleiner compares the frontal portraits of freedmen to the *imagines* of Rome's old aristocratic families.<sup>163</sup> The most famous image of this aristocratic practice is that of the patrician holding two busts, connecting himself to his ancestral

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<sup>161</sup> See Zanker (2010) 146, 52-3, fig. 91; Kleiner (1977) 116-17, fig. 88; and Fejfer (2008) 116.

<sup>162</sup> Kleiner (2007) 83, figs. 6-9; and Kampen (2009) 12, fig. 4.

<sup>163</sup> See Kleiner (2007) 83. See Flower (1996) 222 on the significance of the *imagines* for the role of ancestors in the household. The Republican nature of ancestor masks can be seen in the often republicanizing style of the freedmen reliefs. Freedmen tend to be presented as either Republican, or following the trends of the Augustan courtly fashion. See Brilliant (1994) 85-6 and Walker (1995) 80.

credentials.<sup>164</sup> The relief sculpture of freedman can be seen as an attempt to emulate aristocratic culture, but in a way that accommodated the limited family network that freedmen inevitably possessed.

Although freedman's art can be a useful term, especially in the realm of funerary sculpture, we have to be careful not to over-generalize. We have seen how varied the experiences of slaves were and the wide range of possibilities for freedmen after servitude. While generalizations based on contentious examples like the House of the Vettii are problematic, in the world of funerary reliefs, particularly when accompanied by an inscription that confirms the freed status of the individual, we can be more comfortable discussing artistic representations of freedmen. To describe the Vettii as freedmen or their home as *gauche* is not a simple matter as their status and the trends of Roman domestic design are not completely clear. In the funerary realm, however, we do see the prioritization of one's occupation and family, but even this is difficult to define as exclusively freed in nature and we cannot get to the motivation or mindset of those commissioning such representations. It could be that these were celebrations of one's attained status as freed, putting forward the means of liberty and security (one's occupation), and the fruits of such labors (legitimate children). In contrast, however, these representations could just as easily be explained as the attempts of freedmen to emulate those in higher social positions, lauding their *res gestae* and familial connections. Whatever the reason for freedmen representing themselves in this way, what we can observe is a degree of wealth that was not insignificant; simply the fact that these monuments exist at all is testament

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<sup>164</sup> See Brilliant (1974) 166, fig. IV.1; and Stewart (2003) 47,83, fig. 6. For a similar image, see D'Ambra (1998) 26, fig. 10 where a patrician is shown holding a bust in relief.

to that. Moreover, whether these monuments were erected to celebrate freed status, emulate elites, or a combination of the two, we can say that freedmen took pride in their business enterprises. If these representations are an expression of what it was to be a freedman, then it appears that freedmen wanted to be defined in connection to industry. Even if we were to interpret these monuments as attempts to enter into an aristocratic dialogue, the fact that their *res gestae* were centered on the business world is equally telling. Regardless of why these individuals decided to erect this style of monument (and of course individuals may erect similar monuments for entirely different reasons), it is clear that freedmen did see themselves as linked to their occupations.<sup>165</sup>

Now that we have examined both the literary and artistic representations of freed slaves, which entail evidence from markedly different perspectives, we can begin to consider which slaves were most likely to attain this status using pseudo-Darwinian modelling. In the final chapter, I will consider how best we can make sense of this evidence and the stereotype of the successful freedman.

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<sup>165</sup> Aldrete (2008) 87-91 discusses the considerable information that we can glean about the public and private lives of freedmen from these self-expressions.

## Chapter 5:

### Pseudo-Darwinian Selection of Freedmen in Roman Society

From the evidence that I have presented, both literary and physical, an image of Roman freedmen begins to unfold. Literary representations show an increasing emphasis on material wealth and business acumen being associated with freedmen. Freedmen in Roman Comedy are not all that prominent. When we do witness their manumission, they appear, for the most part, to be concerned with basic living costs once freed. By the time of Petronius' *Cena Trimalchionis* in the reign of Nero, freedmen are associated with great wealth and shrewdness in business, which is also reflected historically in their growing enfranchisement under Augustus and influence under Claudius.<sup>166</sup>

The self-representation of freedmen in the material record, as we have seen, shows a similar emphasis on wealth and the business world. Freedmen, while often celebrating their newly-earned status by representing their now legitimate marriage or children, also present their occupation or business interests. In some ways, their funerary reliefs mimic aristocratic tendencies with a sense of family values and the parading of achievements, but at the same time they are distinct from upper-class practices in their prioritization of commerce and can be referred to as a form of freedmen's art. Freedmen's art is somewhat of an enigma, simultaneously attempting to integrate into the wider Roman orders, while maintaining and even celebrating the status that the freedmen have earned. Reading further into the monuments on a psychological level to gather the mentality of the class is fraught with difficulty

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<sup>166</sup> Rowe (2008) 121 discusses the immense influence of slaves and freedmen under Claudius. See Lott (2004) 97 and Walker (1995) 73 on the emerging role of freedmen under Augustus.



