

Cover image: Inscribed stone funerary relief of Aurelius Hermia and his wife Aurelia Philematium, portrayed as Roman citizens (© The British Museum)

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Identity and Stigmatisation

A qualitative analysis of the socialisation and stratification of and the interaction between freed and freeborn Romans

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A hundred times. At the very least. That would be my guess as to the amount of times I have been asked the question “Is ‘it’ finished yet?” over the past couple of months. Not only a constant reminder of the seemingly insurmountable volume of work still to be done, but also an invaluable testimony to the relentless sympathy and support of so many people, it seems only right to give the long-awaited answer pride of place in these acknowledgements: “Yes, it is”.

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“a poisonous element of terrible volume and power”
(Warde Fowler, 1908, 232)

“throngs of idle and worthless freedmen
that left their curse upon Rome”
(Duff, 1928, 209)

“these new-comers carried with them the
moral handicap of servile origin”
(Gordon, 1931, 77)

“the stigma of slavery cannot be wiped out”
(Treggiari, 1969a, 272)

“the stigma of slavery was a greater handicap
than that of non-Roman descent”
(Wiseman, 1971, 16)

“Once a slave, always a slave”
(de Vos, 2001, 95)

“The stain of their slave birth separated
them from the upper strata”
(Clarke, 2003, 4)

“La macule servile est indélébile”
(Tran, 2006, 125)

“The unique – and irredeemable – stigma
the freedman carried”
(Mouritsen, 2011, 111)

Introduction

When Arnold Duff wrote his 1928 monograph on freedmen¹ in the early Empire, he described its theme as “a fresh subject” that was neither “petty” nor “unimportant”². He noted that the Roman freedman had been a well-known social category in modern scholarship for quite a while, but that the various aspects of his position in, and impact on, ancient society had been fragmented across many social, economic, and legal histories, which highlighted these respective dimensions of freed identity but in isolation. Duff’s call for a more comprehensive attention has not remained unanswered.

Recognition of the multi-dimensional nature of identity has been one of the most pervasive paradigm shifting influences in ancient history research in the recent past. Together with an ever increasing attention and appreciation for the “invisible Romans” and their “lost voices”, this shift has produced a wide and varied array of theoretical frameworks and innovative methodologies that aim to “give voice to the subaltern” in the ancient world³. Whereas macro-level analyses from a postcolonial perspective have vehemently stressed the dire situation of the ruled, and often adhere to a pessimistic assessment of Roman imperialism – Mattingly speaks of the “ugly side”, the “dark side”, and the “sinister side” of Empire⁴ –, other scholars have highlighted the contextual opportunities available to individuals and groups to mediate their social status and identity (cf. *infra*). The distribution of persons in monolithic and highly stratified echelons of ‘the social ladder’ from which they would subsequently derive their legal *and* social status, has been rightly nuanced, and survives in modern scholarship only as

¹ For the sake of fluency, the plural “freedmen” is used throughout this work to denote ex-slaves of both genders (unless it was felt necessary to accentuate a claim’s application to both men and women, in which case “freedpersons” is employed). The adjective “libertine” is used in a neutral sense, without implying any connotation of immoral hedonism with which the term is sometimes associated in modern English parlance.

² Duff (1928), v.

³ Knapp (2011); Mattingly (2011), 26ff.

⁴ Mattingly (2011), xxii, 5, 20, 23.

a reductive and outdated *secundum comparationis*, through which a much more fluid and dynamic conception of identity is usually accentuated. This tendency has proved particularly rewarding for the study of Roman freedmen, scholarly attention to which has gradually increased the past three decades or so. A heightened awareness that this group was not the undifferentiated mass it has often been made out to be (both in ancient and modern accounts), gave rise to a vast, and steadily expanding academic tradition⁵.

Much of the groundwork has been laid by a few pioneering scholars, whose works have greatly influenced subsequent research programs. In 1969, Susan Treggiari set out to complement Duff's study on freedmen in the Empire, by exhaustively covering the preceding late Republican period. Although not presenting fundamental innovations in freedmen scholarship, the work was – besides invaluable for the wealth of source material and diverging subjects it treated – also vital in nuancing the manifest racial and xenophobic undertones of Duff's work (although not entirely exempt from them itself)⁶. Coincidentally, three independent studies – a French, English, and German one, all appearing within a short period of seven years – treated the function and sociology of the *familia Caesaris* and the phenomenon of the “imperial freedman”, which previous scholarship had not structurally addressed⁷. A considerable change of focus was introduced by Georges Fabre's 1981 study on the private freedman-patron relationship in the late Republic, which explicitly aimed at treating “les profondes insuffisances” of Treggiari's work⁸. Although innovative in shifting away from the freedman's position in the public sphere, and erudite in the wide array of different source types that were scrutinised, Fabre's study was problematic in that it set out from the start to illustrate the precarious condition of ex-slaves as constantly living in the shadows of their patron. As a consequence, analyses and conclusions throughout the work often had a very predetermined outcome (as will be noted throughout this study). Nonetheless, Fabre's study must be credited for firmly keeping freedmen on the international academic agenda.

In fact, the 1980s (as well as subsequent decades) were marked by an unprecedented output in freedman scholarship, which was spearheaded by studies focussing on economic factors and relations. Peter Garnsey's influential article about the impact of freedmen – as industrial and commercial entrepreneurs and property owners – on the

⁵ The following paragraphs only highlight the hallmark studies. For further bibliography, see esp. Mouritsen (2011), 1-9; Bell & Ramsby (2012), 1-12.

⁶ E.g. Treggiari (1969a), 231-2 speaks of “the infiltration of the Roman population by foreigners”, and 238 assumes that “[t]he racial mixture would certainly dilute the Roman character”.

⁷ Chantraine (1967); Weaver (1972); Boulvert (1974).

⁸ Fabre (1981), viii.

economy of imperial Italy, paved the way for almost immediate reactions and elaborations, of which Aaron Kirschenbaum's work on the role of freedmen in ancient commerce is perhaps the most noteworthy⁹. The vast tradition on the subject – to include less extensive contributions would require much more space than is available here – most recently culminated in Koenraad Verboven's survey of the "freedman economy". It drew justified attention to the structural determinants of the crucial role of ex-slaves in the Italian economy by fruitfully incorporating concepts and models from social theory (e.g. trust networks, Bourdieu's capital metaphor, etc.)¹⁰. From yet another economically inspired perspective, Wolfgang Waldstein has studied in detail the legal obligation imposed on freedmen to perform services (*operae*) for their patrons. The approach is very legalistic (primarily due to the virtual absence of literary or epigraphic evidence), but nonetheless provides a detailed insight into the "Dienstpflicht" of Roman freedmen. As a clear (though certainly no uncontested) reaction against the pessimistic impression Fabre provided, Waldstein concluded that *operae* were no remnants or indications of any quasi-serfdom freedmen were oppressed by, but that they were formal means of "payment" instead¹¹.

Interest in the social and cultural identity of freedmen primarily increased in the wake of these economic studies, with Paul Veyne's 1961 article on the usefulness of Petronius' *Satyricon* as a historical source being an early outlier¹². Even though it arguably places too much trust in the representative value of this satire, Veyne's insights would remain pivotal in later scholarship¹³. He questioned the notion that a freedman derived his social status primarily from membership of a legal class, and conceptualised a multi-tiered system of hierarchies for freeborn and freed individuals. Many later scholars added that the multiplicity of fields in which differentiation can take place, precludes a conception of Roman society in terms of horizontally layered status groups¹⁴. If "social mobility" was the umbrella term under which these and similar studies were grouped¹⁵, recent enquiry has stressed the personal agency of freedmen and their individual potential to mediate – through "self-schemas" – such fixed identity dimensions ("group schemas"). Professional pride, membership of an

⁹ Garnsey (1981); Kirschenbaum (1987).

¹⁰ Verboven (2012).

¹¹ Waldstein (1986). For a justified critique on this view, see most recently Mouritsen (2011), 224-6, who argued that *operae* were a "highly inflexible means of regulating the patron-freedman relationship", and who does not believe that their prominence in legal sources is a reflection of their actual importance in society.

¹² Veyne (1961).

¹³ More cautious evaluations of the *cena Trimalchionis* include Łoś (1995), 1013-4; Andraeu (2009), 124.

¹⁴ E.g. Shaw (1982), 34-8.

¹⁵ E.g. Weaver (1967); D'Arms (1981); López Barja de Quiroga (1995); Mouritsen (2011), 261-78.

association, respectful marriage, and personal connections were increasingly recognised as highly contextual loci of identity formation that allowed freedmen to construe a sense of self that was not (primarily) rooted in legal status or “class” membership¹⁶. These alternative dimensions allowed ex-slaves to downplay their own subordination to a patron, to accentuate their own power over dependents, to achieve a form of social respectability, etc. The result was a conception of identity as always elastic and multifaceted, and (therefore) often conflicting.

The greatest boom in enquiry into the socio-cultural identity of freedmen occurred at the end of the 20th and the beginning of the 21st century. As another clear critique on Fabre’s gloomy portrayal of the patron-freedman relationship, Andrew Wallace-Hadrill and Jane Gardner identified this relation as a fundamental tool for the socialisation and integration of freedmen in society¹⁷. Andrzej Łoś probed the evidence for the social condition of freedmen in the first century CE by, for example, revisiting the most influential models and theories of the stratification of Roman society as a whole, that have greatly influenced modern opinion on the place of ex-slaves within it (e.g. Alföldy, Jongman, D’Arms, etc.)¹⁸. The notion (advocated by art historians like Paul Zanker) that freedmen imitated elite art and architecture, but that they added distinctively “libertine” touches to it as a consequence of their experiences as slaves (e.g. abundant references to family life or professional prowess), has been critically revisited by Lauren Petersen, who has convincingly shown that it is premature to ascribe this (or any) form of art to preoccupations shared only by ex-slaves¹⁹.

In light of these on-going developments, it is perhaps surprising that the freedman in the ancient Greek world only received due treatment in 2005 by Rachel Zelnick-Abramovitz (after almost a century had passed since Aristide Calderini’s pioneering study on “la manomissione e la condizione dei liberti in Grecia”)²⁰. The Roman freedwoman had to wait for Matthew Perry’s project in 2014, but would certainly have been appreciative of the in-depth and nuanced analysis presented in this inspiring monograph, that fully explored the tension between a servile past and the possibilities the new life of a Roman matron had to offer²¹. It is also in the past few years that conferences were held (or edited volumes published), that were dedicated entirely to manumission and freedpersons. The collection of 42 valuable essays edited by Antonio

¹⁶ Joshel (1992); Tran (2013) (professional pride); Tran (2006); Liu (2009), esp. 171ff (membership of an association); Perry (2014) (respectful marriage); Nielsen (1997); Verboven (2012) (personal connections).

¹⁷ Wallace-Hadrill (1989b), 76f; Gardner (1993), 19-20.

¹⁸ Łoś (1995), esp. 1027ff; D’Arms (1981), e.g. 148; Alföldy (1984), 85-132; Jongman (1988), 279-91; ...

¹⁹ Petersen (2006), e.g. 95-6 (including references). Contra Zanker (1998), 136-203.

²⁰ Zelnick-Abramovitz (2005); Calderini (1908).

²¹ Perry (2014).

Gonzales in two volumes, for example, adopts a very wide (and sometimes comparative) perspective, but all contributions are in some way related to the general question whether (or to what extent) a life of slavery truly ended at the moment of manumission (hence the title: “La fin du statut servile?”)²². Among the most successful attempts to bring together scholars with various backgrounds to establish a coherent volume on diverging aspects of the impact of Roman freedmen on the society they lived in, is Bell & Ramsby’s 2012 volume (which contains the above mentioned essay by Verboven)²³. Finally, freedmen have received detailed treatment in dedicated chapters in studies on slavery and manumission, among which Hopkins’ and Bradley’s figure as some of the most influential²⁴.

*

Great strides, in other words, have been made towards fulfilling Duff’s wish for modern scholarship to duly value the multifacetedness of freedmen’s identity, instead of merely considering it an epiphenomenon of socio-economic inequality. Interestingly, however, very recently (and more than 80 years after the appearance of Duff’s monograph), Henrik Mouritsen’s unsurpassed synthesis on the freedman in the Roman world pointed out that a lot of work still had to be done. He too, wrote about a “surprising gap” in scholarly literature, and reiterated Duff’s point that attempts at synthesis have been rarely undertaken²⁵. Surely, as Mouritsen duly recognises, Treggiari’s treatment of freedmen in the late Republic, or Fabre’s analysis of the patron-freedman relationship were great leaps forward. But vital advancements in the scholarship on Roman freedmen as they may have been, neither of these studies provided a general synthesis on the phenomena of manumission or *libertinitas*. This is precisely the gap Mouritsen set out, and succeeded, to fill. His synchronic approach (the first to cover both Republic and Empire) has the great merit of – more than any study so far – comprehensively embedding the practice of manumission in the larger texture of Roman ideology and society. In doing so, Mouritsen structurally deconstructed the ingrained belief that racial, ethnic, or cultural prejudices determined the interaction between freed and freeborn²⁶.

²² Gonzales (2008).

²³ Bell & Ramsby (2012).

²⁴ Hopkins (1978); Bradley (1987).

²⁵ Mouritsen (2011), 1.

²⁶ For the problematic influence of racism and xenophobia on freedman studies in the past, see Mouritsen (2011), esp. 2-3, 80-8. Examples include Duff (1928), 61; Treggiari (1969a), 231-2. Earlier (and even more radical) examples are Frank (1916), *passim*; Sullivan (1939), 504ff.

It is certainly no exaggeration to credit Mouritsen's synthesis for reconfiguring scholarly debate on Roman freedman. Nearly all contributions published in its wake explicitly engage with it; a manifest testimony to its profound impact on the academic scenery. While our own study too is greatly indebted to this work – as we hope will become clear throughout – we have, over the past three years, increasingly found fault with one of its central tenets. Indeed, the main argument of this dissertation is that Mouritsen's study has replaced one manifestly faulty orthodoxy by another, which is not exempt from flaws itself, namely the postulation of the existence of an all-pervasive belief that freedmen were morally tainted by a permanent stain as a consequence of their servile past. The idea itself is by no means a novelty introduced by Mouritsen, but rather a logical culmination of a gradually increasing tendency in modern scholarship to find an alternative meta-explanation for the freedman's disabilities and restrictions in Roman society²⁷. This genesis, and especially the evidence usually purported to support the existence of a "stain of slavery" (*macula servitutis*), will be the subject of detailed scrutiny in Chapter 2. One of its main aims is to show how modern rhetoric on this "stain of slavery" is as much a consequence of too unwarranted a focus on elite discourse, as early 20th century scholars' invocation of race and bloodline was. As a recurrent feature in recent scholarship, it is frequently resorted to as an analytic shorthand rather than as a phenomenon worth studying in its own right; an *explanans* rather than an *explanandum*.

Mouritsen may well claim that the most authoritative studies of the past "have slipped into the mindset of Roman slave owners" by at face value appropriating ancient elite stereotypes concerning freedmen (e.g. racial prejudices)²⁸, but by elevating the *macula servitutis* as the catchphrase *par excellence* for the freedman's social condition, he is arguably doing the exact same thing. As mentioned, however, this tendency is all but novel, though it seems fair to say that it got a second wind by Mouritsen's strong focus on it, as exemplified by the explicit reference made to it in the title of his second chapter ("*Macula servitutis*: slavery, freedom, and manumission"). A few very brief introductory examples of how the a priori assumption of an all-pervasive moral stain on the freedman's persona has influenced and steered various modern analyses and conclusions in the past decades and centuries, should suffice – for now – to illustrate the impact of this framework, since this point will be taken up in further detail in Chapters 2 and 4.

²⁷ Radical examples of this *macula servitutis* framework typically combine it with outdated notions of geographic and physiognomic determinism. E.g. de Vos (2001), 94: "In effect, those who came from a servile origin would have been expected to act like slaves. And since behaviour (as it was linked to background, form and function) did not change, then neither would their essential servility".

²⁸ Mouritsen (2011), 3.

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A very early example is Gustav Lahmeyer's analysis of the order of names (*praenomen*, *nomen*, and *cognomen*) in Cicero's works. Lahmeyer argued that when Cicero changed the traditional order of names (*cognomen* – *nomen*) to a more exceptional one (*nomen* – *cognomen*), he often did so because the persons thus referred to were mere freedmen or other lower class individuals, who did not deserve the more honourable *cognomen* – *nomen* construction, reserved for noble Romans²⁹. The tendentiousness of these arguments was first unveiled by Harold Axtell, who not only substantially corrected Lahmeyer's quantitative data, but also demolished his theories³⁰. At the core of Lahmeyer's arguments lay the unquestioned assumption that a generally shared contempt for, in *casu*, freedmen had to be reflected in the naming conventions of these persons. This point has been reiterated (and expanded to an actual freedman *discourse*) in more recent studies, albeit less radical and at any rate more nuanced³¹. An in-depth analysis of these and similar themes will constitute the main focus of Chapter 7.

In the legal sphere, Duff has argued that the praetor would be typically inclined to take a patron's side if the latter had a quarrel with his freedman. Freedmen were not allowed to sue their patron, unless they had first obtained explicit permission from the praetor; a restriction imposed not only on ex-slaves but also on children in relation to their parents³². According to Duff, the praetor would often refuse to grant such permission, "consulting the dignity of a patron rather than the justice due to a freedman"³³. Not only does he nowhere qualify this assumption, but – as Jane Gardner rightly noted – it would also constitute a manifest violation of the principled equality of freed citizens in society at large (cf. Chapters 1 and 7)³⁴. Writing several decades after Duff (but still before Gardner), Fabre adopted and expounded this assumption by interpreting the *pietas* freedmen owed to their patrons – and the legal penalties associated with a failure to observe it – as highly *sui generis*, thereby ignoring the demonstrable fact that these restrictions were imposed on members of all kinds of social categories³⁵. This unwarranted attribution of "unique traits" to the patron-freedman relationship, is a feature permeating Fabre's work in general. As noted earlier,

²⁹ Lahmeyer (1865), 493f.

³⁰ Axtell (1915), esp. 393-5.

³¹ Mouritsen (2011), e.g. 58-64; Maclean (2012); Perry (2014), e.g. 147.

³² Dig. 2.4.4.1; Gaius, Inst. 4.46.

³³ Duff (1928), 38.

³⁴ Gardner (1993), 24.

³⁵ Fabre (1981), 148-50, 219-26, 318-9. Cf. Gardner (1993), 25: "Fabre is representing as a duty imposed specifically upon freedmen what is in fact the recognition of a general obligation of *pietas* upon children, parents, siblings, marriage partners and their kin, and freedmen".

his monograph presents in rather pessimistic terms the condition of Roman freedmen in private life, i.e. as permanently subjugated to the yoke of a patron's dominance. Several chapters in the current study will challenge both individual expressions of this general assumption, as well as the underlying framework from which they derive.

One particularly disturbing expression of the assumption of an essential "sameness" of slaves and freedmen (in terms of their "stain" or "stigma") is the recurrent collation – both analytical and rhetorical – of these two status groups in modern works³⁶. In his chapter on the *macula servitutis*, for example, Mouritsen regularly downplays fundamental differences between slaves and freedmen. Abundant attention is paid to the "distinct nature" of slaves, which at least theoretically made them incapable of loyalty or virtue, and which inspired a whole range of negative stereotypes. The discussion convincingly shows that servitude was indeed a "source of stigma", that "slaves belonged to a distinct category of humanity with inherent characteristics", and that they were marked by an "innate inferiority"³⁷. It is hard to find fault with Mouritsen's description of the Roman perception of slaves, but the same cannot be said about its – often unqualified – extrapolation to freedmen. This transference usually takes the form of rhetorically connecting a passage featuring a freedman to a preceding list of cases of slaves. The implication is that because something is true for slaves, it must also be true for freedmen. It is difficult not to see the inherent circularity in the argument, since the link between slave and freedman cases is tenable only when one accepts the suggestion – a priori taken for granted by Mouritsen – that freedmen were "tainted" in the same way slaves were.

After treating in detail the notion of "natural slavery", for example, he discusses a freedman case as an example of the "remarkably consistent Roman tradition which insisted on the *slave's* innate inferiority to all free men" (italics added). Horace's famous sneer to a successful freedman, exclaiming that his *genus* is not in any way changed or ameliorated by his *fortuna*, is taken at face value as an indication of the transposition of a servile stigma onto freedmen. Mouritsen thus takes the passage as proof that the *slave's* inferiority remains "resistant to any change of status" (manumission).

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For Mouritsen cum suis, then, the *macula servitutis* is very much an objective and pervasive belief in the Roman world. Within the freedman's own *familia*, however, he admits that "the stigma of his origins hardly counted at all" since "different rules

³⁶ E.g. MacLean (2012), 63, who speaks about the unique parameters of their [slaves and freedmen] social position, and who argued that slaves and ex-slaves had a distinct approach to *obsequium*, "creating a specific constellation of values". Cf. also p. 82-5, 154, ...

³⁷ Mouritsen (2011), 17-21.

applied, and relations that would have been shameful with other people's freedmen appear to have been perfectly acceptable with your own"³⁸. Whereas the distinction between *liberti sui* and *liberti alieni* is rightly accentuated, the claim that it derived from (an exception to) a generally perceived taint on an ex-slave is doubtful at best. The problem that arises from this assertion, is that freedmen had excellent contacts with people other than their patrons or *familia* members, in interactions where no trace of any stereotype or stigma is attested (cf. esp. Chapters 4 and 5). Mouritsen is at pains to reconcile this observation (i.e. "a suspension of the 'servile' stigma in these contexts") with the presumed existence of a *macula servitutis* permeating the Roman mind: "what seems to have happened was that the freedman's own dishonoured person became subsumed into that of his patron". Instead of looking to adjust the idea of an ancient ideological doctrine, Mouritsen defines the situation as a "paradox", and takes recourse to an almost mystical explanation that has the freedman "transcend his status" in these contexts³⁹. The explanation, moreover, blatantly contradicts a previous claim that *libertinitas* was an "innate condition" with "innate deficiencies"⁴⁰, and closely resembles the notion that freedmen could only be virtuous or acceptable to society by mediation of their patron (a notion that will be dealt with in Chapters 4 and 5). These chapters argue that it is no coincidence that precisely in the correspondences – approached as a network embedded social practice – barely any trace of a servile stain is attested. Moreover, if a freedman was able to "transcend his status" in some cases, the question remains why he could not "do" so in others. Instead of interpreting the many casual and positive references to freedmen as exceptions or suspensions of a standard servile stigma, a good case can be made precisely for the reverse situation.

Besides these preliminary observations, attention should be drawn to the problematic use of a heavily laden term like "stigma". As the excerpts cited at the beginning of this introduction already indicated, "stigmatisation" is a concept quickly resorted to by modern scholars to conveniently capture the freedman's social condition, and is often even generally imposed on (Roman) society as a structural trait. Treggiari, for example, thought that a libertine stigma permeated not only elite discourse, but also the minds of

³⁸ Mouritsen (2011), p. 42. See also the following pages (esp. p. 47): "Within this particular environment [of the familia] the conventional stigma of servitude appears to have played no part (...)".

³⁹ Mouritsen (2011), p. 49-50. Cf. p. 107-8: the *ius anulorum aureorum* was "a remarkable invention which allowed freedmen to be 'cleansed' of their *macula servitutis*" and "involved the miraculous suspension of the freedman's servile 'stain"; 214: "their own inferior persons were subsumed into that of their patrons".

⁴⁰ Mouritsen (2011), 36, 64. Page 284 speaks of the innate differences between slave and master, which the legal concept of *libertinitas* had to entrench.

the Roman *plebs ingenua*⁴¹. Bell and Ramsby recognised a general “desire to overcome the stigma of servitude”⁴². And Mouritsen suggested in no unclear terms that freedmen were “stigmatised and made to suffer for a past for which they bore no personal responsibility or blame”⁴³. Surely, a common sense understanding of the term is often enough to grasp its intended meaning in these cases, but it remains an anachronistic way of looking at freedmen, by no means as structurally attested in ancient sources as its modern usage implies (cf. Chapter 2). Moreover, when Wiseman argued that “the stigma of slavery was a greater handicap than that of non-Roman descent”, he nonetheless concluded that the two stigmatised groups were comparable, but without paying attention to the sociological implications of the term, or the nuances in stigmatisation between both social categories.

Generalisations like these grossly violate vital insights of sociological literature on stigma and stigmatisation, but are not entirely surprising when we observe that this literature itself is greatly divided on the matter of how to define stigma⁴⁴. This variety is in itself no problem, since the many different scientific disciplines, as well as the different research methodologies and themes that employ the notion as an analytical tool, often require a contextualised definition of the term⁴⁵. The problem arises, however, if this conceptual variety is tacitly accepted as permission to use the notions of stigma and stigmatisation as broad labels, without adequately defining its use in the study at hand. Moreover, the connotation of the term “stigma” implies an inherent trait, and as such greatly accommodates modern discourse on the *macula servitutis*, since it suggests continuity in the mental deficiency of slaves even after they had been manumitted⁴⁶. Already in 1963, however, the pioneering sociologist in the field, Erving Goffman, stressed that stigma should not be approached (solely) as an individual attribute, but rather as a *relation*, i.e. something that comes into existence only in a social context and in interaction with others who stigmatise⁴⁷. In 1998, Link and Phelan proposed to discard terms like “attribute”, “mark”, or “condition” altogether when referring to stigmatised individuals, by replacing them with “label”, thus reconfiguring the implied “agency” in the interaction, and fully conceptualising stigmatisation as a

⁴¹ Treggiari (1969a), 37.

⁴² Bell & Ramsby (2012), 1.

⁴³ Mouritsen (2011), 17. Cf. 79, 111. For a refreshing take on the subject, see Borbonus (2014), e.g. 118: “The common assertion that inferior status was a source of disgrace simplistically assumes that nonelite Romans collectively adopted elite views”.

⁴⁴ E.g. Goffman (1963), 3; Stafford & Scott (1986), 80-1; Crocker, Major & Steele (1998), 505.

⁴⁵ Link & Phelan (2001), 365.

⁴⁶ For this connotation of “stigma”, see especially Sayce (1998).

⁴⁷ Goffman (1963), e.g. 12-3.

performative social *practice*⁴⁸. This insight is widely accepted in sociology, but it is often neglected in other disciplines, which usually employ “stigma” as a convenient shorthand for an inherent, rather than affixed, trait.

For Goffman, a stigma constitutes a “special discrepancy between virtual [attributed] and actual social identity”⁴⁹. Evidently, having been a slave was a part of one’s life that could not be changed (though certain legal fictions existed to achieve precisely such erasure)⁵⁰. But describing this past as an inherent stigma, is ignoring the necessary relational component of virtual social identity. It implies that it was a biological or moral characteristic in any given context, rather than a trait originating from, and activated in, social interaction. Again, this interpretation greatly suits the *macula servitutis* framework, because it a priori attributes to the freedman the moral inferiority of a slave. It is such conception that subsequently leads to the conviction that not only elites but also the freeborn members of the lower classes in general saw freedmen as degraded individuals, i.e. because it was an absolute deficiency. Interestingly, very similar modern conceptions have been revisited and repudiated in the very recent past. The Roman conception of manual labour, for instance, was a recurrent theme in elite sneers towards the “sordid poor”, but at the same time a source of great pride among these lower classes (cf. Chapter 8). It is now generally accepted that a monolithic “Roman” conception of manual labour never existed to begin with⁵¹. Put differently, there were contextualised forms of appreciation or condemnation of certain identity dimensions, but the point is that these were relational, rather than an objective evaluation of inherent traits (i.e. Goffmanian attributes).

Finally, some essential features of stigma and stigmatisation – in the sociological sense of the words – are demonstrably absent when considering the social position of Roman freedmen. “If a stigma disappears or is shaken off”, Goffman wrote, “what often results is not the acquisition of fully normal status, but a transformation of self from someone with a particular blemish into someone with a record of having corrected a particular blemish”⁵². Firstly, this new situation is by definition not an instance of stigmatisation anymore, but a position in between stigmatised (i.c. slave) and “normal”

⁴⁸ Link & Phelan (2001), 368.

⁴⁹ Goffman (1963), 11-2.

⁵⁰ The procedure of *restitutio natalium* granted fictitious *ingenuitas* to freedmen (though imperial initiative and patronal permission was required). Dig. 40.11.5.1: “Libertinus, qui natalibus restitutus est, perinde habetur, atque si ingenuus factus medio tempore maculam servitutis non sustinisset”. See also Chapter 2.

⁵¹ Tran (2013) provides the most comprehensive overview of the evolution (p. 187-9), as well as an original in-depth analysis of the interaction between aristocratic and lower class mentalities (*passim*). Cf. Verboven (2014).

⁵² Goffman (1963), 18-9.

(to use Goffman's own term). In addition, Goffman does nowhere explore exactly how "normal" such an individual can become. Perhaps most importantly, though, the use of stigma terminology rhetorically – but unwarrantedly – transposes its underlying features to freedman socialisation, leading to manifestly skewed analyses and tenacious conclusions. Goffman's concept of "covering", for instance, states that stigmatised individuals typically "make a great effort to keep the stigma from looming large. The individual's object is to reduce tension, that is, to make it easier for himself and the others to withdraw covert attention from the stigma, and to sustain spontaneous involvement in the official content of the interaction"⁵³. However, as is well known, freedmen were prone – at least until the end of the first century CE – to explicitly *exclaim* their legal status in their epitaphs⁵⁴. Several scholars have explained this phenomenon – from a *macula servitutis* point of view – as an attempt by freedpersons to downplay their servile past, but this is now considered an outdated view⁵⁵. The decline in the occurrence of status mentions on funerary monuments can, moreover, not be explained by the notion of "covering", since it is a general trend attested also (and arguably even more so) for *ingenui* (cf. Chapter 2).

It is unfortunate that a study like Mouritsen's should focus so strongly on the unique nature of Roman *libertinitas*, but at the same time rhetorically reduces it to a monolithic instance of stigmatisation. In fact, as will be noted repeatedly, the *macula servitutis* framework derives in no insignificant degree from too rigidly isolating freedmen as a social category. This conception of uniqueness is a reflection of the disproportionate attention paid to freedmen in elite discourse, where they were often singled out as *exempla* (cf. Chapter 6). While it would be wrong not to consider *libertini* as a *sui generis* social category, they were by no means as isolated from other sub-elite strata as the *macula* framework suggests. Chapters 2 and 6 address this issue in more detail, by further elaborating on the notion that freedmen were targeted by elite discourse and framing because they constituted the most visible (and most threatening) component of the non-elite classes, against whom a *general* discourse of distinction was directed.

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It is well beyond the scope of this introductory note to give an exhaustive overview of the social and legal aspects of "the" freedman's position in Roman society. Any such endeavour would arguably be derivative anyhow, in light of the excellent existing

⁵³ Goffman (1963), 124.

⁵⁴ See the discussions in Chapters 2 and 8.

⁵⁵ Taylor (1961), 122. Cf. Huttunen (1974), 129; MacLean (2012), 126. Perry (2014), 100 gives an extensive overview of the debate.

surveys mentioned earlier. Relevant aspects of this social and legal position will be touched upon throughout this work when relevant for the argument. Nonetheless, two very general notes are included here, in order not to impede the flow of argument in the respective chapters by unnecessary digressions. These notes relate to the distinction between the terms *libertus* and *libertinus*, and to the distinction between formally and informally freed slaves.

The Latin language had two words to denote a freedman: *libertus* and *libertinus*. Modern scholars generally agree on the difference between both terms: *libertus* refers to a freedman within the private relation to his patron, and *libertinus* to a freedman as a member of society at large. Put differently, *libertus* accentuated the social status of the ex-slave, whereas *libertinus* stressed his legal status. Duff thus summarised⁵⁶:

“While a freedman was a *libertus* in relation to his patron, he and his fellows formed a definitely marked-off class called *libertini* in relation to the *ingenui* or free-born. (...) the Roman freedman is not only the *libertus* of his patron; he is also a *libertinus* as opposed to an *ingenuus*”.

However, there has been considerable disagreement on the original meaning of the term *libertinus*. The main source of confusion is a famous passage in Suetonius’ *Lives*, in which the historian corrects the language of the emperor Claudius⁵⁷:

“Even then, fearful of criticism [on his decision to allow the son of a freedman into the senate], Claudius declared that the censor Appius Caecus, the ancient founder of his family, had also chosen the sons of freedmen (*libertini filii*) into the senate; but he [Claudius] did not know that in the days of Appius and for some time afterwards the term *libertini* designated, not those who were themselves manumitted, but their freeborn sons”.

Haley, followed by Shimada, accepted Suetonius’ correction. They both drew from the linguistic argument that nouns with the suffix *-inus* were originally patronymics, and that the application of *libertinus* to sons of freedmen was a consequence of ex-slaves

⁵⁶ Duff (1928), 50-2. Cf. Treggiari (1969a), 52-3.

⁵⁷ Suet. Claud. 24: “Ac sic quoque reprehensionem verens, et Appium Caecum censorem, generis sui proauctorem, libertinorum filios in senatum adlegisse docuit, ignarus temporibus Appi et deinceps aliquamdiu libertinos dictos non ipsos, qui manu emitterentur, sed ingenuos ex his procreatos”. Throughout this work, Latin and Greek passages, as well as English translations, are taken from the most recent Loeb Classical Library editions, unless otherwise noted.

often informally being called *servi* in the early and middle Republic⁵⁸. Mommsen, followed more recently by Fabre, believed that *libertinus* denoted *both* the freedman and his son in Appius' time⁵⁹. Treggiari, on the other hand, thought that Suetonius was simply mistaken⁶⁰. In fact, no other Roman authors concur with Suetonius on the matter, except some, of whom it can be plausibly argued that they had precisely Suetonius' passage as their only source for this claim⁶¹.

In his 1904 doctoral dissertation, Crumley conducted a detailed philological and grammatical study into the terms *libertus* and *libertinus*, and evaluated the influential Suetonian passage as follows⁶²:

“The formation of the word [*libertinus*], the unmistakable evidence that it was used as early as the time of Plautus to designate manumitted men, and the fact that no other Latin author speaks of the word ever having this restricted meaning, seem to discredit the statement of Suetonius”.

However, because Appius' lifetime predated any noteworthy expansion of Latin literature, the lack of evidence for Suetonius' claim may simply be due to this dearth of sources from the historical period in question. The matter was complicated even further when some scholars proposed that *libertinus* was not only used to denote freedmen, their sons, or both. One hypothesis, for example, states that the content of the term was much broader, and that it applied also to individuals who had but recently received Roman or Latin citizenship (e.g. *peregrini*)⁶³. Be that as it may, the habit of referring to freedmen's sons as *libertini* – if ever it existed – died out when these sons became truly equated with sons of freeborn Romans. Haley saw 217 BCE as a plausible moment (i.e. when the sons of freedmen became “full-fledged *ingenui*” by the grant of the *ius praetextae*)⁶⁴. Fabre suggested 189 BCE (i.e. when the *lex Terentia* supposedly endowed

⁵⁸ Haley (1986), 117-8; Shimada (1988), 420.

⁵⁹ Mommsen (1887), III, 422-3; Fabre (1981), 125 note 1.

⁶⁰ Treggiari (1969a), 52-3.

⁶¹ E.g. Isid. Orig. 9.4.47: “Libertus autem vocatus quasi liberatus. Erat enim prius iugo servitutis addictus. Libertorum autem filii apud antiquos libertini appellabantur, quasi de libertis nati”. Crumley (1904), I, 6: “The influence of the Suetonian passage is traceable through the entire period from his day to the present and seems to be at the bottom of the whole discussion. Wherever the question is raised, Suetonius is usually quoted or cited as authority”. Cf. Haley (1986), 116 note 5.

⁶² Crumley (1904), I, 39.

⁶³ Cels-Saint-Hilaire (1985), 360: “Le mot *libertinus* apparaît ainsi comme un vocable ambigu, dans la mesure où, ne prenant en compte que la citoyenneté romaine (ou latine, après 171) de l'individu ainsi qualifié, il insiste sur le caractère récent de cette citoyenneté, mais laisse dans l'ombre le statut d'origine - esclavage ou peregrinate”.