(especially a class with such little homogeneity), but the monuments do indicate the financial success that many freedmen experienced and celebrate the means by which the deceased amassed such fortunes.

Rome was a very hierarchical society. As we can see from Petronius, who encourages us to laugh at freedmen, aristocratic attitudes toward manumitted slaves could be tarnished by prejudice; for this reason it is perhaps remarkable that so many freedmen seem to have made their fortunes in spite of political limitations and judgment from those ranking higher than them in society. I therefore want to now turn to the question of why this group, despite their humble origins, found such financial success. In order to do this, I will adapt one of the foundational concepts of modern biology: the process of evolution by natural selection. An evolutionary model is not a perfect fit for Roman freedmen, but there are aspects that make a pseudo-Darwinian approach helpful when considering the makeup of the group that we know as freedmen. Before discussing freedmen within this theoretical framework, it is first useful to clarify exactly what biological evolution is and dispel some of the common misconceptions that have plagued its application to sociological questions.

### **Darwin and Biology**

Darwin's *On the Origin of Species* is one of the most significant moments in human thought. The repercussions of his new way of thinking were not limited to the physical sciences.<sup>167</sup> Religious debate was heated at the time of publication and, in certain parts of the world, people still contest the theological implications. In biology, evolution by means of natural

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<sup>167</sup> The misuses of Darwin's ideas are well documented, including the eugenic programs of the United States and Nazi Germany. See Weikart (2009) and Crook (2007) 227-9.

selection is the process through which changes in the genetic makeup of a population occur and, as a result, biodiversity arises. In a given community there are a variety of genetic combinations, as well as mutations occurring through the process of sexual reproduction; certain genotypes and mutations will produce favorable traits in individuals. As a result of these beneficial attributes, some organisms within a population will have a survival or reproductive advantage over other individuals. Nature, the great selector, kills indiscriminately but those with greater “fitness” are more likely to survive to reproduce and pass on their genes.<sup>168</sup> Through this process, over many generations, the makeup of genes within a population moves in the direction of the favorable attributes as carriers of those phenotypes produce statistically more offspring than their counterparts.<sup>169</sup> The beauty of this is that it can, with enough generations, take life from very simple replicating units to highly-complex, multicellular organisms. In essence, all life forms share a common ancestry and on the family tree of life, all species are cousins with shared ancestors. Faster results are achieved through artificial selection, such as

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<sup>168</sup> See Dickens (2000) 8. By “fitness,” all that is meant are organisms with a greater chance of successfully reproducing. No sense of physical fitness and endurance is inherent in the term. A genotype could produce physical fitness that improves survivability, but many other methods could improve “fitness” in an evolutionary sense, from sexual markers to camouflage and predatory strategies. Midgley (1982) 366 notes that the term “fittest,” was twisted from its biological sense by social Darwinians to mean “deserving or suitable.” Jones (1981/2) 241 emphasizes that the process of changing the makeup of a population’s genes is not as brutal or sadistic as it may sound. The process is slow – there is no mass culling of a generation. Instead, gradually over multiple generations, the statistical makeup shifts as certain genotypes reproduce more offspring than others.

<sup>169</sup> Note that by “favorable” traits, I simply mean more appropriate to the ecological niche of the animal. One trait is not inherently superior to another, and if conditions change, the previously unfavorable attribute may become beneficial. Morris (1971) 190 differentiates between “normalizing selection,” which removes unhelpful mutations, “stabilizing selection,” which maintains a community’s genetic distribution through time, and “directional selection” where a population’s gene pool is changed by environmental changes. Claeys (2000) 223 notes how Darwin found inspiration in Malthus’ writings on population, which gave him the idea that “on the whole the best fitted lived.”

the breeding of dogs and pigeons by humans, where dramatic differences can be produced in only a few generations.<sup>170</sup>

### **Darwin and the Social Sciences**

Along with the natural sciences, social sciences were forever changed with the use of Darwinian models and determinism, memetic theory, social Darwinism, and cultural evolution. The field of ancient history has been characteristically slow in taking up these ideas but some attempts have been made in recent years to utilize them.<sup>171</sup> Yet ancient historians are not alone in their reluctance to embrace Darwinian thinking. Sociologists have been reluctant to integrate Darwinian processes into scholarship due to the specter of social Darwinism that still looms large in people's memories.<sup>172</sup> Social Darwinism was a vicious way of thinking that embraced a