⁶⁴ Haley (1986), 119-20.

sons of freedmen with full citizenship)⁶⁵. Whatever the precise date may have been, this ancient use of *libertinus* is not once attested in the period under consideration in this dissertation. For all practical means and purposes, then, our use of *libertus* and *libertinus* reflects – like that of the late Republican and early Imperial Roman authors – the difference between the freedman in relation to his patron on the one hand, and to society as a whole on the other. As we will see in (especially) Chapters 4 and 6, the distinctive connotations both terms carried were of particular importance for the representation of freedmen, and greatly underpinned the message an individual writer tried to convey. Interestingly, the same elites who frequently freed their favourite slaves, also complained about the increasing number of freedmen in society and the undue influence they were able to exercise. This almost paradoxical situation gradually led to a crystallisation of both *libertus* and *libertinus* into a very positive and negative marker respectively (cf. Chapters 4 and 6)⁶⁶.

As common denominators for all ex-slaves, the terms *libertus* and *libertinus* easily create the impression that freedmen belonged to a homogenous group of people, whose identity derived only or primarily from their belonging to this legal category. As noted before, early studies on freedmen appropriated this elite focus on legal status, whereas more recent enquiries accentuated individual and contextual ways to mediate it. While this is a point taken up on several occasions throughout this dissertation, it should be stressed that even *within* the restricted legal sphere, significant demarcations already divided the body of freedmen.

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When a master wanted to free one of his slaves, he had the choice to do so formally or informally. This choice had far-reaching consequences, since only formal manumission bestowed on the slave not only freedom, but also citizenship. This latter grant was what separated Roman manumission from any other contemporary form, and famously evoked awe among contemporary observers⁶⁷. Although Roman historians disagreed on

⁶⁵ Fabre (1981), 125 note 1. The *lex Terentia*, however, is generally believed now not to have applied to freedmen's sons (who already held full citizenship prior to 189 BCE), but perhaps rather to *peregrini* or *Spurii filii*. Cf. Mouritsen (2007b).

⁶⁶ Cf. Patterson (1982), 278 in more general terms: “the decision to grant or to permit slaves to purchase freedom was an individual one, largely determined in the advanced slave systems by economic and/or political factors, whatever the cultural rationalizations, whereas the decision to accept the freedman was a collective one, strongly influenced by traditional values and prejudices”.

⁶⁷ Cf. the often quoted letter from Philip V of Macedon (214 BCE): “ὦν καὶ οἱ Ῥωμαῖοί εἰσιν, οἳ καὶ τοὺς οἰκέτας ὅταν ἐλευθερώσωσιν, προσδεχόμενοι εἰς τὸ πολίτευμα καὶ τῶν ἀρχαίων με[ταδι]δόντες, καὶ διὰ τοῦ τοιοῦτου τρόπου οὐ μόνον τὴν ἰδίαν πατρίδα ἐπηυξήκασιν, ἀλλὰ καὶ ἀποικίας <σ>χεδὸν [εἰς ἐβ]δομήκοντα τόπους ἐκπεπόμφασιν”.

the origin of manumission as a citizen-making procedure, the practice is documented already in the Twelve Tables, and probably greatly predates them⁶⁸.

During the Republic, formal manumission required the fulfilment of two conditions. First and foremost, the master had to be a citizen himself (i.e. possess the *ius Quiritum*). Secondly, he had to use one of the three formal manumission procedures (*manumissio iusta ac legitima*). These were *manumissio vindicta* (in front of a magistrate with *imperium*), *manumissio testamento* (a gift of freedom through the master's testament), and *manumissio censu* (formal enrolment in the census record)⁶⁹. At the end of the Republic and certainly in the Principate, however, the latter method fell into disuse. Other ways to manumit a slave were via a letter (*per epistulam*) or via an agreement "as if between friends" (*inter amicos*)⁷⁰. These were, however, informal procedures (*manumissio minus iusta*), and did as such not confer citizenship on the new freedman. Informally freed slaves were not recognised by law in the Republic (*si neque censu nec vindicta nec testamento liber factus est, non est liber*)⁷¹. Even though their freedom – or rather, their mere *forma libertatis* – was protected by the praetor (e.g. against an *actio Publiciana*), their situation remained precarious⁷².

This changed under Augustus. A *lex Iunia* of unknown date – but certainly predating the *lex Aelia Sentia* of 4 CE⁷³ – established a legal framework for informally freed slaves, who would henceforth be known as Iunian Latins. They were called *Latini* because their status was modelled on that of Roman citizens who migrated to a Latin colony, and *Iuniani* because it was the *lex Iunia* that granted them their freedom⁷⁴. The status and legal peculiarities of Iunian Latins are notoriously complex, and an exhaustive discussion greatly exceeds the scope and intent of this introductory note. The following

⁶⁸ Dionysius of Halicarnassos (4.22) credited king Servius Tullius, but Livy (2.5.9-10) and Polybius (Publ. 7.5) thought it had originally been a measure to reward the slave Vindicius for uncovering a conspiracy against the vulnerable new Republic in 509 BCE. For the Twelve Tables, see Crawford (1996), 646-8.

⁶⁹ Gaius Inst. 1.17, 35, 138; Ulp. Reg. 1.6-9; Frag. Dos. 5. Cf. Buckland (1908), 437-448 (manumission during the Republic), 449-551 (manumission during the Empire); Treggiari (1969a) 21-5; Fabre (1981), 5-7; Mouritsen (2011), 11-2.

⁷⁰ Gaius, Inst. 1.44.

⁷¹ Cic. Top. 2.10. Cf. Tac. Ann. 13.27: "quos vindicta patronus non liberaverit, velut vincolo servitutis attineri".

⁷² Gaius, Inst. 1.22; 3.56; Reg. 1.10. Cf. Fabre (1981), 55-9; Sirks (1981), 249; Mouritsen (2011), 85-6.

⁷³ Balestri Fumagalli (1985). Sirks (1981), 250 suggested 17 BCE for the promulgation of the *lex* (see 251 note 9 for further references).

⁷⁴ Gaius, Inst. 3.56: "Latinos ideo, quia lex eos liberos proinde esse uoluit, atque si essent ciues Romani ingenui, qui ex urbe Roma in Latinas colonias deducti Latini coloniarii esse coeperunt; Iunianos ideo, quia per legem Iuniam liberi facti sunt, etiamsi non essent ciues Romani".

paragraphs therefore merely provide a general outline, which will be elaborated upon when necessary throughout this work⁷⁵.

Iunian Latinitas was a considerable improvement over the status of Republican informally freed slaves. Most importantly, they were now legally recognised as free men (though not as citizens). They received the right of *commercium* (i.e. to conduct trade and make legal contracts), and their children would become free persons rather than slaves⁷⁶. Severe restrictions, however, marked the Iunian Latin when compared to his *formally* freed counterpart. Although legally free, he could neither make a valid will, nor inherit any property (unless he was able to obtain Roman citizenship within 100 days)⁷⁷. His property was considered as *peculium*, and it would therefore return to his patron when he died (whereas freed *citizens* owed him only a portion of it, depending on their possessions)⁷⁸. These patronal rights could also be transmitted to people outside the *familia* (whereas rights over freed *citizens* could be given only to natural heirs)⁷⁹.

The *lex Iunia* should be seen in close connection with the *lex Aelia Sentia* of 4 CE. This law imposed further restrictions on formal manumission. Besides the requirements of a citizen master and a formal procedure, the slave now had to be at least 30 years old, and the manumitting master at least 20. The age limit could, however, be circumvented if the master had a “good reason” (*iusta causa*) to free a younger slave (e.g. when he was related by blood, when he intended to use a freedman as a business agent (*procurator*), or a freedwoman as a spouse, when he was legally obligated to free the slave, etc.)⁸⁰. The *lex Aelia Sentia* also provided ways to “upgrade” the status of Iunian Latinitas to citizenship *optimo iure* (*Latini vero multis modis ad civitatem Romanam perveniunt*)⁸¹. The most obvious way was to repeat the manumission of an informally freed slave (*iteratio*), but this time fulfilling all three necessary conditions (citizen patron, formal procedure, and age requirement)⁸². Another possibility was the *anniculi probatio* procedure, which granted Roman citizenship to married slaves freed under 30, on condition that they

⁷⁵ For the most detailed studies on Iunian Latins, see Sirks (1981); Weaver (1990); (1997); López Barja de Quiroga (1998), with further bibliography in note 3 (p. 134); Camodeca (2006); Koops (2013), 114-9.

⁷⁶ Gaius, Inst. 1.66, 79, 81.

⁷⁷ Gaius, Inst. 1.23-4; 2.275; Ulp. Inst. 20.14; Ulp. Reg. 17.1; 22.3; 22.8.

⁷⁸ Gaius Inst. 1.23; 3.56-7, 63-5; Ulp. Inst. 11.16; Inst. Iust 3.7.4. Cf. Sirks (1981), 255-6; Levick (1990), 124.

⁷⁹ Gaius, Inst. 1.23-4; 3.56, 58; Tit. Ulp. 19.4; 20.14; 22.3.

⁸⁰ Examples of *iustae causae* are spread out over the legal sources, see e.g. Gaius, Inst. 1.19-20, 38-9, 41; Ulp. Reg. 1.12-3; Dig. 40.2.9, 11-14, 15pr-1, 16.1; ... Cf. Buckland (1908), 538-42; López Barja de Quiroga (1998), 155 note 54.

⁸¹ Gaius, Inst. 1.28.

⁸² Frag. Dos. 14; Ulp. 3.4; Tac. Ann. 13.27.

presented a one-year-old child to a praetor or governor⁸³. Later laws increased the paths to formal citizenship even further, by making it the reward for productive behaviour (e.g. serving 6 (and later 3) years in the *vigiles*, investing in real estate in Rome, contributing to Rome's grain supply by providing ships for the *annona*, owning a large bakery, etc.)⁸⁴.

We do not (and cannot) know precisely how many informally freed slaves there were, or how their number compared to that of freed citizens, because the members of both categories received a *tria nomina* on manumission (i.e. the *praenomen* and *nomen gentilicium* of their master, and their slave name as *cognomen*)⁸⁵. This practice makes informally freed slaves indistinguishable from freed citizens in the epigraphic record⁸⁶. However, Iunian Latinitas must have been very attractive to masters because of the inheritance regulation. Moreover, the epigraphic record clearly indicates that slaves were freed – even after the *lex Aelia Sentia* – before their 30th birthday, automatically making them Iunians (as surely not all of these cases would have been justified by a *iusta causa*)⁸⁷. Perhaps even more important, most of the ways to “upgrade” to formal citizenship required the presence of a magistrate, which must have posed a problem in many cases⁸⁸. Literary sources sometimes suggest Iunian Latinitas for certain freedmen, but they never explicitly refer to this status. Pliny's letters casually mention informally freed slaves on occasion (without explicitly calling them *Latini Iuniani*), but they appear only when they are about to become Roman citizens through *iteratio* or imperial grant⁸⁹. Most scholars nowadays assume that the number of Iunian Latins must have been considerable at the very least (due to economic and practical reasons), despite the conspicuous silence in the source record⁹⁰.

⁸³ Gaius, Inst. 1.29-32. Both parents and child received citizenship. Initially, only Iunians under the age of 30 could benefit from this procedure, but Vespasian extended access to all Iunians, regardless of their age (Ulp. Reg. 3.4). For the exact procedure, see López Barja de Quiroga (1998), 139, 145, 155-7; Weaver (1990), 277, 280, 301; Camodeca (2006). For a summary of the other conditions, see Sherwin-White (1973), 329-30; Sirks (1981), 254; López Barja de Quiroga (1998), 145-6.

⁸⁴ Gaius, Inst. 1.32-4.

⁸⁵ Receiving not only the *nomen gentile* of the master, but also his *praenomen* became standard practice no later than the first century BCE. Cf. Salomies (1987) 229ff. For the significance of this practice, see Saller (1994), 79-80; Mouritsen (2011), 39.

⁸⁶ Weaver (1990), 279, 300-4; López Barja de Quiroga (1998), 144; Mouritsen (2007a).

⁸⁷ Alföldy (1986).

⁸⁸ Watson (1987) 35, 42; Mouritsen (2011), 189 esp. note 313. Sherwin-White (1973), 330; López Barja de Quiroga (1998), 156-9; Weaver (1990), 280-1 warn us that transformation from Iunian Latin to full citizen was difficult outside of Rome.

⁸⁹ Plin. Ep. 7.16.4; 7.32; 10.5.2; 10.6.1; 10.11.2; 10.104-5.

⁹⁰ E.g. Weaver (1997), 55: Iunian Latins constitute “a black hole of large but unknown proportions”; López Barja de Quiroga (1998), 149: they were “perhaps even more numerous than freedmen with

Importantly, besides further regulating manumission procedures, the *lex Aelia Sentia* also created a third category of freedmen: those who were considered as *in dediticiorum numero*. These were ex-slaves who had been severely beaten, chained, branded, or tortured, or who had been forced to fight in the arena; in short, men whose previous treatment or behaviour made them “incapable” of obtaining citizenship⁹¹. Indeed, *dediticii* suffered from the most degrading and severe restrictions that could be imposed on a free man. They could – contrary to Iunian Latins – under no circumstance obtain citizenship (or even Iunian Latinitas itself), and they were not allowed to enter a perimeter of 100 miles around the city of Rome (on the pain of re-enslavement without prospect of manumission)⁹². Like Iunian Latinitas, the status of *dediticii* was based on an already existing category of people (i.e. that of enemies who had surrendered to Rome)⁹³. Interestingly, then, the Augustan laws – of which the *lex Iunia* and the *lex Aelia Sentia* were among the most important ones for freedmen – transformed *libertinitas* from a dual division (informal – formal) into a formal three-tier system (*dediticii* – *Latini Iuniani* – citizens *optimo iure*), which allowed for further promotion, and forced masters to be selective and discriminative when deciding about the fate of a slave⁹⁴.

The inability to distinguish *Iuniani* from freed citizens (or even *dediticii*) in the sources, permeates every study on Roman freedmen. It will be duly recognised in ours whenever possible or relevant. However, since this work focusses primarily on discourse and representation (as both reflecting and consolidating existing dimensions of reality), this concern is of lesser importance (given the fact that elite authors or freedmen never distinguished between these categories themselves). While Robert Knapp’s solution to entirely conflate as a rule both categories throughout his study on “invisible Romans” is certainly too rash and defeatist, there is often no other way to proceed in practice (especially when treating literary and epigraphic sources)⁹⁵.

Finally, freed citizens *optimo iure* may well have been better off when compared to Iunians or *dediticii* (especially in terms of inheritance law), but they were not entirely free from disabilities or restrictions themselves. They – like all freedmen – owed a lifelong debt of respect (*obsequium*) and sometimes contractual services (*operae*) to their

Roman citizenship”; Sirks (1981), 274. *Pace* Hopkins (1978), 116: “almost all ex-slaves freed by Roman masters received Roman citizenship”.

⁹¹ Gaius, Inst. 1.13–6; Ulp. 1.11.

⁹² Gaius, Inst. 1.13, 15, 26–7; Gaius, Inst. 1.160; Tac. Ann. 13.26. See also Buckland (1908), 402, 544–6; Wenger (1941), 356–60; Roth (2011). Mouritsen (2011), 33 note 127 typically sees this expulsion from Rome as a measure to prevent “servile contamination”, although a mere pragmatic intention to put freed *dediticii* on a par with real surrendered enemies of Rome (by definition living far away from it) may just as well have inspired this initiative.

⁹³ Mouritsen (2011), 33; Sirks (1981), 259.

⁹⁴ Mouritsen (2011), 88ff.

⁹⁵ Knapp (2011), 174.

patron⁹⁶. In public life, they were excluded from important priesthoods, from public office (*de facto* during the Republic, but formally after the *lex Visellia* of 24 CE), and from the army⁹⁷. As such, the freed citizen's position was a highly ambiguous one, hovering as he did between equality in principle and exclusion in practice. However, too strong a focus on these disabilities undervalues the significant benefits citizenship *did* bestow on them. Not only did a freedman become *sui iuris* and could he start his own family as a *pater familias*, but he also enjoyed legal protection, the right to trade and to make contracts, the right to formally marry, to vote, to adopt, to make a will, etc.⁹⁸ Whereas a focus on their disabilities prompts a rather gloomy picture, drawing attention to their many rights – unparalleled in other slave societies – leads to the realisation that freed citizens were better off than the large majority of people inhabiting the Roman world (at least in terms of their legal status). Moreover, Chapter 2 argues that the public restrictions of freedmen are better understood as corollaries of the *private* patronage-relationship (more specifically, of the pragmatic desire to prevent freedmen from obtaining power over their former masters), rather than as expressions of an ingrained belief of moral inferiority.

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To conclude this introduction, we will briefly underscore the main aims of this study. The general argument is that the socialisation of freedmen is better understood – in a Goffmanian sense – as relational rather than attributive. Underlying every individual chapter is the attempt to show how the notion of a persisting moral stain on the freedman's person as a consequence of his servile past, is a tentative and arguably anachronistic way of interpreting both the restrictions and limitations ex-slaves faced in their public and private lives, as well as their interaction with freeborn Romans. This *macula servitutis* framework permeates studies as a template imposed *on* the source material, rather than emanating *from* them, and derives from a particularly resilient remnant of what Petersen has called “Trimalchio vision”, i.e. the “tendency to see Roman ex-slaves from the elite perspective”⁹⁹. Alternatively, this study proposes to consider the socialisation of Roman freedmen as a dynamic interaction of a “discourse of distinction” on the one hand, and a “public transcript of principled equality” on the

⁹⁶ Dig. 37.15. See also Watson (1967), 227-9; Waldstein (1986), 60-1; Masi Doria (1993), 76-81; Gardner (1993), 20-5; Koops (2013), 110 note 32. None of the freedman's obligations were typical for the patron-freedman relationship, as they were part and parcel of an ideology of kinship in broader terms, cf. Gardner (1993), 24; Mouritsen (2011), 56-7.

⁹⁷ E.g. Cod. Iust. 9.21; 9.31; 10.33.1; Suet. Aug. 25.2. See also Chapter 2.

⁹⁸ Gardner (1993), 7-51.

⁹⁹ Petersen (2006), 10.

other (terms that will be clarified in detail in Chapter 1). The *macula servitutis* framework derives in no small degree from a one-sided focus on the former (typically attested in public and published literature and law texts), but ignores the other end of the scale, viz. that freedmen were entitled to the social respectability of free men (and citizens). The symbiosis of these two tendencies may at first sight seem paradoxical or counter-intuitive, but an in-depth analysis of elite discourse reveals that each instance is always a contextualised combination of both, expressed on a scale with either of them on an “archetypical” extreme.

Although their legal status was fundamentally different from that of the freeborn, ex-slaves benefited from the widely available opportunities to increase social status through investment in identity dimensions other than mere legal status (e.g. familial, professional, collegial, civic, ... pride), all of which were recognised and respected – despite a hostile elite tradition. Reconfigured in these terms, a *macula servitutis* is but a contextualised expression of the general elite discourse of distinction, rather than an all-encompassing and pervasive belief among Romans *sensu largo*. By focussing *also* on the contextualised expressions of the public transcript of principled equality (highlighted in this study by a focus on correspondences and epitaphs), we argue in favour of a less monolithic and more multifaceted approach to Roman freedmen.

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Chapter 1: The assumptions, models, and theories underlying the analysis throughout the next chapters are expounded in detail. Social theory provides a meaningful framework for evaluating freedman socialisation.

This chapter elaborates in detail the theoretical framework that structures each chapter. It draws heavily on social theory, and mainly consists of four different pillars: 1) Bourdieu’s capital metaphor (with a strong focus on the notion of social capital) and Tilly’s trust networks; 2) Scott’s transcript theory; 3) Isaac’s action statements; and 4) critical discourse analysis. The chapter introduces the most relevant aspects of each theory, and operationalises them into a workable model for practical analysis, adapted to the historical particularities of an ancient Roman context. It also indicates the novelty of this approach, and its potential for elucidating freedman socialisation.

Chapter 2: The notion of a *macula servitutis* has no firm footing in our sources, and is a modern – arguably anachronistic – analytical concept, rather than a reflection of ancient reality.

This chapter is conceived rather broadly as a programmatic statement, providing the frame in which the subsequent specialised chapters will be structured. It traces the notion of a *macula servitutis* (and related expressions) back to the ancient context, and

argues that on the very rare occasions where the expression or any derivatives occur, these explicitly refer to the *servile* condition. It is an entirely modern leap to conclude from this observation that this *macula* persisted after manumission. A brief comparative overview of European slavery confirms our suspicion that the exact opposite was true. Another major point of attention throughout the second part of this chapter, is the alternative explanation for the freedman's restrictions and disabilities in both public and private life, i.e. not an ideological belief of moral inferiority, but a pragmatic elite concern about safeguarding (private) patronal rights and power on the one hand, and a persistent desire to prevent freedmen from obtaining an "unnatural" position of formal power over their former owners on the other.

Chapter 3: A critical (quantitative and qualitative) analysis of previous scholarship on the occurrence and representation of freedmen in the correspondences of Cicero, Pliny, and Fronto results in a prosopographical database that constitutes the source base for the next two chapters.

This chapter is the first of three that focusses on Roman correspondences. It revisits previous scholarship (both quantitative lists and qualitative analyses) on freedmen in these documents, and elucidates the methodology used in compiling our own exhaustive prosopographical Tables of Cicero's Pliny's, and Fronto's correspondences (Appendices 2-4)¹⁰⁰. As such, it is a very heuristically inspired chapter, since it presents the source basis of the following ones. Nonetheless, a qualitative and comparative analysis of the occurrence and representation of freedmen is included, and some general observations are distilled, which will be subsequently elaborated upon in Chapters 4, 5, and 6.

Chapter 4: *Libertinitas* was a fundamental constituent of the social capital of both patron and freedman alike, rather than a stigmatising liability. The discursive function of libertination in "network embedded" sources was essential in constructing and consolidating trust networks.

Whereas Chapters 1, 2, and 3 expounded on the theoretical, thematic, and heuristic frameworks of this dissertation, Chapter 4 begins the in-depth analytical part of the study. Like the subsequent chapters, it seeks to deconstruct in detail existing notions of *libertinitas* and the patronage relation that typically emanate from a *macula servitutis*

¹⁰⁰ All Appendices are included on the CD-ROM attached to this dissertation.

framework. For this reason, a very comprehensive treatment of the source material was deemed necessary, in order to avoid falling back in traditional macula pitfalls. With Chapters 3, 5, and 8, this chapter shares a focus on “network embedded” sources, i.e. sources that were written while authors were fully aware – in a much more direct and pervasive way than is the case for any type of public discourse – of the potential repercussions and impact of what they wrote on their social network (either positive or negative). Network embedded sources were written *in* real life, rather than merely *about* it, and are throughout these chapters considered explicitly as a performative *social practice* rather than as a literary *product*. In Chapter 6, we contrast these sources with the public discourse of the elites, which was in this sense more “detached” from concerns related to network embeddedness.

The central argument of this chapter (and the next) is that libertination – i.e. referencing a freedman by his legal status “libertus” – was neither a source of shame for these freedmen, nor a strategy of social stratification (let alone “stigmatisation”) of the writers of these documents. It demonstrates the unambiguous triadic correlation between the explicit mention of freed status, the reference to a freedman’s patron, and the role of this freedman in his patron’s trust networks. Instead of being the stigmatising tool it is often made out to be (especially for epigraphic sources), libertination thus served to positively stress the *fides* (loyalty, reliability) of a freedman insofar as it presented him as a quintessential part of his patron’s social, economic, and symbolic capital. This was not only beneficial for the freedman himself (he was, in the process, endowed with at least the image of this capital, which had very tangible consequences), but also for the patron (who arguably benefited the most from this configuration).

Chapter 5: Recommendations of freedmen are identical to those of *ingenui*, despite previous claims that they were characterised by a specific vocabulary or a structural attention to subservience to a patron.

This chapter is closely linked to the previous one in both theme and methodology. It elaborates the notion of libertination as a vital tool in publicising social capital by arguing that recommendations of freedmen were not essentially different from those of *ingenui*. It will briefly touch on the vocabulary and discourse (in a very literal sense of the word) employed when recommending freedmen (a focus that will be broadened in Chapter 7). The main aim, however, is to show that discursively embedding a freedman in the relation with his patron when recommending him, was – much like using libertination to do so – a practice also discernible in recommendations of *ingenui* (and even elites). It served to accentuate the vital trust-instilling strategies of “dyadic” and “network” learning, as well as the social capital of the *commendatus* (notions that are clarified and defined in detail in Chapter 1).

Chapter 6: Sources that did not originate in a network embedded context feature freedmen as contextualised expressions of an abstract category within a meta-narrative that served elite attempts at distinction, but that was detached from any real empirical basis.

This chapter aims to highlight the performative function of libertination in network embedded sources by contrasting it with its function in a sample of “detached” sources. It shows how freedmen – both as a class and as individual representations of that class – served as a template for much broader concerns, related to the perceived increase in “usurpation from below”, to the “decline of freedom” and “moral decay” under the emperors, etc. This chapter too, has a prosopographical basis (i.e. an exhaustive database of freedmen occurring in the works of Suetonius and Tacitus). A preliminary statistical overview already clearly reveals structural differences with the network embedded letters of Cicero. Tacitus and Suetonius are usually much more negatively inclined, mention *libertini* much more often (as opposed to the almost exclusive focus on *liberti* in the epistolary databases), and focus heavily on imperial freedmen as reflections of the emperor’s policy. A significant part of this chapter, however, is dedicated to illustrating how notions of network embeddedness nonetheless survive in these “detached” sources, and how this sheds light on freedman socialisation. The main argument is that highly derogative references to (mostly imperial) freedmen – the basis *par excellence* for the *macula servitutis* framework – derive not so much from an ingrained belief of the moral inferiority of ex-slaves, but of an a priori designed elite meta-narrative, in which the (perceived) wickedness of individual freedmen is extrapolated to the entire class of *libertini*, in order to present the danger they represent not only as a threat to elite exclusivity, but to the “natural order” of society as a whole. As such, this chapter is linked to Chapter 2, in that it pays particular attention to the metaphor of slavery as an elite tool of distinction.

Chapter 7: The public transcript of public equality of freedmen as free men (or even citizens), as well as the practice of elite distinction – which was directed at the lower classes in general, rather than at freedmen in particular – explain why there existed no specific set of libertine values, no distinct vocabulary, and no discourse reserved for freedmen, despite earlier claims.

This chapter revisits the ungrounded notion of a freedman vocabulary or discourse, already briefly hinted at in Chapter 5. As a consequence of the pervasive *macula servitutis* framework, scholars have generally assumed the existence of a specific set of virtues and terms reserved for freedmen. This chapter is conceived as a general critique on this assumption, and as such engages in constant dialogue with works like Mouritsen’s

recent synthesis on the Roman freedman (2011), or MacLean’s doctoral dissertation at Princeton University (2012), which are the most vigorous proponents of this model. The epigraphic sources used are mainly non-metric epitaphs, whereas the literary sample includes proponents of many different and diverging genres (comedy, historiography, poetry, epistolography, speeches, satire, etc.). This very wide scope contrasts with the much more specific attention to epistolography (Chapters 3-5), historiography and biography (Chapter 6), and metric inscriptions (Chapter 8), but has the compensatory advantage of allowing us to make broader claims. Indeed, one of the main critiques of Critical Discourse Analysis, which serves as a structuring methodology throughout this chapter, is that analyses so far have focused mainly on separate bodies of text, usually restricted to a very limited set of genres. By structurally analysing the occurrence, semantic scope, and connotations of alleged “freedman virtues” or “freedman vocabulary”, this chapter aims to refute the existence of any such notion in antiquity.

Chapter 8: Sources written by and for freedmen themselves, highlight the various strategies of mediating identity, accentuating social capital, and construing a biographical narrative in which a servile past either did not feature at all, or merely as a *secundum comparationis* against which social promotion was highlighted.

The chapter illuminates the “freedman’s perspective” as a contrast to the analysis of previous literary and legal sources, which usually originated from elite society. Like in the previous chapter, Scott’s transcript theory will provide the theoretical framework. The source base of this chapter is a database of metric inscriptions. The focus on these *carmina latina epigraphica* is justified because these epitaphs often contain much more (varied) information on the deceased (or dedicating) freedmen’s life – contrary to the bulk of non-metric epitaphs. The chapter serves as an epilogue, revisiting several of the arguments made in the previous chapters, but this time firmly from the freedman’s point of view. The use of libertination by these freedmen themselves, the notion of an all-pervasive presence of a servile past looming large in their every-day life, and the assumption of a specific set of libertine qualities are some of the main topics that are scrutinised. Furthermore, ample attention will be drawn to the possibilities (metric) commemoration provided a freedman with to mediate his social identity, and to find “paths to glory” unrelated to his servile past.

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Together, these eight chapters add to our understanding of the freedman’s socialisation and place in the Roman world, and as such contribute to the vast scholarly tradition briefly outlined at the beginning of this introduction. Although this dissertation challenges the notion of a pervasive *macula servitutis* as the root cause for freedmen’s disabilities in the public and private sphere, and is as such in disagreement with some of

these earlier studies' tenets, we hope to make clear along the way that it is at the same time greatly indebted to this tradition of freedmen scholarship, to which, it is hoped, it constitutes both a valuable contribution and a tribute – *sit precor hoc iustum exemplis in parvo grandibus uti.*

Chapter 1 Theoretical framework

In this chapter, we extensively set out the theoretical framework of this study. To bridge the enormous gap – both methodological and practical – between source material on the one hand and any meaningful understanding of it on the other, a dialectic approach of empiric observations and models from social theory seems advised. The notorious scarcity of source material to which historians of other epochs sometimes cynically refer, as well as the resulting need to complement it with assumptions and hypotheses have been raised as an argument against the use of theoretical frameworks in historical research¹. We run the risk, so the argument goes, that theory might not only fill the gaps created by the scattered source material but eventually also replace empirical evidence altogether. More than anything, such critiques should serve as a reminder that the application of social theory in historical research in general is not without its own methodological caveats. This does not mean, however, that it should therefore be avoided or abandoned altogether. Broad frames of reference and interpretation, in other words, serve to structure what would otherwise tend to become an obscuring and chaotic mass of source material. Borrowing the words of Hayden White – obviously taken from their original context – we consider our theoretical framework the plot of this dissertation: a structure of relations that gives meaning to the elements comprised within the work by identifying them as constitutive parts of an integrated whole². Without such “meta-historical definitions” and generalising theories, we would throughout the analysis get lost in what the German historian Reinhart Koselleck called the “vortex of its historicization”³.

¹ Cf. already Isaac (1982), 323: “The notorious obsession of historians with the seemingly intractable particularities of nonrecurrent, unique events has stood as a barrier to interchanges with aggressively generalising, nomothetic social sciences”.

² White (1990), 9. The original text aimed at defining “emplotment” as structuring strategy of the historian (“a structure of relationships by which the events contained in the account are endowed with a meaning by being identified as parts of an integrated whole”).

³ Koselleck (2004), 259.

In this chapter, then, we will expound our choice for a specific theory or model, paying particular attention to its scientific evolution and to its embeddedness in the disciplines of sociology and anthropology, without glancing over its limitations and pitfalls for historical application. These theories are roughly categorised under three headings: 1) trust, trustworthiness, and trust networks; 2) transcript theory; and 3) critical discourse analysis. The chapter ends with a final section containing a few brief notes on how the theoretical models will be operationalised throughout the subsequent analyses.

1.1 Trust, trustworthiness, and social capital

In order to be able to theoretically apply the concepts of trust and trust networks to historical analysis, one has to respect their embeddedness in social relations. As such, the traits and foundations of social relations themselves have to be accounted for before proceeding. The notion of social capital is thereby unavoidable. Because of the wide array of fields and disciplines that use the (or better yet: some) notion of social capital, we will set out by reviewing its genesis in the works of the French sociologist Pierre Bourdieu. In the following paragraphs, therefore, we will touch upon these concepts in the reverse order, building up in terms of relevance for our current purpose, but firmly rooting every step in its scientific and historical framework. It is not our intention here to reproduce Bourdieu's sociology and its accomplishments as a whole. Instead, we will focus on some of its most influential constituting aspects that will prove to be of particular interest throughout this work.

1.1.1 Pierre Bourdieu

1.1.1.1 Bridging objective structure and subjective construction

One of the most profound contributions of Bourdieu's work was the closing of a chasm that had for decades prevented sociology from advancing as a discipline. Indeed, the field had been divided into two main schools that disagreed on whether the individual rather than social structures should be sociology's main focus in explaining social reality. As one of the great founding fathers of the structuralist approach, Claude Lévi-

Strauss believed that sociology should reveal the structural patterns that determine all human behaviour⁴. Probably the best known example of this approach is structuralist Marxism with its conviction that class structures limit, control, and essentially define individuals as well as their actions. This approach – in its most radical form – reduces the historical agent to a mere carrier of objective structures, unable to fundamentally influence or alter his own behaviour. On the other side of the spectrum, there were the proponents of a constructivist sociology (with the phenomenology-inspired approaches as its ultimate extreme), who maintained that the agent’s subjective experience of structures, and his ability to negotiate them should prevail in scientific analysis. The result, however, was an underappreciation (and sometimes even complete disregard) for the valuable insights of structuralism. Both schools were strengthened in their conviction by what their advocates believed to be the unmistakable validity of their method. Indeed, structuralists argued that recurrent patterns could not affluently be explained by the essentially empiric subjectivist approach. The other side – grouped under the heading of “post-structuralism” since the 1960’s, and spearheaded by scholars like Jacques Derrida and Michel Foucault – stressed that structures are never able to predict or explain individual behaviour, thus concluding that the prime mover of social action must be the lived experience of agents⁵.

Bourdieu methodologically uncovered the fallacies and shortcomings of both structuralism and constructivism (known in more philosophical terms as objectivism and subjectivism respectively) and made it his life’s work to distil their viable elements and to reconcile them in an entirely new approach to sociology. He considered structures and representations as being related dialectically. Objective structures first have to be constructed – which is possible only when the subjective representations of agents are momentarily disregarded – thus creating the limiting framework in which social action plays out. Objectivism, therefore, remains a valuable and necessary part of any scientific sociological endeavour. In a second stage, however, the representations need to be considered again since their ability to transform or reproduce said structures is as vital and constitutive of social reality as the structures themselves. This dialectical process repeats itself continuously – Bourdieu speaks of an alternation between *opus operatum* (or “structures structurées”) and *modus operandi* (or “structures structurantes”), and calls the process the “dialectic of the internalisation of externality and the externalization of internality”⁶. It is quite telling in this regard that Bourdieu

⁴ E.g. Lévi-Strauss (1958).

⁵ E.g. Derrida (1967), which is a collection of Derrida’s early essays (of which “La structure, le signe et le jeu dans le discours des sciences humaines” is the most relevant for the discussion at hand, p. 409-29).

⁶ Bourdieu (1977), 3, 72ff. Bourdieu (1989), 15, 18.

himself ended up indecisive as to the position of this new sociology within the field of tension between the structuralist and constructivist schools, but that he would definitely coin it either structuralist constructivism or constructivist structuralism⁷. Both descriptions, in any case, capture Bourdieu's brilliance insofar as they bridge two opposing and conflicting visions on sociology.

1.1.1.2 Habitus, field, and the reproduction of social power

The most instrumental development throughout Bourdieu's endeavour was the introduction of the notion *habitus*. An agent's *habitus* can in a very simplistic manner be conceptualised as the mental or cognitive matrix that results from the aggregate accumulation and internalisation of that agent's dispositions, preferences, and personal history. To a limited extent, this matrix in turn delineates a certain amount of potential "paths to take" and as such guides the individual's behaviour and decision-making but never absolutely predetermines it. This latter trait of *habitus* should be stressed, since it constitutes an important deviation from the idea, particularly popular in rational choice theory and widely applied in economic sciences (cf. *infra*), that an agent is entirely rational and calculative in his decision-making. Bourdieu replaces a purely rational mode of thinking by a reasonable one: a practical sense which he often calls *strategy*, and which he describes, using a sports metaphor, as a *sense of the game*⁸. The *habitus* is thus both the internalisation of the external social structures that order reality and "the glasses" through which these structures are in turn conceived and reproduced⁹. People do what they "have to" do (i.e. what they necessarily have to do because of the restraining, limiting nature of *habitus*) but they also do what they "have" to do (i.e. the different options within the direction imposed by the *habitus*)¹⁰. This may seem, at first sight, an inescapable and, indeed, structuralist cycle: structures are reproduced through agents. However, for Bourdieu, these "glasses" do not force individuals into making predetermined choices. The *habitus* merely limits the potential courses of action. It steers the individual's action and thinking but it leaves considerable opportunities to be "filled in" by the agent. Bourdieu thus accounts for both deterministic influences and individual freedom, and as such bridges another great divide within sociology, i.e. that between mechanistic, deterministic conceptions of action (traditionally associated on

⁷ Bourdieu (1989), 14. Bourdieu did stress his different conception of the "structuralist" part. Contrary to Lévi-Strauss', Bourdieusian structures exist also in the "social world itself and not only within symbolic systems".