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<sup>170</sup> Darwin (2013) 22-59 began his explanation of natural selection with an account of artificial selection and domestication of animals. His intention was to start with a non-controversial proposal: that breeders of pigeons and other animals and plants selected certain traits and through selective breeding could rapidly exaggerate these traits in a population. From this point, all he needed to show was how the same could be achieved over a longer period of time with nature as the selector. Dawkins (2009) 27-28 adopts a similar approach in his argument for the evidence of evolution, beginning with artificial selection before turning to selection in nature, in part due to the persuasive nature of the argument's structure, and also as an homage to Darwin. While many scholars point to Wallace as another scientist who was on the verge of producing the same theory as Darwin, giving evolution an element of inevitability, Bowler (2008) 562 proposes that Wallace's presentation would have been inferior, in particular as it would have lacked the analogy of artificial selection. See Kukekova, Temnykh, Johnson and Acland (2012) 164-77 on one of the most famous experiments in artificial selection: silver foxes in Russia. The foxes were only selected for their tameness toward humans, but in the process of only a few generations, were markedly different from wild foxes in behavior and physical appearance.

<sup>171</sup> Horden and Purcell (2000) is an example of a work that has engaged with this area in their use of human ecology and geographical determinism. See Peet (1985) 315-19 on the evolutionary underpinnings of these models. Another more direct application of Darwinian principles is Scheidel (2009) 255-307 on the complex interplay between reproduction and resources under the backdrop of imperial expansion.

<sup>172</sup> Thayer (2004) 5 states that social Darwinism still looms large in social thought, "like a radioisotope with a long half-life." Pearson (1996) 14 describes social Darwinism as "exemplary of the worst of social science both past and present." Hudson (2000) 535-6 notes that it was Spencer, not Darwin, who coined the term "survival of the fittest" and combined Darwin's theory with the population theories of Malthus and economic theories of Smith.

distorted view of Darwinian selection and led to programs such as eugenics and *laissez-faire* economics; social Darwinism, however, is a misleading description as these theories and the programs they sparked were markedly non-Darwinian.<sup>173</sup>

Due to the infamy of social Darwinism, there has been resistance to the reintroduction of biological perspectives into sociological thinking for the past fifty years. Biologists established a first foothold in the form of sociobiology during the 1970s, in which social aspects of species were assumed to arise from evolutionary processes; in essence, the biologists began to encroach on the role of the sociologists since sociological scholars were so reluctant to engage with the developments of biology.<sup>174</sup> Gradually, biological lines of thinking have become more and more accepted in the social sciences, but resistance is still significant enough to warrant regular calls-to-arms by pro-Darwinian sociologists to their peers.<sup>175</sup> In sociology, scholars focus on the development of human society and the evolutionary processes that drive that development. Cultural evolution is based on everything that “humans do outside the anatomy and physiology

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<sup>173</sup> I agree with Chappell (1993) 160 and Degler (1991) 11 that a less misleading term for social Darwinism would be “social Spencerism.” Although at the time, the theory of social Darwinism was considered a valid appropriation of Darwinian processes, it is now seen as a distortion and abuse of the science. Versen (2009) 408 points out that in the nineteenth century, evolution was seen as progressive and moving toward an end goal, whereas now evolution is seen as random and without a final objective. See also Allchin (2007) 114 and Peet (1985) 313-15. Holt (1989) 32 notes that the social Darwinians were predominantly not scientists and distorted the science in order to bolster their personal political ideologies. From Spencer’s perspective, for instance, in the realm of economics the improvement of the human race could not be engineered from above but had to be generated without government intervention through a completely free market; see Versen (2009) 407 and Jones (1981/2) 243. Nachtigall (1985) 173 identifies Spencer’s competition as a precursor to Marx and Engels, who transferred the competition from individuals to classes.

<sup>174</sup> See Pearson (1996) 16 who dramatically warns that if sociologists do not embrace the explanatory power of Darwinism, the biologists are likely to continue to encroach on their field and push them into irrelevancy. Thayer (2004) 9, among other suggestions, promotes the idea of classes on Darwin for graduate students in sociological fields in order to improve graduate literacy on the subject.

<sup>175</sup> Midgley (1983) 365 is one example of such a sentiment stating: “As science shows what a transient phenomenon in the cosmos humans are, evolution becomes more and more crucial for understanding ourselves.” Also see Pearson (1996) 19 and Thayer (2004) 9 for similar thoughts.

of their own bodies.”<sup>176</sup> The cultural equivalent of genes, for which Dawkins coined the term “memes,” work in a similar manner to the biological process of evolution.<sup>177</sup> Memes are cultural units that can be replicated and passed on.<sup>178</sup> The key, just like in the genetic model, is the spreading of the cultural unit. Usually these are useful skills that benefit individuals, such as knowledge of concepts or the manufacturing of a good, but they do not necessarily have to be beneficial. In some cases, a meme can have no effect or even negatively affect an individual; so long as the meme itself is reproduced in subsequent generations, it is a success from the meme’s perspective. What is especially worth emphasizing is the immense speed with which cultural evolution can take hold. While biological evolution in its natural form typically requires many thousands or even millions of years to have any significant result, cultural evolution can produce a dramatic effect in a single generation.<sup>179</sup> In fact, unlike their biological counterparts, memes do not even require their host to reproduce, but can achieve their goal of replication through a process called “horizontal transmission of cultural selection.”<sup>180</sup>

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<sup>176</sup> Barash (2008) 25 and Blute (2010) 191.

<sup>177</sup> See Dawkins (2006) 189-92.

<sup>178</sup> See Dennett (1996) 361-2 and Dickens (2000) 54-5.

<sup>179</sup> Barash (2008) 26.

<sup>180</sup> Runciman (2009) 112. Horizontal transmission of cultural selection is the passing on of a meme to another member of the same generation. For instance, a man teaches his brother his advantageous technique in manufacturing. The meme has been transmitted without the need for a new generation. In contrast, in the realm of biology, traits require sexual reproduction so, for instance, the man’s exceptionally keen eyes might be passed on to his son, but he could only pass this characteristic on to his progeny. Bowler (1993) 63 emphasizes that in a purely genetic Darwinian model from the natural world, individuals are born with predispositions and a particular set of traits, and are unable to alter their genetically determined fate. In terms of humans, Alland (1969) 554-5 would classify Bowler’s pure genetics, if applied to humans, as “strong” genetic theory in which genes determine human behavior. In contrast, Crippen (1994) 392 would see human evolution as more along the lines of Alland’s weak evolution, in which genes play a role but do not determine human behavior. Thayer (2004) 5 proposes that much of the resistance to Darwinian perspectives is due to a misconception that such thinking is inherently reductionist and entirely deterministic, along the lines of a strong genetic model.

### **Pseudo-Darwinian Selection of Roman Freedmen**

Now that the process of evolution by natural selection is clear, along with its application to society, we can turn to the question of Roman freedmen. My approach, however, cannot be purely Darwinian since there is no hereditary component to the class of Roman freedmen.<sup>181</sup> As was explained in chapter two, a freedman's offspring were not of the same status, but rather transitioned into the ranks of the freeborn. If formally manumitted, a freedman received most of the rights of a citizen with a few political restrictions; his children, however, provided they were born after his manumission, were considered fully-fledged citizens with no limitations to their involvement in politics. I will therefore adapt Darwinian selection and use it as an analogy to produce a framework that will show that the figure of the successful freedman was not simply a possibility in the Roman world, it was an inevitability.<sup>182</sup>

My examination will utilize a modification of the principles of Darwinian selection; hence my terminology of pseudo-Darwinian. For one thing, I will be working backwards. While studies of socio-cultural evolution tend to focus on the cultural traits of a group and the change of these traits over time due to selection pressures, I want to start by considering the selection pressures, and from that extrapolate the ramifications on the resultant group that is likely to have been selected. Replication, inheritance, and the distribution of genetic information is not of great importance to this study. The class of the manumitted slave only persists through one generation, so vertical transmission is irrelevant. Rather, the attributes and conditions that

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<sup>181</sup> Hodgson (2005) 909 stresses three components of a Darwinian system: "variation, selection, and replication." In the case of freedmen, there is no replication across generations as offspring are not of their father's class.

<sup>182</sup> Determinism has become an area of interest in historical enquiry in recent years. Judkins et al. (2008) discusses the various trends in historic analysis and the role that deterministic thinking has played.

increase the likelihood of a slave being manumitted are of central importance. What is crucial is that, as a result of this Darwinesque selection, a very specific type of slave, for the most part, received manumission. The selection pressure is, much like artificial selection in breeds of dogs, a very man-made construct. In this case, the selection pressures enacted on the slave population were produced inadvertently by Roman society. A master was not thoughtfully considering the ramifications of his decisions the way that a farmer may consciously decide on a breeding program that produces more milk in his dairy cows. There was no planning of this type for the slave master or the wider system of slavery. As a result of this inadvertent selection, however, the population of freedmen had a disproportionate abundance of certain traits and circumstances in comparison to the rest of Roman society. These traits and circumstances were, coincidentally, exactly what one would need to get ahead in the competitive world of business. Consequently, examining the phenomenon of the successful freedman from a pseudo-Darwinian perspective is a powerful tool for explaining why manumitted slaves appear to have found so much success in their post-servile existence.