⁸ Bourdieu (1987), 77.

⁹ Or in Bourdieu's own words: "Habitus is both a system of schemes of production of practices and a system of perception and appreciation of practices", Bourdieu (1989), 19.

¹⁰ Berger (1986), 1448 makes a similar wordplay.

the structuralist side of the sociological spectrum) and a more subjectivist stance which fails to predict behaviour and action in any significant way since it considers both as pertaining to the realm of individuals' "free will". In short, for Bourdieu, people act practical and reasonable – and thus in a sense along the lines of expectation – but never wholly rational or predictable.

The second concept Bourdieu needed to truly reconcile structuralism with constructivism was his notion of the *field*. *Fields* are differentiated and semi-autonomous spheres that constitute all social life (e.g. the political field, the religious field, the academic field, etc.). They are autonomous in the sense that they operate according to their own "rules" but are never truly isolated from one another. These "rules" are a complex matrix of interwoven presuppositions that guide action and to a certain degree steer thought within any given *field*. All agents in the *field* unconsciously adhere to these rules (because they are taken for granted and considered as natural) and as such confirm and reproduce them. When an actor – or a group of actors – in the *field* tries to change the very structures that define his relative position, a conflict arises with the defenders of the status quo (usually the socially dominant). At that moment, both groups will activate and engage their respective reservoir of power and resources (which Bourdieu calls *capital*) in order to reach or maintain the upper hand. Due to the nature of hegemonic discourse, such attempts are usually rendered in a pejorative way ("usurpation", "insurrection", "rebellion") although they rarely truly surface¹¹. Bourdieu himself called the rules of a field *doxa* (or in another sports metaphor: the *rules of the game*). Much like the *habitus* itself, *doxa* is a result of processes of internalisation and socialisation, making social reality appear self-evident. Bourdieu explicitly accentuated the term *doxa* since it was of paramount importance to distinguish it from "an orthodox or heterodox belief [that both imply] awareness and recognition of the possibility of different or antagonistic beliefs"¹².

The conceptualisation of social reality as a collection of *fields* is Bourdieu's answer to the structuralist line of thinking which generally uses monolithic systems – oftentimes crystallised in the great "-isms" such as capitalism, Marxism or, ironically, structuralism itself – to render the social world comprehensible. A common trait of such structuralist -isms is their a priori determined nature. For structuralist Marxists, for example, an agent is wholly defined by the class relations of the society in which he thinks and acts. For Bourdieu, reality is more complex since it is shaped by multiple layers or *fields*. Fields are not monolithic or unalterable but, quite on the contrary, subject to constant sways as a result of historical dynamics. These dynamics are primarily a consequence of

¹¹ See the discussion of Scott's concepts of public and hidden transcripts below.

¹² Bourdieu (1977), 164.

shifting balances and changing distributions of the *capital* present in every field. This leads us to Bourdieu's *capital metaphor* which will be touched upon (with specific attention to the social form of *capital*) below. It is important to note that *fields* are separate entities although linked to each other by the capacity of *capital* to be transferred between them. Moreover, the political field is considered to be the most important one since the relations of power within it, structured hierarchically, organise all other *fields*. The *field* of political power, in short, cuts through all other *fields*.

The concepts of *habitus* and *field* bridge a structuralist approach that would mainly consider the latter, and a constructivist view that would focus on the actor's potential for agency and negotiation of the matrix that constitutes his *habitus*. Moreover, the interplay of *habitus* and *field* has particularly weighty implications for our understanding of social dominance. When an agent's *habitus* is shaped within a *field* and few external influences occur throughout his lifetime (i.e. influences that would dramatically change the positioning of the *field* or the positioning of the agents within it), Bourdieu argues that the agent's thinking and acting will be instant and intuitive. When *habitus* and *field* thus align, the agent experiences what Bourdieu called *cohesion without concept*¹³. An agent is so embedded in (and moulded by) the *field* that his actions within it require no thought: his position and his disposition overlap¹⁴. Bourdieu himself, in one of his many colourful analogies, compared this condition to that of a fish in the water. It is only until the fish is somehow removed from the water that it will realise what constituted its "feeling like a fish in the water", i.e. that it becomes aware and critical of the arbitrariness of its internalised *habitus*. The same happens to a historical agent when the *field* in which he operates transforms in a relatively short term: his *habitus* is overhauled by these sudden changes in the *field*, a situation which Bourdieu captured with the term *hysteresis*¹⁵. In a sense, this is a corollary of what the German historian Reinhart Koselleck has called the interplay between all the past experiences and memories of an individual or group (*Erfahrungsraum*) on the one hand, and all the hopes and expectations they hold for the future (*Erwartungshorizont*) on the other¹⁶. As long as the *Erfahrungsraum* and *Erwartungshorizont* coincide, that is, as long as

¹³ Wacquant (1992), 21.

¹⁴ Bourdieu oftentimes loans the language of Goffman to refer to this "sense of one's place", Bourdieu (1989), 17; Bourdieu (2000), 184.

¹⁵ Bourdieu (1977), 78.

¹⁶ Koselleck (2004), 255-275. See also already Gramsci (1971), 200: "no society sets itself tasks for whose accomplishment the necessary and sufficient conditions do not either already exist or are not at least beginning to emerge and develop (...) the problem itself arises only when the material conditions for its solution are already present or at least in the course of formation". New Institutional Economics would later adapt this notion in its concept of "path dependence", cf. notes 89 and 92 below.

an individual or group expects the future to be not all that different from the past or the present, the status quo is maintained and shared ideologies and models keep their relevance. This could be part of an explanation for the fact that early proponents of Christianity – despite some manifest philanthropic ideals – did not fundamentally question the existence of the most dehumanising of institutions: slavery. When, however, a relatively abrupt upheaval occurs which questions the very validity of the current system or ideology – say, the beheading of a French king in the wake of persisting protests – the future suddenly becomes a blank sheet and the traditional confidence that past experiences will be reproduced to give form to the future starts to waver. It is more or less this effect that Bourdieu envisages when he talks about rising discrepancies between *habitus* and *field*. The *habitus* is outpaced by (and therefore rendered inadequate to match) the evolution of the objective structures of which it was itself an internalisation. Friction arises due to the *habitus*' durability and relative inertness in the face of such changing circumstances. Existential categories no longer seem to apply (or are no longer compatible with social structures) and their fundamental arbitrariness is laid bare. The fish is no longer in the water and only now, for the first time, notices that the water was there all along but that alternative conceptions of reality are feasible as well.

A necessary consequence of the positioning of agents within a *field* according to their *habitus*, is the fact that any inequality implied by this position is considered natural. Because the *habitus* is largely shaped by a priori present social structures (which by definition contain hierarchy and inequality), the latter are uncritically accepted and may even go unnoticed by the agent. By internalising said structures, subordinate individuals and groups not only tacitly accept but also reproduce these structures, leading to a perverse situation in which the dominated become an instrument of their own subordination. Although these concepts are theorised on a rather general level, recent scholarship has used them as a framework for more empirically inspired approaches¹⁷. Subordinated individuals do not merely “settle” in this position from a feeling of inherent powerlessness and usually they do not even do so consciously. Indeed, the strength of any dominant group is directly related to its ability to conceal the workings and results of the inequality it (re)produces¹⁸. Rather than a conscious genuflection to the power of social superiors, the consent of subordinates to their own inferiority results from the fit between *field* and *habitus* which is barely noticeable at all as long as one remains “in the water”. Bourdieu calls this share of subordinates in their

¹⁷ E.g. Langman (1998) examines how individual identities may be shaped primarily by (often invisible) ideologies which in the process also legitimise them. By doing so, they impose and reproduce inherent qualities which as a consequence become invisible to these individuals as well.

¹⁸ Cf. *infra* for Scott's notion of the public transcript.

own subordination *symbolic violence*¹⁹. *Symbolic violence* obscures the arbitrary nature of power relations and inequality and makes the *habitus* look like intrinsically natural. It is practiced and sustained through control over cultural tools such as language and symbols (cf. infra).

1.1.1.3 Gramsci's legacy

It should be clear that the notion of *symbolic violence* bears some resemblance to the Gramscian concept of hegemony as domination by consent. Throughout his activity as a political thinker, the Italian communist theorist Antonio Gramsci stressed the fact that ideologies are not merely deceptions or illusions to which subordinates are subject (as his fellow countryman Benedetto Croce would have it) but rather “real historical facts [anything but arbitrary,] which must be combatted and their nature as instruments of domination revealed (...) in order to destroy one hegemony and create another”²⁰. Contrary to Bourdieu, Gramsci primarily (though not exclusively) had the hegemony of and by “the state” in mind; a consequence, of course, of his writing under the fascist regime in Italy's 1930s. He did, however, make a distinction between two institutional levels: the civic society (i.e. the private sphere) on the one hand and the political society (i.e. the state) on the other. With the necessary amount of good will, one could here identify the roots of Bourdieu's concept of *fields* or at least of the practice (in rudimentary form) of distinguishing between spheres of social reality within a theory of social dominance. Of course, Max Weber had also separated (economic) class from (prestige-related) status and (political) power²¹, but Bourdieu did not agree with the strictness by which these spheres were disjointed. *Fields* (as he would call them in his own model) were related to each other because of the capacity of *capital* to be transferred between them (cf. infra).

Through the civic level, Gramsci argued, the dominant can exercise their hegemony whereas the political level is used to “dominate more directly”. The former instils a “spontaneous consent (...) ‘historically’ caused by the prestige (and consequent confidence) which the dominant group enjoys because of its position and function in the world of production”²². If not for the reduction of hegemony to a very restricted Marxist sense (by the last word of the sentence), Gramsci's conception of consent would have been very similar to Bourdieu's idea of *symbolic violence*. One of the fundamental

¹⁹ Bourdieu (2001), 1-2 defines symbolic violence as “a gentle violence, imperceptible and invisible even to its victims, exerted for the most part through the purely symbolic channels of communication and cognition (more precisely, misrecognition), recognition, or even feeling”.

²⁰ Gramsci (1971), 196.

²¹ Weber (2002), 531-40 [originally published in 1922].

²² Gramsci (1971), 306.

differences between the two theories of reproduction of social power, however, is that Bourdieu's *symbolic violence* implies that subordinates (due to the overlap between *habitus* and *field*) do not explicitly recognise domination. Gramsci's theory of hegemony, on the contrary, states that the suppressed groups *do* recognise domination but that they choose to consent to it. In this sense, Gramscian consent (as a "voluntary" reaction to the dominant's hegemony) and Bourdieusian *symbolic violence* (as the result of the failure to recognise domination) are rather each other's opposites. A subordinate's unconscious complicity in his own subordination makes any wish to intentionally alter current practices of domination a priori impossible. Such wish would by definition have to originate from a sociologist who understands the underlying processes and mechanisms of the reproduction of power. Much less platonic would be a Gramscian struggle for hegemony, since it merely requires enough popular dissatisfaction with the establishment, a breaking down of the potential reasons for subordinates to consent to the status quo.

It should be clear that there are certain similarities between Bourdieu and Gramsci. They both questioned and abandoned deeply rooted Marxist principles by focussing primarily on the so called cultural superstructures (or "*fields*") rather than on any determining economic base in their respective theories of reproduction of power²³. Although Gramsci's insights were highly original at the time and have influenced political thought ever since (both within and outside Marxist circles), Bourdieu's theory of cultural reproduction – which distances itself more than Gramsci's from the Marxist tradition – is generally considered to reflect social reality better. It is for this reason that we will now turn to Bourdieu's *capital metaphor*, to the concept of *social capital* within it, and to its relevance for a coherent and relevant theory of trust and trust networks in particular.

1.1.1.4 The capital metaphor

Capital as a metaphor for resources that are not (necessarily) of an economic nature is not an innovation of Bourdieu. The American economist Gary Becker, for example, already wrote his controversial eponymous study of *human capital* in 1964, paying particular attention to its economic and cultural implications²⁴. Bourdieu, however, was

²³ For an illuminating comparison between the theories of domination of Gramsci and Bourdieu, see Burawoy (2008).

²⁴ Becker (1964). Three years earlier, Schultz (1961) had already drawn attention to this notion of *human capital*.

the first to integrate the *capital metaphor* in an all-encompassing theory of social reproduction²⁵.

The most important forms of capital are *economic capital* (mainly material resources), *cultural capital* (know-how, skills, connections), *social capital* (group membership, bonds, networks), and *symbolic capital* (prestige, recognition)²⁶. Whereas economic capital is usually the easiest to grasp, the other three can be best understood as “all the inherited and acquired skills and facilities that function as assets (and liabilities) (...) and that, like economic capital, their possessors may deploy [i.e. in *fields*]”²⁷. Capital of one sort can be transformed into capital of another sort by a process Bourdieu called *transubstantiation*. The commensurate currency in all such transformations is, however, economic capital in its most literal and material sense²⁸. The value of another kind of capital (especially symbolic capital) is immediately related to its ability to disguise its essentially economic nature²⁹. The learnedness of a young man is usually more prestigious when it is (claimed to be) due to his innate talent and greatness or to his industriously studying for months or years on end than when it is attributed solely to his father’s ability to send him to the most expensive educational institutes and to provide him with the best professional guidance. Respectability, in this case, is essentially derived from financial investment but it is important that it is not made too obvious. A sense of meritocratic achievement thus contributes to the already prominent status of inherited capital. This works both ways. Once the son will have eventually attained, say, a high public office (i.e. has transformed his father’s economic, social and symbolic capital into (more) symbolic capital of his own), he can use this position to more easily transform some of it (back) into (more) economic capital. Symbolic capital is therefore the most valuable form of capital since it exists essentially in the acceptance by others that all the other capital belonging to this agent is both valuable and justified (i.e. not arbitrarily attributed to him).

²⁵ Critiques have been raised against the use of the notion “capital”. These generally centre around the observation that the economic connotation of the term obscures its true meaning. E.g. Solow (2000), 6-7; Arrow (2000), 4. Fukuyama (1995), 26-7 separates social capital from the other forms of capital because it cannot be rationally invested in. Especially in this case, then, does the economic connotation of capital obscure the true meaning of the metaphor.

²⁶ Bourdieu recognised yet other forms of capital such as academic capital, Bourdieu (1984), 18-23. Other forms of capital have been proposed by scholars drawing on Bourdieu, e.g. linguistic, scientific, or artistic capital. DiMaggio (1979), 1468 rightly warns, however, against the dangers of this “proliferation of forms of capital” since its “metaphorical currency undergoes inflation and its value declines accordingly”.

²⁷ Berger (1986), 1446.

²⁸ Bourdieu (2005) [1986]; Bourdieu (1979), 128-144.

²⁹ This aspect of Bourdieu’s theory has been heavily criticised for being a reductionist vision whereby economic capital is given undue privilege, Tzanakis (2013), 3.

Although economic capital is considered the “common currency” in the *transubstantiation* process, it should be stressed that Bourdieu would never have agreed with a reduction of his model to a mere “economism” without paying attention to the social importance and performative functions of the other forms of capital. Ignoring the central role of economic capital, on the other hand, leads to a similar disregard of some of the essential structural components of the metaphor³⁰. Like the interplay of *habitus* and *field*, therefore, Bourdieu’s *capital metaphor* is in its own right strongly concerned with bridging the structural dichotomies within sociology.

The position of an actor in any given *field* is determined by the quantity (“volume”) and the quality (“relative weight”) of his capital³¹. All social conflict (i.e. agents mobilising their resources and power to renegotiate or confirm their relative positions in a *field*) can be reduced to these agents trying to obtain more or more precious forms of capital (i.e. capital that in any particular *field* is valued more than another form of capital). In this way, Bourdieu’s conception of social struggle is markedly different from that of many Marxist thinkers who traditionally prioritise (or even single out) economic capital as prime mover. Indeed, whereas structural Marxists would explain the precarious situation of “proletarians” primarily to their position in the production process, Bourdieu stresses that such a focus on the economic field alone is not sufficient to capture the inherent complexity of society. Instead, he reminds us that social reality is configured through and within many different *fields* in each of which social struggles can and do occur according to their own “rules”.

As a consequence, “class” in Bourdieu’s model is defined not in the usual way. Marx (and Gramsci too) saw economic capital as the most important (or sole) prime mover of social positioning. Class as an absolute category was a corollary of the postulated capitalist division of the means of production and therefore existed even prior to any class struggle. Bourdieu’s attention to other forms of capital made him aware that “class” is not only an economic position, but also a socio-cultural one, defined by the different forms capital can take and its specific configuration within any given *field*. Instead of being a given, “class” thus becomes a concept of which the meaning has to be continuously (re)established since every manifestation of it is per definition different due to the unique relations, proportions, and distribution of the respective forms of capital that constitute it. Perhaps even more importantly, class for Bourdieu is not only this actual position (let alone an objective one in Marxist thought) but also agents’ perception of this position³².

³⁰ Bourdieu (2005) [1986], 104-5.

³¹ Bourdieu (1989), 17; Bourdieu (2005) [1986].

³² Bourdieu (1989), 17-18.

1.1.2 Social capital and trust

Trust and trust networks are typically related to, and embedded in, social capital. It is on this specific form of capital that we will concentrate now. The pivotal role of trust will inevitably surface already in these paragraphs, but will be elaborated upon in more detail in 1.2.2. The literature on “social capital” and “trust” is vast and its degree of specialisation often overwhelming. It is, at any rate, too extensive to completely circumscribe in the limited amount of paragraphs reserved for it below. We will nonetheless highlight and contextualise its relevant aspects and dimensions for our study. Our aim is therefore not to review all the literature on both notions in general – an impossible task indeed – but to provide an outline of the terms, concepts, and assumptions that will reoccur throughout this study in particular, without omitting their theoretical foundation altogether.

1.1.2.1 Social capital: definition and proliferation

In its most rudimentary form, social capital can be described as the value that ensues from the investment of resources in durable relations and networks. The notion of social capital has its roots in the work of French sociologist Emile Durkheim, which drew attention to the bonds of mechanic and organic solidarity between people in any given society³³. Durkheim’s approach, to be clear, was structuralist and objectivist to the bone. Social life, he was convinced, “doit s'expliquer, non par la conception que s'en font ceux qui y participent, mais par des causes profondes qui échappent à la conscience”³⁴. But his general observation that social bonds are the bare foundation of any society remains valuable up until today. Indeed, the very essence of the notion of social capital as it is understood nowadays can be described with the adage “relationships matter”³⁵. People who interact with other people form groups, bonds, and networks which provide them not only with psychological advantages (e.g. a sense of belonging) but also practical and instrumental ones. The resulting shared mental models not only facilitate the fostering of norms and the improvement of intergroup communication, but “being a member” of this or that group can also serve as an asset in negotiations outside the group itself (e.g. in interaction with other groups or networks). Neoclassical economics have traditionally undervalued these social aspects of human behaviour, resulting in an “undersocialised conception of man” that explains social and

³³ Durkheim (2013), passim [originally published in 1893].

³⁴ Durkheim (1970), 250. He shared with Marx the belief that such structures were conditioned by the division of labour and the unequal distribution of the means of production. Cf. Seligman (1997), 4.

³⁵ Field (2008), 1.

economic institutions primarily in terms of their functions and that as a consequence neglects their embeddedness in more tangible, personal relations³⁶. It was therefore primarily in reaction to such conceptions that sociologists began to balance the scales by stressing the importance of groups, networks, trust, and social capital. These, as is generally accepted now, constitute an important basis of social action and have as a consequence become an immensely attractive theoretical framework in many different disciplines.

Bourdieu defined social capital as “the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalised relationships of mutual acquaintance and recognition – or in other words, to membership in a group – which provides each of its members with the backing of the collectivity-owned capital, a ‘credential’ which entitles them to credit, in the various senses of the word”³⁷. As we have seen, Bourdieu’s conception of social capital is firmly embedded in a much more comprehensive model and its essence cannot be grasped without taking into account other Bourdieusian concepts and processes such as the *habitus-field* relationship and the *capital* metaphor. In this model, social capital is – like the other forms of capital – a vital factor in attributing and reproducing positions in a *field* and has, as such, direct bearing on the reproduction of social power and inequality. Other theorists have disconnected the concept with Bourdieu’s general model and have studied the nature, value, and performativity of social capital in more empirically-based contexts. In a first movement, this happened most prominently in the works of the American sociologist James Coleman³⁸. Once its enormous explanatory and analytical power was recognised, however, it became one of the most rapidly proliferated scientific concepts in the fields of economics and political sciences as well³⁹.

1.1.2.1.1 Macro- or micro-level?

Like Bourdieu, Coleman considered social capital as relational⁴⁰ but broke with the Bourdieusian conception by 1) studying it primarily on the macro-level, 2) embedding it in a theory of rational action, and 3) attributing to it a primarily positive, bonding function, whereas Bourdieu’s model allowed for a more nuanced evaluation in which social capital was also responsible for the reproduction of social inequality⁴¹. The

³⁶ Granovetter (1985), 483ff. A critique on the opposite, *oversocialised* notion of action was formulated by Wrong (1961).

³⁷ Bourdieu (2005) [1986], 101.

³⁸ Coleman (1988); Coleman (1990).

³⁹ E.g. Dasgupta & Serageldin (2000); Putnam (1993a); Lyon (2000), 676.

⁴⁰ Coleman (1988), 100-1.

⁴¹ Coleman (1988), 97-8.

American political scientist Putnam likewise analyses social capital on the macro-level but goes even further by considering it a variable that can be used to compare entities (groups but also whole regions) on this macro-level. Even more than Coleman, Putnam engaged social capital as a tool in studying the cohesion of civil structures and – *in extenso* – of a society as a whole, as well as its ability to serve as an indicator of “performance” in fields such as economy and politics⁴². Putnam thus agreed with Coleman on the primarily positive and progressive function of social capital⁴³. We will not go into further detail as to the manifest differences between these particular scholars. The specific issues that Coleman, Putnam, and yet other scholars raised, as well as the many additions to social capital theory they provided, will be touched upon below insofar as they prove relevant for our framework⁴⁴.

The enormous popularity of social capital as an analytical tool has resulted in every study creating its own working definition. Despite their nuancing particular aspects and accentuating different features, all these studies share a particular interest in laying bare the ability of social capital to smoothen cooperation within and between groups⁴⁵. One of the most fundamental splits within the sociology of social capital relates to the debate, briefly referred to above, whether it should be used as a theoretical framework on the micro-level or on the macro-level of investigation. Studies which prefer the latter perspective typically analyse the relation between social capital on the one hand and governmental efficiency, economic performance and growth, or even the workings of national courts on the other⁴⁶. As indicated above, the work of Putnam is one of the most representative examples of this approach. He considered social capital a collective

⁴² Putnam (1993b), 105-7 speaks of a “decline in social capital [that] helps explain the economic and political troubles of our own democracy”, of the need to invest in a “nation's portfolio of social capital”, and argues that “to revitalize our democracy we shall need to begin by rebuilding social capital in our communities, by renewing our civic connections”.

⁴³ Note that trust is also generally considered positive, Lyon (2000), 665; Gambetta (1988), 214. For a historically supported critique on this one-sided belief, see Ogilvie (2005) which points to the darker side of particularised and differential trust, and Granovetter (1985), 401 which considers the potential of trust to cause agents to cheat. See also Tzanakis (2013), 8, which points out that social capital “cannot be assumed to be equally distributed in a network nor equally accessible by all actors. (...) Therefore Putnam’s [but also Coleman’s] a priori assumption that trust [and social capital] has pro-social consequences is unfounded and proves in practice simplistic.”

⁴⁴ We refer the reader interested in a convenient overview of the conceptualisation of social capital in the works of some of its most well-known proponents (Bourdieu, Coleman, Putnam, Loury, ...), to Portes (1998), esp. 3-6; Siisiäinen (2000); Tzanakis (2013), 3-8 (including several structural critiques on each of these authors).

⁴⁵ Quibria (2003) provides an overview of “the confusing medley” of interpretations related to social capital, esp. p. 21-6. Portes (1998), 2 criticises the fact that social capital has “evolved into something of a cure-all for the maladies affecting society” and warns against the further proliferation of the term which would necessarily lead to even more loss of meaning.

⁴⁶ E.g. Putnam (1993a); Fukuyama (1995); La Porta et al. (1997).

feature of social organisations that had immediate bearing on the level of development of civic institutions⁴⁷. Studies like this use the notions of social capital and trust as an analytic framework to illuminate social processes and human behaviour *sensu largo* on a group, corporational, communal or even national (i.e. aggregate) level. A common trait of all these studies is that they systematically ignore and undervalue individual heterogeneity. This has, of course, not gone unnoticed. Due criticism was formulated by scholars who claimed that any collectivist approach to social capital must on the most basic level be a “function of individual-level actions and attributes” and that attention is therefore due to social capital as an analytic concept on that very level⁴⁸. For our purpose, attention to individuals’ embeddedness in their social networks of trust will be a means to bridge this dichotomy in the sense that we acknowledge that inherent aspects of the patron-freedman relationship loom large in every reference that is made to a freedman, be it in a negative or positive context. Whereas the close reading of individual passages in Cicero’s letters draws us rather to the individualistic side of the above mentioned spectrum, we make sure to situate each of these concrete cases in the larger frameworks of patronage and trust relations of which they are a manifestation.

1.1.2.1.2 Particularised versus generalised trust

Another important divide in the literature on social capital in the wake of Bourdieu is the distinction between so called “particularised trust” and “generalised trust”⁴⁹. This distinction may in some cases overlap with the micro-macro level divide, but does not do so as a rule. Particularised trust exists between individuals or groups by virtue of these particular entities knowing each other “personally” (e.g. as a consequence of previous contacts, by having received information concerning the other’s trustworthiness, or by the other being a member of a “trustworthy” group). People in a particularised trust context trust each other because they possess tangible indications that the other “is to be trusted” based on knowledge of his characteristics⁵⁰. Generalised

⁴⁷ Putnam (1993c), *passim* (esp. 35-6).

⁴⁸ Glaeser et al (1999); Portes (1998); Tzanakis (2013), esp. 8: “aggregating trust at the regional or national level eclipses information about all the vital variability of trust at the individual level. (...) context makes all the difference (...). [The macro perspective] ignores actors’ subjective understandings, fundamental in shaping the emergent meanings assigned to such relationships”.

⁴⁹ Lyon (2000), 677 refers to this distinction in a slightly different context when asking the question “whether there are pervasive norms of generalised morality that shape whole markets or societies, or whether each relationship has to be considered in its own changing context”.

⁵⁰ For a theoretical outline of generalised and particularised trust, see for example Al-Khalifa (2009). The study (and many others like it) is mainly concerned with issues that are not at all related to the subject of this dissertation (usually macro-perspective economic structures). The parts in which the theoretical approaches are elucidated, however, provide valuable information on both generalised and particularised trust (i.c. p. 56-64). For the many different aspects and implications of the

trust, on the other hand, is “blind” in the sense that it occurs in situations where the trustor does not personally know the trustee. The trust exists by virtue of institutions that either motivate and encourage trust and trustworthiness or that allow for a course of action in the case trust is damaged (e.g. formal institutions like contracts and laws but also informal ones such as stigmatisation by an in-group or the prospect of being excluded from further transactions). These institutions are continuously reproduced on both the individual and societal level through processes of socialisation⁵¹. Information, knowledge, and experience become less important in a context of generalised trust since morality and norms render them redundant. Generalised trust – “the belief that most people can be trusted” – is a modern phenomenon⁵² and is typically considered beneficial and desirable as a means to improve coherence within a society on both the social, economic, and political level⁵³. It is, moreover, tacitly assumed in most literature on this dichotomy that an average increase in particularised trust will lead to an increase in generalised trust. Misztal, for example, claims that “each positive contact with our local doctor (...) may gradually increase our confidence in the medical system”⁵⁴. This link between particularised and generalised trust has, however, not been qualified. Empirical studies have shown, for example, that individuals place more trust in their own doctor than in the more abstract health system. The idea that an increase in particularised trust results in a corresponding increase in generalised trust is therefore heavily contested⁵⁵. Groundless assumptions like this are due primarily to the fact that generalised trust is very difficult, if not impossible, to study (let alone quantify) in a consistent and structured way. A similar critique has been raised against the macro-level conception of social capital by Coleman *cum suis* (cf. *supra*)⁵⁶.

1.1.2.1.3 Bonding and bridging social capital

A final theoretical distinction in the literature on social capital is that between bonding and bridging social capital⁵⁷. Patulny and Svendsen have argued compellingly that the

dichotomy particularised vs generalised trust, see Uslaner (2002), *passim*; Hooghe & Stolle (2003), *passim*; Ogilvie (2005), *passim* (e.g. p. 5).

⁵¹ Platteau (1994), 536 (writing primarily from an economic perspective).

⁵² Uslaner (2002), 9 (incl. further references), 21.

⁵³ E.g. Hooghe & Stolle (2003), 2 (“Generalised trust and generalised reciprocity (...) can be considered as integral and probably irreplaceable parts of any democratic political culture”).

⁵⁴ Misztal (1996), 14-5.

⁵⁵ Tonkiss & Passey (1999). See also Ogilvie (2005), which questions the proportionate increase in generalised trust as a consequence of an increase in particularised trust (e.g. p. 39).

⁵⁶ Hooghe & Stolle (2003), 233-6; Lyon (2000), 665.

⁵⁷ The division has been part and parcel of the literature on social capital for a while now, but the specific terms “bonding” and “bridging” were coined by Gittell & Vidal (1998), 8.

distinction – going as far back as Durkheim’s opposition between mechanical and organic solidarity – is often not yet given its due attention and that many problems in the scholarship on social capital (relating to both conceptualisation and quantification) have their origin in precisely this neglect⁵⁸. Bonding social capital is social capital that exists within strongly knit-together groups such as families whereas bridging social capital consists of much weaker ties that allow for connecting, transcending, indeed, “bridging” particular groups. The former is “inward looking” and typically the domain of “exclusive”, “homogenous” groups whereas the latter is “outward looking”, “open”, and “encompassing”⁵⁹. As the specific choice of words already betrays, both kinds of social capital have been attributed a qualitative evaluation which more often than not boiled down to a simple negative versus positive opposition. Bridging social capital is generally praised for its “potential for accessing information and opening up new contacts outside a person’s own circle”⁶⁰. Bonding social capital, on the contrary, may lead to “primordialism”, “essentialism”, and “parochialism”⁶¹. It is no coincidence, then, that in sociological literature, bonding social capital has been traditionally linked to contexts of particularised trust and bridging social capital to contexts of generalised trust⁶². Particularised and generalised trust have been subjected to a similar binary and exclusive qualitative categorisation. Following the warnings of social geographer Colin Williams, Patulny and Svendsen address this issue in a couple of paragraphs under the meaningful title “Is bonding always “bad?””⁶³. Their answer is in the negative and they succeed in painting a very nuanced image of the division, paying particular attention to the positive effects of bridging as well as bonding social capital. Coleman has been one of the most influential scholars that attributed a positive role to the practice of clearly demarcating group boundaries and establishing strong in-group bonds. He even considered such “closure”, as he called it, essential for the generation, increase, and effectiveness of social capital⁶⁴. Indeed, closure makes sure that members (as well as non-members) are clearly defined which in turn guarantees that compliance to norms can be enforced and violation adequately punished. This opinion has not escaped criticism, as scholars argued that closure is only desirable or necessary in particular

⁵⁸ Patulny & Svendsen (2007), *passim* (e.g. p. 33). This article contains the most essential references to literature on the subject.

⁵⁹ Putnam (2000), 22.

⁶⁰ Tonkiss (2004), 21.

⁶¹ Tzanakis (2013), 5. Patulny & Svendsen (2007), 33 discusses the contrast between the openness of bridging social capital and the exclusivity of bonding social capital in terms of the common evaluation sociologists attribute to them respectively.

⁶² Patulny & Svendsen (2007), 35.

⁶³ Patulny & Svendsen (2007), 36-7.

⁶⁴ Coleman (1988), 105-108.

contexts but that in many other instances, closure actually impedes rather than facilitates the growth of social capital⁶⁵. Granovetter has argued, for example, that connections that *bridge* two networks (“weak ties”) are more valuable in achieving specific goals than connections that only strengthen the cohesion of one particular network (“strong ties”). The ability to transcend his own network enables the individual to draw upon information and resources that would not have been accessible if he only invested in “strong ties” or “closure”⁶⁶. This is a valuable observation to keep in mind throughout the discussion of freedmen’s social capital, and will be invoked explicitly in the section on the letters of recommendation.

1.1.2.2 Trust: definition(s) and debates

As mentioned before, Durkheim already noted that the act of creating and maintaining *solidarity* and the grouping of people who mutually trust each other, constitutes the very basis of any historical society. Accounting for and respecting the different socio-historical context, this meta-historical character of trust and trust networks allows for a projection of modern theory of trust on antiquity. Indeed, both trust (*fides*) and institutionalised forms of reciprocity that anchored and encapsulated this trust (e.g. patronage relations) were omnipresent in the Roman world and in the minds of the people that inhabited it.

The extraordinary difficulty in precisely grasping a concept as multi-faceted as trust is already perceivable in the many different (kinds of) definitions that have been proposed for it. The Oxford English Dictionary instinctively defines it as the “confidence in or reliance on some quality or attribute of a person or thing, or the truth of a statement”. Macro-level sociologists tend to define it in broader terms such as “the expectation that arises within a community of regular, honest and co-operative behaviour, based on commonly shared norms”⁶⁷. Functionalist approaches to trust would prefer Luhmann’s conception of it as a means of neutralising or at least downplaying the potential dangers of social interaction⁶⁸. In all of these cases, however, trust has been credited for being “essential for stable relationships, vital for the maintenance of cooperation, fundamental for any exchange and necessary for even the

⁶⁵ For this strand of critique on Coleman’s work, see Tzanakis (2013), 5, including references. For a historical study that takes into account the value (and limitations) of closure as a concept, see Ogilvie (2005), *passim* (e.g. p. 3).

⁶⁶ Granovetter (1973), esp. 1360-9. By focussing not only on the traditional “strong ties”, Granovetter tries to bridge the gap between micro- and macro-level sociology.

⁶⁷ Fukuyama (1995), 26.

⁶⁸ Luhmann (1979), *passim*.

most routine of everyday interactions”⁶⁹. More nuanced definitions stress the potential downside of trusting: “trust involves a social relationship in which one person makes themselves vulnerable to another who can do them harm if the trust is misplaced. (...) Trust implies a judgment of risk in conditions of uncertainty”⁷⁰.

Much like the case of social capital, the realisation of the central role of trust in society and social relations has led to a vast amount of literature that at times helped more in obscuring the concept than in clarifying it. In addition, vital theoretical observations are often overlooked or ignored. The difference between trust as a personal inner *feeling* (and by definition unobservable to the sociologist or historian) on the one hand and trust as a more detectable *tendency* to trust in general is a good example. Ogilvie, calling these different forms “trust as sentiment” and “trust as propensity” respectively, draws attention to the fact that many scholars of social capital fail to make this distinction, leading to severe conceptual confusion⁷¹. Since there exist no clearly defined behavioural indicators of trust or distrust, trust as a sentiment continues to elude social scientists even though their language and rhetorical strategies often refer to trust precisely as an individual inner feeling⁷².

Misztal provides one of the most comprehensive overviews of the academic history of and the sociological literature on the concept of trust. This overview primarily concentrates on trust in contemporary society, considers it mainly from a macro-level perspective, and is sometimes rather functionalist insofar as trust is defined and characterised primarily by its utility within society. In the third chapter in particular, Misztal lists the three main functions of trust. Trust is integrative (it promotes and proliferates social order), it reduces the increasing complexity of modern society (it compensates for the inability to take into account all possible factors in choice-making), and it is a lubricant for cooperation⁷³. These functions roughly coincide with the tripartite conceptualisation of trust as the domain of the social system as a whole, of social relations, and of individuals (cf. macro versus micro level divide). It should be clear that we will primarily focus on this latter, micro-level function of trust, given its obvious relevance and applicability on the ancient source material. However, critiques have been uttered against approaches that consider the individual level in isolation of

⁶⁹ Misztal (1996), 12, including many more references to scholars pointing out the crucial role of trust in society. For an overview of the progress that has been made in trust-related research since the 1980s, see Koniordos (2005), 29.

⁷⁰ Smelser & Baltes (2001), 15922.

⁷¹ Ogilvie (2005), 4.

⁷² Putnam (1997), 52.