In order to understand the circumstances of a freed slave, we need to look back to the situation that they found themselves in prior to their manumission. Perhaps the easiest way to conceptualize this selection process is to imagine a series of knockout contests. We take the entire slave population of Rome and put them through a series of tests. At each stage, a certain proportion of the slaves will find themselves not fulfilling the criteria and will therefore be considered unlikely to be manumitted. By the end of the process, there will be a refined group that can be said to be most likely to be manumitted. It is still worth saying that these criteria are not definite rules that will sort the sample in a black-and-white manner. They are instead factors

that will influence the probability of manumission. A slave could, of course, fail every one of the tests and still beat the odds and be manumitted; likewise, a slave could have all of their circumstances and attributes suggest they are a good candidate for manumission, and yet never be freed. So much depended on the whim of the master; there are therefore no absolutes in this model. But what is important is that, on average, with a large sample to pool from, those who pass some or all of the criteria will have an astronomically higher probability of being freed compared to their counterparts who pass very few or none.

The selection factors that are relevant to this discussion are: language and culture; the skill-set of the slave; the wealth of the master; and the nature of the master. By examining each of these socio-Darwinian selection pressures, it will be apparent what sorts of slaves were more likely to acquire their freedom. Typically, for a slave to be freed, all of these criteria would need to fall in their favor. The resultant group, due to the shaping of the selection pressures, produce a population that had all the traits and circumstances needed for success in the Roman economy.

A significant hurdle for a slave to overcome was their initial vocational placement as a slave. The slave's cultural background would play a large part in this process. If they were placed in an effort-intensive position, such as on a *latifundium* or in a mine, the chances of manumission were practically zero.<sup>183</sup> In contrast, if their position was care-/capital-intensive, then their chances improved drastically.<sup>184</sup> Not only was there the possibility of personal contact with the

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<sup>183</sup> See chapter one on Cato's careful management of his agricultural enterprises to have minimal personal costs while squeezing every possible unit of work from his slaves.

<sup>184</sup> McKeown (2011) 27. See Weaver (1967) 4-7 on the rise of imperial freedmen, who often began as slaves with financial or legal expertise. He emphasizes the importance of the nature of their employment



master and the potential for a relationship and fondness to develop, but additionally, in many cases, their position would have required a degree of trust and independence. This trust could be needed for a variety of reasons, from access to household areas where the family would be vulnerable to attack from any disgruntled slaves, to the handling of sensitive documents, business transactions, and sums of money.<sup>185</sup> The more culturally similar and compatible a slave was to Roman culture, such as the ability to speak Latin or Greek, the more appropriate they would be for the more care-/capital-intensive positions that required motivation through incentives rather than threats.<sup>186</sup> The distant promise of manumission would provide the inducement not to misbehave, act fraudulently, or perform inadequately in positions where care and attention to detail mattered. In this first round of selection, the vast majority of slaves would be eliminated from contention in the quest for freedom.<sup>187</sup> Those few who were culturally more appropriate for positions of care and capital in Roman society can be next sorted according to their relevant skill-sets.

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as a factor in their success and influence as freedmen after manumission. See chapter one on the division of tasks into the categories of effort-intensive or capital-/care-intensive.

<sup>185</sup> Plin. *Ep.* 3.14 shows the very real threat of unhappy household slaves. Knapp (2011) 174 notes the need in Roman society for slaves to work in positions of trust. CIL 6.22355a shows the funerary inscription of a slave whose master states that he could be trusted with large amounts of gold and silver.

<sup>186</sup> A parallel can be seen in the distinction between Caesar's depiction of Gauls and Germans, as set out by Riggsby (2006) 101-5. While the Gauls developed an understanding of Roman warfare, and adopted Roman tactics and technology over time, there was no cultural exchange between the Romans and the much wilder Germans. By this reasoning, a Gallic slave would be considered more appropriate for positions where integration into Roman codes of conduct was paramount, while the German slaves' future would most likely entail manual tasks. It is worth noting that, depending on the business and/or intellectual interests of the master, Greek could be more important than Latin for some slaves.

<sup>187</sup> As discussed in chapter one, Diod. Sic. 5.38.1 describes the physical destruction that slaves experienced in the Spanish mines. Apuleius *The Golden Ass* 9.12 shows similar suffering for slaves at a flourmill. These are examples of slaves who would be eliminated at the first round of our model, or if not at the first, definitely at the second.

Skills mattered both for slaves and for slave masters. If a slave had a particular set of skills that were both scarce and in demand, the slave's value would be higher at sale. The potential revenue that the slave could produce for their master would also be dramatically elevated and due to the high amount of capital invested in the slave, there would be greater incentive for the master to look after the slave's needs and keep the slave happy. An extreme example is a doctor named Publius Decimius Eros Merula, who paid his master 50,000 HS for his freedom.<sup>188</sup> This is an atypical individual at the top end of slave skill-sets, but he usefully illustrates how much better the chances were for a slave in this sort of a position to be freed as opposed to a slave that, although being from the right cultural and linguistic background, did not have a useful skill-set. Not only could Eros pay an enormous sum to his master for his freedom, but he must have also generated significant profits or provided very important and highly valued services to his master.<sup>189</sup> Eros could be described as a high value commodity.<sup>190</sup> Another slave of tremendous value would have been Tiro, Cicero's slave and later freedman. Tiro's duties were predominantly of a secretarial nature which, with a master like Cicero, was a highly important role. Tiro's abilities are so famed that he is often credited with inventing (or at least significantly improving), shorthand in Latin.<sup>191</sup> Cicero's correspondences, as we can see from the plethora that survive, were considerable and Tiro's efforts were integral to this

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<sup>188</sup> See CIL 11.5400, as cited in chapter four. See also Shelton (1998) 202 on Eros' attempts to buy social standing. Cf. the yearly rental price of 420 silver drachmas (1680 HS) or the price of a slave at 1200 drachmas (4800 HS), also recorded by Shelton (1998) 164-5.

<sup>189</sup> Eros' *peculium* must have been significant for him to amass a sum of money of this size. See Mouritsen (2011) 145 on the use of a *peculium*.

<sup>190</sup> This impersonal vocabulary is entirely intentional, reflecting the commodity-focused mentality of the Roman slave owner.

<sup>191</sup> See Winsbury (2009) 175-7 on Tiro's contribution to Latin shorthand.

process.<sup>192</sup> Tiro's role was too important, and required too much skill and care, for Cicero to abuse him. Moreover, we can see how much Tiro was involved in the day-to-day lives of Cicero's family; abuse of slaves in such positions was dangerous to the master's safety. For this reason, the only way for Cicero to influence Tiro was to encourage him and give him a positive reason to please his master, just as Eros' master had.

Both Eros and Tiro, however, would be deemed highly irregular examples, where the slave has a skill-set that was truly exceptional. Though not one-of-a-kind slaves, these two individuals and their counterparts would be considered the cream of the crop. Less extreme examples are the pair of freed slaves, as described in chapter four, who were represented with the tools from their careers as skilled craftsmen in the areas of blacksmithing and carpentry, and the freedman who depicted himself with the tools of a shoemaker; in each of these examples, it is easy to see these men providing income for their masters during their time as a slave. Moreover, in chapter four we also saw both visually and epigraphically that one of our freedmen was a silversmith, again, a skillset that could provide income for the slave's owner. It is worth emphasizing that in each of these professions (carpenter, blacksmith, cobbler, and silversmith), care and attention to craftsmanship is vital to the success of the enterprise. As slaves, these men would not have been protected in any legal sense from abuse or torture from their masters; however, due to the nature of their work, it is unlikely that their masters would have used threats or violence to motivate them. Their masters were far more likely to have motivated them with inducements. In this way, slaves can be placed on a continuous spectrum from high to low

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<sup>192</sup> Winsbury (2009) 79-85 discusses the important part that slaves played in the infrastructure of Roman literary production.

value commodities. The skills of the slave were a significant component of what determined their potential value to a master. Eros Merula and Tiro, for instance, were about as valuable as slaves could be. Due to the lucrative nature of their abilities, the craftsmen listed above would also have had a commodity value that although not as high as a doctor, would still have been much higher than an unskilled slave. The higher a slave's value, the more likely it is that they were motivated through the enticement of manumission and the offer of a *peculium* rather than abuse and threats.

Beyond eliminating a slave's chances of manumission based on cultural background and relevant skills, the third way that the likelihood of freedom can be limited is on the basis of the master's wealth. Returning to the example of Eros, his master must have had considerable wealth to invest so much in a single slave. Yet his rate of return is even higher than first appearances may suggest since, by making his slave purchase his own freedom, he then had capital for the purchase of a replacement. In the case of Eros, the inscription explicitly states that he paid 50,000 HS. In this way, a master could continuously purchase slaves, have them purchase their freedom, and acquire a replacement.<sup>193</sup> In contrast, a less wealthy master was unable to enter into this cycle due to a lack of capital, which meant that there was a much greater opportunity cost for him to manumit his slaves. Consequently, less affluent masters were unlikely to manumit their slaves due to their financial limitations. To clarify, such a cash-strapped master was not a likely concern for a slave like Eros; only a rich master could afford him in the first place. What is important is not the role of each master *per se*, but the fact that

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<sup>193</sup> Perry (2013) 53-4 points out that this was a possible strategy for masters. Also see Bradley (1994) 159 on slaves purchasing their freedom.

the behavioral limitations of certain types of masters meant that some slaves had a greatly diminished likelihood of manumission, while others were almost certainly going to be freed.