⁷³ Misztal (1996), Chapter 3. The three functions are elucidated by a discussion of the works of their greatest proponents in sociology (i.e. Talcott Parsons, Niklas Luhmann, and Coleman/Arrow respectively).

the other ones⁷⁴. As mentioned before, we will make sure to respect these (and similar) critiques throughout our analysis by firmly rooting individual case studies in their institutional context (e.g. the institution of patronage or the central ideological role of *fides* in the elite's networks).

One of the most vigorously quoted one-liners capturing the essence of “what trust is”, is Putnam's description of it as lubricant of social life⁷⁵. Trust serves to supplement (or compensate for the lack of) other institutions that facilitate and smoothen social interaction such as coercion, contracts, or legal sanctions⁷⁶. When these latter mechanisms are prioritised, they are said to support relations of confidence rather than trust: “relations of confidence work to depersonalise exchanges, to reduce uncertainty and manage risk, whereas trust relations live with uncertainty, take on risk”⁷⁷. We have to keep in mind at all times that in managing their freedmen, Cicero and his correspondents could very rarely take recourse to measures of coercion. For one, their (potential) status as citizens prevented any encroachment on freedmen's liberty and respectability. Cicero's ultimate powerlessness when his freedman Hilarus was damaging his reputation in the East is well known⁷⁸. Nor could they invoke a wide array of legal sanctions. Cicero could bitterly write to Atticus that he wanted to reduce his freedman Chrysippus to slavery after his scandalous behaviour (he stole from his patron and neglected his son), but in reality he lacked the means to do so⁷⁹. The relation between freedmen and their patrons, then, is to be situated within the realm of trust rather than confidence, although this gradually changed with the introduction of legal measures against “bad” freedmen (e.g. the *accusatio ingrati liberti*, cf. *infra*).

The precise nature of the relation between trust and social capital is also heavily debated. Some scholars perceive it as a dialectic one in which trust is both a constitutive factor and a result of social capital⁸⁰. Others see trust as but one component of social capital and as such place it on an equal footing with, for example, norms and networks “that can improve the efficiency of society by facilitating coordinated action”⁸¹. Others still regard the creation of trust by social networks as a *conditio sine qua non* for the emergence of social capital⁸². The debate boils down to the question whether “social

⁷⁴ Misztal (1996), 16.

⁷⁵ Arrow (1974), 23. Cf. Putnam (2000), 21.

⁷⁶ Granovetter (1985), *passim* (e.g. 490).

⁷⁷ Tonkiss (2004), 18-9, including references. Note how the Oxford English Dictionary conflated both terms, cf. *supra*.

⁷⁸ Cic. Att. 1.12.2. See also his mentions throughout the next chapters.

⁷⁹ Cic. Att. 7.2.8. *Idem*.

⁸⁰ Fukuyama (1995), esp. 26-7.

⁸¹ Putnam (1993a), 167.

⁸² Ogilvie (2005), 2.

capital is the infrastructure or the content of social relations, the ‘medium,’ as it were, or the ‘message.’”⁸³. In any case, the two are very closely related, both conceptually and analytically, and a distinction between what causes and what constitutes social capital or trust may not even be a relevant or even valid one⁸⁴. Throughout this study, we consider trust as a vital, though not the only, constituent of social capital. We realise that neither of the two theoretical concepts can be quantitatively linked or measured, as many of the macro-level approaches to social capital and trust in modern societies tend to do by making use of statistics and surveys that are simply unavailable for ancient historians. We will therefore be particularly concerned with how trust contributed to social capital and how someone’s capital could, on the other hand, inspire trust (or at least prevent it from being damaged), without claiming any direct (mono-)causal link between the two. It is, in other words, not our primary intention to study trust and social capital as phenomena in their own right, but to apply modern theory on the subjects to the observable relations and interactions between freedmen on the one hand and their patrons, elites, and society *sensu largo* on the other, in order to improve our understanding of these social exchanges.

1.1.2.2.1 Trust and rationality

It should not come as a surprise that the scholarship on trust has generated at least as much controversy and debate as the work done on social capital. One of the most important divides within the scientific literature in this respect, is the question whether trust is a consequence of rational action and rational choice or not. The act of trusting is, in a sense, always calculative because it necessarily involves an evaluation of the probability that the trustee will respect the trust relation⁸⁵. For the proponents of a rational choice framework, people in any given context trust each other because they believe that trusting will yield more benefits than not trusting⁸⁶. Actors trust as a consequence of a deliberate consideration, know what is in their best interest at all times, and possess all possible or necessary information to make the right decision. Trust becomes very instrumental – a tool even – in obtaining certain goals. Of course, rationality is not always a synonym for self-interest. Indeed, altruism can be rational as

⁸³ Woolcock (1998), 156.

⁸⁴ Lyon (2000), 664.

⁸⁵ Gambetta (1988), 217-8.

⁸⁶ Buskens (2002), 6ff. Cf. Smelser & Baltes (2001), 15924: “The act of trust, of making oneself vulnerable, requires a thoughtful assessment of risk, informed by a rational expectation or a rational belief that the trusted will be trustworthy. Such an expectation or belief is generally grounded in knowledge of the other’s past behavior or present motives and constraints”. For a comprehensive introduction to rational choice theory, see Scott (2000); Green (2002).

well. The rationality here refers to the way in which a particular goal is achieved (i.e. by rationally considering all the means and ways in which that goal can be reached in the most efficient way)⁸⁷. Trust, in rational choice theory, is gradually hindered when actors do not have full access to the information they need to make “correct” decisions. Opponents of rational choice theory, on the other hand, claim that it is precisely in such contexts that actors are prone to trusting one another (i.e. to compensate for the uncertainty of inadequate information)⁸⁸. They raise the valid argument that habits – a “propensity to engage in a previously adopted pattern of behavior” – may serve to at least partially replace rational deliberation⁸⁹. Moreover, relations that are created as part of a calculative strategy may eventually turn into intuitive and habituated ones⁹⁰. These last observations are echoed in Simon’s model of “bounded rationality”. Simon convincingly shows that an individual – rational to the bone and aware of all the surrounding aspects of reality – simply cannot exist⁹¹. A much more realistic approach to human behaviour sets aside the primacy of rationality and focuses on ad hoc decision-making. The behavioural vision on rationality thus assumes that people will make decisions concerning certain aspects of their lives without taking into account all the others and without being aware of all the possible alternatives, let alone outcomes. This “satisficing” is central to the model of bounded rationality and is the clear opposite of a rigid, rationality-based model of decision-making⁹². Simon goes on to show that emotions help us to focus our attention to the most urgent matters at hand and that “a

⁸⁷ A similar distinction was already present in Weber’s work and its differentiation of goal-instrumental action (*Zweckrationalität*) by which the actor weighs and deliberates on the means and alternatives available to efficiently attain a specific goal, and value-rational action (*Wertrationalität*) where the value or intention of the action takes precedence over its goal. An act that is in se emotional and irrational, but which in the long run turns out to serve the self-interest as good or better than any rationally inspired act, could, taken to its extreme, be termed “rational” as well. See Barbalet (2001), 41. On the contrary, an act can seem rational (and be explained as such) without it actually being so. See Denzau & North (1994), 10.

⁸⁸ Held (1968), 157 (“trust is most required exactly when we least know whether a person will or will not do an action); Cook (2003), 10 (“what seems to strike us is the act of “trusting” despite the lack of adequate expectations of fulfillment to justify the relevant risk”). Cf. Seligman (1997), 21ff; Patulny & Svendsen (2007), 34, including references.

⁸⁹ Hodgson (1998), 178; Hodgson (1988), passim (esp. 167). Cf. Frier and Kehoe (2007), 137 for “path dependence” (cf. note 92 below).

⁹⁰ Lyon (2000), 673, which also mentions the difficulties in identifying habits in empirical research (676).

⁹¹ Simon (1983), 12-7. He thereby criticises the so-called “Olympian model” of rationality (more commonly known as the theory of Subjective Expected Utility).

⁹² For this behavioural model, see Simon (1983), 17-23. Satisficing refers to the act of choosing a satisfactory course of action as opposed to an optimal one (the latter usually being implied in more mathematical and economic models of action). Together with the notion of “path dependence”, it is an essential assumption in New Institutional Economics, cf. Frier and Kehoe (2007), e.g. p. 121-2 for “satisficing” and note 89 above.

behavioral theory of rationality, with its concern for the focus of attention as a major determinant of choice, does not dissociate emotion from human thought (...)”⁹³.

One of the most famous sociologists who has worked on the theme of rationality long before Simon, was Max Weber. His idea of modernisation as a process of rationalisation (the *Entzauberung der Welt*) is traditionally considered the single most important foundation for subsequent studies on rationality⁹⁴. The conviction that rationality and emotion are each other’s opposites and therefore irreconcilable has been the most common interpretation of his work for decades. However, recent contributions to the history of mentalities and emotions have questioned this view. They have argued that emotion and rationality are not necessarily mutually exclusive and that no human being can “turn off” emotion to act as an absolute rational individual. Even the true meaning of Weber’s thesis has recently become the subject of scholarly scrutiny⁹⁵. Studies with remarkable titles such as *The Rationality of Emotion* are indicative of this course research on rationality has taken in the past two decades⁹⁶.

A fundamental and recurrent critique on the primacy of rationality – often raised by the proponents of New Institutional Economics – states that rational choice theory does not account for ideas, ideologies, and institutions. Choices are at least in part the result (and a reflection) of “shared mental models” as well⁹⁷. One particularly troublesome

⁹³ Simon (1983), 30. As a consequence, Simon considers the intuitive theory to be a component of the behavioural theory. For the intuitive model of rationality, see p. 23-34. For emotions as contributors “to the decision-making process by working with, not against, reason”, see also Bowles & Gintis (2011), 186ff (quote on p. 187).

⁹⁴ Weber (2014), passim (e.g. 25) [originally published in 1919].

⁹⁵ E.g. Velitchkova (2008) which re-evaluates the role of emotion in Weber’s theory of rationality: “Weber develops an implicit dynamic model of the world in which rationality goes hand in hand with what he often interchangeably refers to as the ‘irrational’, the ‘sentiment’, ‘passions’, and others” and “analyses of the emotive are spread throughout Weber’s writing. The emotive is often the background, against which rationality works”.

⁹⁶ De Sousa (1990).

⁹⁷ Denzau & North (1994), 4: “[to understand agency, we need to understand] the relationships of the mental models that individuals construct to make sense out of the world around them, the ideologies that evolve from such constructions, and the institutions that develop in a society to order interpersonal relationships”. The concept of “shared mental models” is, in turn, not without its pitfalls. It is not not difficult, for example, to think of a shared mental model that is at least partially inspired by rational considerations. Mental models, in these cases, are not the reason for the way in which a particular individual acts but instead are a consequence of the fact that rational considerations need an overarching ideology that legitimises them. An ideology does never exists a priori and is never “just there”. It is formed, supported, and reproduced by the interests and problems of the dominant class in any society. In this regard, it may be better not to see the relation between values, ideologies, and “mental models” on the one hand and concrete acts on the other as either top-down or bottom-up processes. Instead, it seems better to interpret their interaction as a dialectic one. Ideology exists because individuals need a frame of reference through which they can

corollary of this observation for historians, however, is that actors (individuals or collectives) in the past had mental models greatly different from the ones that shape the historian's social world. Explaining behaviour of these actors based solely on their shared mental models thus becomes a sheer impossible task. Other critiques have focussed not so much on rationality *an sich* but on the exclusivity its most vigorous proponents – usually economists – claim for it⁹⁸. One result worth mentioning is the distinction raised between theoretical and practical rationality. The latter is not based on an a priori present ratio but instead has its roots in rational models that result from past experience with similar situations or contexts⁹⁹. Still others argue that emotion is a *conditio sine qua non* for trust to be rational. Only through emotional processes can the fundamental uncertainty about the future be coped with and can room be created to act rationally in: “reason and rationality require emotional guidance”¹⁰⁰. These observations, and others like it, point to one of the most fundamental flaws in any theory that aims to provide one coherent model of human and social behaviour. Rationality, emotion, and mental models are similar to one another in the sense that their explanatory power is always relative. All three models of interpretation have produced convincing arguments but depending on the specific context of the case at hand, one will be more salient than the others. Throughout our analysis, we will judge each individual case in its own right (one of the rare advantages of having to rely on a relatively limited amount of source material) and consider it as hovering on a scale with rationality and affectivity on both extremes, keeping in mind, of course, the theoretical observations briefly touched upon in these sections.

1.1.2.2.2 Learning and control

Considering the stakes often implied in extending one's trust, the trustor needs certain guarantees that his trust will not be damaged. In a relationship that is characterised by repeated interactions between trustor and trustee, the former will constantly (re)evaluate his relation with the latter by assessing the feedback of the trust relation. Repeated interaction – or the “temporal embeddedness” of the transactions – becomes

structure and, indeed, live reality. But reversely, this ideology will – once ingrained in society – influence and steer both thought and action of these individuals.

⁹⁸ Ostrom & Walker (2003), *passim* (e.g. p. 25: “what has come to be called rational-choice theory in the social sciences is instead one model in a family of models useful when conducting formal analysis of human decisions (...)” and “[t]here are many different conceptions of rational behavior of the individual”. Cf. Emerson (1976), 351, 340-1.

⁹⁹ E.g. Barbalet (2001), 46-7 which discusses the relation between such practical rationality, trust, and emotion. See also the concept of “habits” above.

¹⁰⁰ Barbalet (2001), 39, 49. See also note 93 above.

in itself a mechanism of control¹⁰¹. Through this temporal embeddedness, the trustor acquires the means that give him the confidence to sustain the relation. These means are typically categorised under the broad headings of “learning” and “control”¹⁰². Learning pertains to the ability of the trustor to adjust his own expectations concerning a particular trustee after evaluating how the latter has dealt with the trust invested in him. It is therefore essentially a change within the *trustor*. Control, on the other hand, refers to the ability of the trustor to alter and manipulate the trustee’s behaviour. It therefore implies a change primarily within the *trustee*. It is important to note that control does not only or even primarily refer to *post factum* sanctions against the trustee, but also to the latter’s awareness that these sanctions *could* be exercised against him *should* he chose to damage the received trust. The more sanctions the trustor can invoke, the less likely the trustee is to betray his trust and, as a consequence, the more the trustor will trust him¹⁰³. Both learning and control can be enhanced by the experience of the trustor himself (i.e. without relying on a third party) or they can be increased by others who either provide the trustor with information on the trustee or are able to execute the sanctions on behalf of the trustor. In the sociological literature, the terms “dyad” and “network” are used to refer to these two kinds of embeddedness (i.e. internal and external to the actual trust relation)¹⁰⁴. In a dyadic context, learning will make sure that trust increases after positive experiences with the trustee. In a network context, other factors can supplement these experiences. If the trustor has a wide network of contacts, for example, he can receive information from third parties as well (e.g. because the trustee is also a trustee of one of these network members). Of course, in both cases, trust will decrease if the information on the trustee is predominantly negative. Control in a dyadic context ensures that trust will increase when the trustee recognises that it is in his own advantage to foster it. Potential sanctions such as a loss of reputation are usually instrumental. If a trustee feels he would benefit from prolonged interaction with the trustor, trust will also increase as both parties realise that abuse is less likely to occur. Any short-term benefits the trustee could obtain by betraying the trustor are outweighed by the prospect of either enduring advantageous bonds or enduring sanctions and loss of reputation¹⁰⁵. Once again, if the

¹⁰¹ Zucker (1986), 60 refers to the same mechanism with the concept of “process-based” (re)production of trust, and Lyon (2000), 671 speaks of “working relationships”.

¹⁰² Buskens (2002), *passim* (introduced on p. 10).

¹⁰³ Buskens, Raub & van der Veer (2009), *passim* (esp. 123-4).

¹⁰⁴ Buskens & Raub (2013), *passim* (e. g. 123, 131); Buskens, Raub & van der Veer (2009), 123. Buskens (2002), 10-14 discusses dyad embeddedness, 15-22 treats network embeddedness.

¹⁰⁵ These sanctions may take different form depending on the situational context. Lyon (2000), 665, for example, talks about “the threat of stopping a contract and losing future benefits; the threat of damage that can be done to an agent’s reputation through bad reports; and social pressure”.

trust relation is embedded in a larger social network, sanctions may not only be tightened by third party members of this network, but a potential loss of reputation is felt to be much more pervasive. A betrayal of trust, in that case, will not only sever all ties with the individual trustor, but also establish a reputation of untrustworthiness across a much larger social group. It should be stressed that both learning and control are vital in bringing about (or terminating) trust, but that for all practical means and purposes their effects are rarely clearly distinguishable from one another¹⁰⁶. If trust is deeply embedded (be it temporarily or in a network), future decisions might be taken more instinctively. Embedded trust, in other words, may result in transcending “sentimental” forms of trust and may lead to a higher “propensity” to trust (cf. *supra*). It is important to stress, however, that this is – like the relation between particularised and generalised trust – not a straightforward or necessary evolution.

Closely connected with the concept of control is the degree to which the trustor has access to so called “exit networks” and “voice networks”¹⁰⁷. Both could be considered as examples of “controlling” sanctions that minimise the possibility of a scenario in which trust is damaged. An exit network denotes the alternatives a trustor has at his disposal should he decide not to continue trusting a particular trustee. If a trustor has ample alternatives, this may increase his willingness to trust as he is aware of the trustee’s realisation that the trust can be terminated without noticeable cost for the trustor. The publicising of one’s social network thus becomes an important goal for anyone aiming at strengthening the bonds of trust within it. A voice network serves a similar preventive purpose. It refers to the trustor’s ability to proliferate any and every grievance or criticism he might have concerning a trustee. If his voice network is dense, trust is more likely to increase since the consequences of betraying it have increased exponentially (and both trustor and trustee, again, realise this).

Hardin identifies three models of trust. One-way trust, mutual trust, and trust embedded in thick relationships¹⁰⁸. In a one-way trust relationship, only one agent takes on all the risks of trusting the other. The trustee is not required to trust the trustor back and can, technically, use or abuse the trust invested in him as he sees fit. A mutual trust relationship, on the contrary, is characterised by the investment of trust by both partners who thus each become both trustor and trustee. It usually occurs in a context of long-term and repeated interactions. Both one-way trust and mutual trust occur in “dyadically embedded” relations. Finally, trust embedded in thick relationships takes into account not only the relationship between two agents but also their respective

¹⁰⁶ Buskens, Raub & van der Veer (2009), 123.