There was an additional boon for the slave upon manumission if he had a wealthy master. The relationship between master and slave did not end at freedom, but continued in the form of a patron/client relationship.<sup>194</sup> With a wealthy, well-connected patron, the freedman would find himself in a perfect position to seek employment, start a business with financial backers, obtain representatives in legal and governmental circles, or have support in any other situations that would aid his future endeavors. In Roman comedy, for instance, we see the potential issue of a non-supportive former-master-turned-patron and the efforts of the slave to ensure ongoing support.<sup>195</sup> This factor was not insignificant, as a freed slave without any backing could find their situation precarious.

An alternative means of manumission was *manumissio testamento*. Under this circumstance, the wealth of the master was not as crucial a factor in the decision as he was now gone. There was, however, the concerns of the inheritors. A man might therefore not manumit his whole household, if he knew that the next generation of his household would be put under hardship as a result. If freed, however, there was potential for a considerable financial stake for freedmen as well if their master was rich and potentially childless. Trimalchio is one such example. As we saw in chapter three, Trimalchio had received “a senator’s fortune” upon his

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<sup>194</sup> Aldrete (2008) 69 stresses that the ex-master, in his new role as patron, was expected to support his protégé.

<sup>195</sup> See chapter three on Roman comedy. In Plaut. *Epi.* 725-8, the master promises to feed and clothe his newly manumitted slave, Epidicus. A more optimistic future appears for Messenio in Plaut. *Men.* 1145-56 in which the freedman is given the role of an auctioneer over the master’s property.

master's death as he had been made joint heir with the emperor.<sup>196</sup> For some slaves, manumission without any financial support from their former master as a patron would be a dire situation, but for the likes of Trimalchio, he now had the finances needed to ply his trade in commerce, as he proudly proclaims. The example of Trimalchio also appears to continue on to the next generation when he describes his funerary monument; one telling aspect is his desire to have his "pet slave" appear on his monument.<sup>197</sup> It is probable that his favorite would not only receive manumission, but also a considerable amount of financial support from his grateful master in the will.

What can be said is that a wealthier master greatly improved a slave's chances of manumission. For one, the master could often enter into the feedback loop of having their slave pay for their manumission, which allowed the master to replace them. Moreover, even if the full cost of the slave was not recouped immediately (but perhaps over the course of the freedman's services after manumission at a later date), a rich master could still take the financial hit in the short term and pay the cost of replacement. In the case of testamentary manumissions, a wealthy master probably had less concern about his inheritor's financial future, while a less affluent master would often have to forego the manumission of his *familia* or risk his property's financial viability entirely. There appears to be a selection bias toward slaves of wealthy masters, and due to the continued relationship between master and slave, or the financial backing of an inheritance, the business prospects of these freedmen were considerable.

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<sup>196</sup> Pet. Sat. 76.

<sup>197</sup> Pet. Sat. 71. Note that the young slave is often thought to be a replacement for the child who is so often celebrated in freedmen's funerary art due to their status as a full citizen. See chapter four for the examples of the Gessii and Servilii who present not only the deceased but also their children who are left behind to produce a sense of family dynasty and celebrate citizen status.

The fourth and final selection pressure was the nature of the master. Slaves did not get to choose their masters and were truly at their mercy. Some masters were humane and appear to have sincerely cared about their slaves. Cicero, for instance, seems to have genuinely valued Tiro, his slave and later freedman, as a friend.<sup>198</sup> Terence shows us a similar degree of affection for master and slave between the characters of Simo and Sosia; not only do they care for each other as patron and freedman, but the account of the master/slave relationship is equally positive.<sup>199</sup> In stark contrast, it is hard to believe that manumission was likely if one was unfortunate enough to have a master like the infamous Vedius Pollio.<sup>200</sup> This was in essence the final barrier to manumission. If a slave's master was of a disposition that was unlikely to be generous, even with all the other factors in the slave's favor, their fortune would appear bleak. Masters like Pollio, however, were probably not very common at all, if for no other reason than because it was not economically sound behavior to regularly kill slaves. Therefore this form of selection would eliminate only a few candidates from the remaining pool, but for those unlucky few, this obstruction to freedom was unsurmountable. If nothing else, this shows just how powerless a slave could be.

What results from this selection process is a final group that have all the key attributes to thrive in Roman society *post* manumission. Due to their cultural background, they were already relatively well integrated into Roman society. Moreover, they possessed a set of skills

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<sup>198</sup> See Williams (2012) 232-3 on Cicero's imagery of friendship and love in his letters to Tiro. Dubois (2009) 102 notes how Cicero shows genuine care for Tiro when he writes to him during his slave's sickness.

<sup>199</sup> See chapter three, Ter. *And.* 32-9.

<sup>200</sup> Dio 65.23.1-6 and Plin. *NH* 9.39.77. Pollio took sadistic pleasure in tossing his slaves into his ponds to be eaten by the lampreys that swam there. Note that the slave at issue in Dio's account was a cup bearer, a slave that would have had close contact with his master on a regular basis, would likely have had some value due to his youth and appearance, and had proficiency in the languages of Roman culture. According to this model, this slave would have had a very high likelihood of manumission up until this final criterion.

that can translate into a viable career post manumission either working for their former-master or creating their own business. For those freedmen who had the entrepreneurial spirit, they also had a financial backer in the form of their former-master turned patron. Finally, although there were many rich men that one could patronize, for a freedman, he probably had a patron who would be supportive and good-natured toward him, just as he was likely to have been as a master in the freedman's former existence.

Of course not every freedman would have had all of these stars align for him, but as explained earlier, as a proportion of the freed slaves there would be a greater representation of individuals with these opportunities than without. Likewise, there would have been plenty of free-born Romans who had this set of circumstances. One did not have to be a freedman, for instance, to have a useful set of skills or a supportive patron. But, as there was no (or at least a far less strict), selection process enacted on the free-born population, the bias toward individuals with all of these favorable situations was nowhere near as dramatic as it was for freedmen. The comparison between the selection process of freeborn Romans and freed Romans could be somewhat of a parallel to that of natural and artificial selection. If there was a selection pressure on the free population for certain characteristics, that selection was nowhere near as rigorous or brutal as that on the slave population. The selection exerted upon freeborn Romans, consequently, produced much more gradual results, while for freed Romans with a strict regimen similar to that of artificial selection, the resultant group was much more dramatically selected. Therefore, the successful freedman in Latin literature is not just a literary construct and the frequency of archaeological finds relating to individuals of freed status is not an anomaly of the archaeological record or some freak occurrence. The success of this group,



broadly speaking, was not just a fact, it was an inevitability. Freed slaves, for the most part, were disproportionately successful as a group because the selection process for manumission only allowed individuals with relatively fortunate circumstances to progress to freedom. Of those slaves who were freed, a significant proportion of them had the personal attributes, support, and luck to flourish.

## Conclusion

Roman freedmen, at first glance, are an anomaly to us. On the one hand, their social status and political entitlements were limited compared to freeborn Romans. On the other hand, despite the institutional discrimination against freed slaves, they found considerable prosperity within the Roman economy. In literary representations, we see a transition from the financially humble slaves and freedmen of comedy to the opulence and wealth of Trimalchio in the Imperial period. We can also identify freed slaves in the archaeological record and the wealth that some freedmen had is unquestionable.

While the success of freedmen may seem surprising, what we have seen is that with a pseudo-Darwinian perspective, their financial accomplishments are in fact what we should expect. Due to the brutal selection pressure that was placed on slaves, only those with certain traits and situations were likely to be manumitted. The factors that positively influenced a slave's chances of manumission also greatly improved his chances of flourishing in his life as a freedman. The population of freedmen had a disproportionately higher frequency of these advantages compared to the population of freeborn Romans. As a consequence, freedmen were one of the great success stories of the Roman economy.

We must not lose sight of the cost that was paid for these success stories. By no means was the system fair or purely based on merit and the attrition of an incalculable number of less fortunate slaves could never be excused. For every successful freedman, there was a multitude of slaves whose existence consisted of extreme suffering punctuated only by death; when we speak of freedmen, we are only considering the rare exceptions.

The power of Darwinian thinking is undeniable in relation to Roman freedmen. After considering the selection process of manumission, their financial prominence becomes unsurprising. For too long, scholars have been reluctant to embrace Darwinian explanations for sociological processes due to grisly abuses of the theory in the last century. It is time for the social sciences to unapologetically embrace this way of thinking once again. In terms of an extension to this project, an interesting prospect would be to examine the generation after freedmen. The harsh selection of manumitting only certain slaves whittled the population down to a small, able, and well-positioned group. Any genetic attributes that may have helped the parent to be manumitted would have been passed on to their children along with the circumstances that had helped the parents to prosper. Of course Horace immediately comes to mind and we know his biography in relative detail due to his prominence, but as we have seen from this report, archaeological evidence is more helpful for reconstructing the situation for a wider group. A study of the children of freedmen from a similar perspective could prove fruitful, especially because for that generation, the political restrictions of being freed did not apply and genetic inheritance could influence outcomes. At this point, we can state with confidence that the rigorous selection process of manumission resulted in a group who were primed for success in the Roman economy. Whenever we meet a wealthy freedman in the literary or archaeological record, we should not be at all surprised since their success was an inevitability.

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