¹⁰⁷ Hirschman (1970), esp. 1-43 introduces and theoretically supports these concepts; Buskens (2002), 15.

¹⁰⁸ Hardin (2004), 14-23.

network of relations with third parties. It is “network embedded”. Indeed: “[a]ctual motivations for trusting or being trustworthy are better understood when reputations in repeated relationships and third-party relationships are taken into account”¹⁰⁹. Thick relations are generally possible only in a limited and closed community and can as such be linked to bonding social capital, Coleman’s concept of closure, as well as to particularised trust. The crucial corollary of thick relations is the realisation by every actor that a betrayal of invested trust has very wide consequences. The network embeddedness of thick relations makes sure that not only the learning side (i.e. obtaining information not only by one’s own means but also through the network in which the trust relation is embedded) but also the control side (i.e. the knowledge that sanctions have network wide repercussions on status, reputation, and future interaction) of the trust facilitating mechanisms is considerably enhanced.

At first glance, a patron-freedman relationship may seem an instance of one-way trust. When a slave is freed, it is only the master who trusts in the slave’s compliance to the norms and values Roman society had set out for freedmen. It is only he, therefore, that runs the risk of trust betrayal. The slave can, technically, act on this endowment of trust as he wishes and needs not in turn trust his ex-master. The danger in risking this “leap of faith” was sincerely felt by Roman slave owners. One of the many potential reasons for the promulgation of the Augustan manumission laws, was undoubtedly a desire to increase critical deliberation among masters when they decided to free slaves. The *lex Aelia Sentia* (4 CE) imposed age restrictions on the manumission and the *lex Fufia Caninia* (2 BCE) limited the amount of freedmen that could be freed by testament. The recurrent debate on the process of *revocatio in servitutem* reveals that patrons desired a tool to adequately punish ungrateful or disobedient freedmen¹¹⁰. Freedmen did not only maintain one-way trust relations with their own patrons. When Cicero stresses the quality of *fides* when recommending freedmen to his friends or acquaintances, he does so because he realises that by acting on his recommendation, these men would take upon themselves the unilateral risk of trusting¹¹¹. The extreme rage resulting from the

¹⁰⁹ Ostrom & Walker (2003), 8.

¹¹⁰ For Cicero’s attempt to *de facto* obtain a *revocatio in servitutem* (Att. 7.2.8), see Treggiari (1969a), 258; Mouritsen (2011), 55. There existed no legal procedure to reduce freedmen back to slavery during the Republic. The *accusatio liberti ingrati* allowed by the *lex Aelia Sentia* established the first legal framework. Punishments for ungrateful freedmen ranged from verbal warnings and a confiscation of part of their property over castigation or temporary exile to forced labour in the mines or sale to a third party. Dig. 1.12.1.10; 1.16.9.3; 37.14.1; 37.14.7.1; Tac. Ann. 13.26; Suet. Claud. 25.1. Cf. Gardner (1993), 45-8. A return to slavery under the previous master is nowhere provided for, although the freedmen could be placed under the *patria potestas* of his patron again under Commodus (Dig. 25.3.6.1).

¹¹¹ E.g. Fam. 13.16; 13.60; 13.69. The stress on a recommended person’s trustworthiness was of course not limited to the letters introducing freedmen (cf. Chapter 5).

blatant *ingratia* of a freedman should be seen in this context as well. By betraying his patron or showing socially unacceptable behaviour, the freedman not only undermines the essential cohesion-inducing ideology of reciprocity but also puts to shame his patron by revealing that the latter had been easy-going or even naïve in his decision to manumit (cf. *infra*).

Nonetheless, the categorisation of a patron-freedman relationship as a one-way trust relationship is too simplistic. We should at all times remember that any theoretical model or division is in the end only just that: an archetypical representation that facilitates analysis of social reality but never completely coincides with it. The interactions between patrons and freedmen were by definition temporally embedded, i.e. taking place over an extended period of time. The patron thus had many opportunities to “learn” within this dyadic context, a trait that – as we have seen – may increase both trust and trustworthiness. Moreover, the relationship can be defined as embedded in a network of thick relations as well. The use of freedmen as agents within a patron’s social, economic, or even political network ensured that information on the trustworthiness of these freedmen was not only generated by the patron himself, but also provided by the many connections within the network. When a freedman was sent out to perform services for his patron’s friends, for example, he would on returning to his patron typically carry a letter in which these friends praised the good work the freedman had done¹¹². Patrons, therefore, could also increase their “learning” through this network context. Not only learning but various means of control were at the patron’s disposal. Especially a reputation of *ingratia* would severely hamper any freedman’s chances to, for example, obtain the social and symbolic capital he so strongly desired to catapult his freeborn sons on the social ladder¹¹³. For the freedman, it was – at least in the long term – not beneficial to be branded as *ingratus* or *infidus*¹¹⁴. Both the dyadic relationship and its network embeddedness thus provided essential means of both preventive and remedying “control”.

An important distinction has to be made between the two constitutive factors of trustworthiness: the willingness to correctly act upon received trust on the one hand and the ability to do so on the other. Indeed: “[t]he trustworthy will not betray the trust as a consequence of either bad faith or ineptitude”¹¹⁵. The resilient moral obligations of

¹¹² Wilcox (2012), 92. Cic. Att. 7.4.1 is one example that will be elaborated on in more detail in Chapter 7.

¹¹³ Gordon (1931); Weaver (1991); Mouritsen (2011), 261ff.

¹¹⁴ Verboven (2002), 46.

¹¹⁵ Smelser & Baltes (2001), 15922-3. Cf. also Cook (2003), 3-4. Levi (2000), 142 refers to this distinction as well when pointing out the three factors that generate distrust (the other is indifferent or hostile; the other’s interests differ or conflict; the other is incapable of adequately responding to invested trust).

pietas, *gratia*, and *obsequium* – the appropriation and internalisation of which was, at least in theory, a *conditio sine qua non* for slaves to be manumitted – as well as the freedman’s own self-interest must have made many a patron rest assured, sometimes prematurely, that his ex-slave would be loyal and trustworthy¹¹⁶. The competence acquired during his time as a slave as well as the habit of letting a slave keep his *peculium* after manumission undoubtedly contributed to the freedman’s aptitude to transpose this trustworthiness to the practices of daily life¹¹⁷. For these and other reasons, Mouritsen has claimed that [t]o the Romans nobody was considered trustworthier than a freedman”¹¹⁸. Nonetheless, we see freedmen failing on both accounts throughout Cicero’s correspondence. Chrysippus is clearly attacked by Cicero for not having acted faithfully but Dionysius, also a victim of some serious rants by Cicero, seems to have disappointed him because he had his own business to take care of first (cf. *infra*)¹¹⁹.

1.1.2.2.3 Motivations for trusting

Despite ideological frameworks, means of “learning” and “control”, and the network embeddedness of a trust relation, a patron could never predict the behaviour of his freedmen with absolute certainty. This leads us to the potential motives that moved actors to risk this leap of faith in the face of such fundamental uncertainty. In sociological literature, four types of motivations are conceptually distinguished¹²⁰. Dispositional motivation originates from an individual’s personal propensity to trust which may have been shaped (or left undeveloped) by his education, social networks,

¹¹⁶ The conception of the time spent as a slave as a period of education (and internalisation of Roman norms) is meaningful. Cicero implies, rhetorically, that captured enemies could internalise these values in a mere six years (Phil. 8.32) and that any slave who obtained his freedom had deserved it by proving his worthiness (Cat. 4.16). (Ps.-) Quintilianus thought that “freedmen were made out of honest (*frugi*) slaves” (Decl. Min. 388.22). The *lex Aelia Sentia* made sure that slaves spent at least thirty years “learning” and the *lex Fufia Caninia* encouraged them to apply themselves in the process by limiting the number of slaves that could be set free per master. Cf. Mouritsen (2011), 30-3.

¹¹⁷ Dig. 32.97 (a freedman retains his *peculium* on manumission); Cod. Iust. 7.23.1 (slaves who were freed by living masters usually retained their *peculium*). This practice favoured the patron as well as the freedman since it gave the freedman ample opportunity to increase his capital whereas the patron would benefit from it too, given his claims on his freedman’s property. Indeed, Cod. Iust. 7.23.1 specified that the *peculium* of a slave manumitted *ex testamento* would *d’office* go to the heirs. The dead patron could no longer benefit from his slave retaining his *peculium*. See Mouritsen (2011), 176f, including references.

¹¹⁸ Mouritsen (2011), 98.

¹¹⁹ See also Treggiari (1969b), 201: “Dionysius was in the awkward position of having to maintain cordial relations with Cicero and Atticus simultaneously while his private affairs also demanded his attention. He was guilty merely of not putting Cicero’s interests before his own in time of civil war”.

¹²⁰ For the convenient overview to which this paragraph is greatly indebted, see Smelser & Baltes (2001), 15923-4, including references.

and norms. When a master trusts a slave enough to free him or a freedman to take care of delicate business, he might be inspired partially by dispositional motives. The patron's and freedman's character, their closeness to each other, as well as their past experiences provide the framework of the master's decision-making¹²¹.

Moral motivations stem from a belief that trust is beneficial for societal cohesion and that "to trust" is therefore essentially a duty for anyone concerned with the well-being of that society. It also refers to the propensity to consider those people more trustworthy who either share certain norms or at least adhere to values that inspire and respect trust. Applied to the patron-freedman relation, this would mean that patrons trusted their freedmen (or freed their slaves) because it constitutes a moral virtue contributing to society. This may be true in the many philosophical reflections – mostly stoically inspired – but isolated from other motivations, the moral one does not seem to adequately explain the practice of investing trust. Pliny may well write that the creation of citizens through formal manumission enhances the reputation of a city, but we should not take this conviction as the reason why his great-grandfather-in-law decided to free the slaves in question¹²². Moreover, a strict notion of moral motivations of trust implies that it does not matter which slaves are freed or which freedmen are sent to deliver delicate messages. The action of trusting is thus isolated from any other concern and undertaken only by the grace of a moral ideal. It goes without saying that moral motivation should therefore be considered a trust-amplifying (or -reducing) factor only in combination with other motivations. In the end, it seems that the valuable aspects of the notion of moral motivations of trust are better grouped under the heading of a model of social motivation.

Socially inspired motivation to trust refers to an individual's willingness to trust and to be considered trustworthy because it is part of his identity. In a reductionist sense, this motivation comes down to people intentionally trying to profile themselves positively (both inwards and outwards). This can be taken to mean that a master frees his slaves or trusts his freedmen because it generates an image of him that can successively be used in relations with other people. It enhances his reputation and could in turn lead to an increase in status. It should be stressed that the envisioned benefits are usually immaterial, in contrast to the fourth, instrumental motivation.

¹²¹ E.g. Strack (1914), 8 who states that in many cases the "Vorbedingung für die Freilassung" was "persönliche Bekanntschaft". One of the most decisive reasons to free Tiro, we know, was his literary cultivation, his intelligence, and his manifold usefulness to Cicero (Fam. 2.1.2; 16.1.3; 16.3.2). Eros was freed in an impulsive mood of generosity (Plut. Apophth. Cic. 21), although it is unlikely that he would have received this gift without other motivations playing as well.

¹²² Plin. Ep. 7.32. In this case, it was not the freeing of slaves but the *iteratio* – a second, formal manumission – of informally freed slaves.

This last type of motivation pragmatically makes someone trust another (or present oneself as trustworthy) in order to obtain certain results and reach certain goals. It generally takes into account both the costs and the potential risks when deliberating the investment of trust¹²³. Masters knew that the “human capital” of a slave was not lost after manumission. Besides *operae*, freedmen owed a lifelong debt of *obsequium* and at the end of their life, the patron could usually claim at least part of their inheritance. The freeing of slaves, moreover, created valuable social capital in the form of trustworthy agents that could be deployed in all sorts of business (cf. *infra*). Cicero was acting instrumentally when he, while exiled, ordered his wife to free all their slaves even though he only considered one of them (Orpheus) truly loyal, trustworthy, and deserving¹²⁴. Only this drastic measure ensured that Cicero would retain some sort of control over his dependents (i.e. as a patron over *liberti*) rather than losing them altogether (i.e. as confiscated slaves). The reference to Orpheus again implies that under normal circumstances, a dispositional motivation would have played as well as an instrumental one. In reality, then, every motive for trusting a slave or a freedman would have been a combination of motives, each of which in different degrees deviated from or conformed to any of the four archetypes listed above. All of these considerations may have resulted in a patron feeling “confident” to trust this (and not another) freedman, despite the uncertainties and risks inherent in the act of investing trust.

1.1.2.2.4 Tilly’s trust networks

One particularly interesting analytic model is that of “trust networks” as defined by the American sociologist, political scientist, and historian Charles Tilly. Tilly defines a trust network by summing up the four features that characterise it:

“How will we recognise a trust network (...)? First, we will notice a number of people who are connected, directly or indirectly, by similar ties; they form a **network**. Second, we will see that the sheer existence of such a tie gives one member **significant claims on the attention or aid of another**; the network consists of strong ties. Third, we will discover that members of the network are collectively carrying on **major long-term enterprises** such as procreation, long-distance trade, workers’ mutual aid or practice of an underground religion.

¹²³ Cf. once more Weber’s *Zweckrationalität*. Social and especially moral motivations of trust are, on the contrary, manifestations of *Wertrationalität*. Dispositional motivation (and especially the example of Eros’ manumission) is closely linked to *Affektuelles Handeln*. See notes 85 and 121 above.

¹²⁴ Fam. 14.4.4. This decision had, it is true, less to do with trusting these individuals than with making sure that their worth would not completely be lost. As slaves they would be confiscated and transferred to another owner, but as freedmen they would still owe their patron services and respect.

Finally, we will learn that the configuration of ties within the network sets the collective enterprise at **risk to the malfeasance, mistakes, and failures** of individual members”¹²⁵.

It becomes clear in a heartbeat that at least conceptually, a trust network thus defined can be observed in antiquity as well as in the modern world Tilly had in mind when writing this definition¹²⁶. Indeed, it is well known that freedmen maintained strong mutual bonds with their patrons – whether they liked it or not. They became subsumed within the network of their patron’s *familia* as an extension of his identity or at least his pseudo-son¹²⁷. The enduring relationship made sure that they did indeed have “significant claims on attention or aid of another”. The obligation of support (be it juridical or financial) was not only considered mutual, but also well ingrained within a legal framework¹²⁸. Secondly, examples of “long-term enterprises” between a freedman and his patron (or his contacts) are legion. Murena’s freedman Tyrannio was responsible for Cicero’s library over the course of almost 15 years, Philotimus was kept in charge over some of Cicero’s financial affairs even after he was suspected of embezzling funds, and Tiro, of course, remained the loyal secretary of his patron until the latter’s death¹²⁹. These enterprises, Tilly specifies, could take on different forms. His example of long distance trade focussed in particular on transatlantic and Asian trade networks which, in Roman times, were inexistant and limited respectively. Nonetheless, freedmen did act as intermediaries of their patrons in long distance (trade) transactions. The freed Anthestii in the Roman colony of Dion in Macedonia, for example, were part of a network of *negotiatores* set up to look after the overseas business of their Italian patron(s)¹³⁰ and Cn. Otacilius Naso had at least three of his freedmen look after his affairs in Sicily¹³¹. Another manifestation of long-term enterprises according to Tilly is procreation. Although procreation was never openly considered a function of the patronage relation, the many instances in which patrons married their female ex-slaves do reveal that it may have been an important factor in strengthening their mutual bonds and in extending the family. *Vernae*, the children born to female slaves in the house of their master (and not seldom his own biological children), are another

¹²⁵ Tilly (2005), 4 (bold markings added).

¹²⁶ Tilly’s work centred around immensely complex questions relating to the rise of the nation state, social movements, and democracy as a whole. E.g. Tilly (2004); Giugni, McAdam, and Tilly (1998).

¹²⁷ Mouritsen (2011), 42; Kirschenbaum (1987), 127-8; Publ. Syrus P1: “Probus libertus sine natura est filius”.

¹²⁸ Dig. 22.5.4 (freedmen and patrons could not be compelled to testify against each other in court); 38.2.33 (a patron needs to support his freedman in financial need).

¹²⁹ See the respective entries in the prosopographical database (Appendix 2).

¹³⁰ Demaille (2008), 193-8.

¹³¹ Cic. Fam. 13.33.

example¹³². Tilly's conception of a trust network, in short, clearly shows that it can be projected onto the Roman world and that, as an analytical concept, it has great potential for studying the freedman's position in society. This potential will be further developed and elaborated upon in Chapter 4, which considers the position of the many freedmen in Cicero's (and his correspondents') networks of trust. First, we will turn to the second pillar of our theoretical framework: the transcript theory of James Scott and in particular its relevance for our purpose in the next chapters.

1.2 Transcript theory

In his influential study *Domination and the Arts of Resistance*, political scientist and anthropologist James Scott investigates through critical analysis how the powerful and their subordinates in any given society interact and negotiate their respective positions. This interest is of course not new. Gramsci, as mentioned earlier, already observed that dominant groups are involved in a constant struggle to stay dominant. Scott's highly original contribution, however, is the introduction of the concepts "public transcript" and "hidden transcript" to describe the fundamental duality of this interaction. The former is practiced publically "on stage" by both the dominant and the powerless, but is always criticised by the hidden transcript which takes place "behind the scenes". Scott first noticed this phenomenon when studying class relations in a Malay village where "it seemed that the poor sang one tune when they were in the presence of the rich and another tune when they were among the poor" and where "the rich too spoke one way to the poor and another among themselves"¹³³. The results of this sociological study appeared in his 1985 work called *Weapons of the weak: everyday forms of peasant resistance*. *Domination and the Arts of Resistance* takes a step back and analyses the processes that underlie the interaction between hidden and public transcript from a broader perspective. It is in this work that Scott provides a comprehensive exposition of the "transcript"-theory. As Scott himself remarked, his general model of the public and hidden transcripts can realise its greatest potential only by "embedding [it] firmly in settings that are historically grounded and culturally specific"¹³⁴. Roberta Stewart's analysis of slavery in the works of Plautus or Carlos Galvao-Sobrinho's chapter on

¹³² Rawson (1986), 186-95; Herrmann-Otto (1994).

¹³³ Scott (1990), ix.

¹³⁴ Scott (1990), xi.

household burial practices, are particularly interesting examples of how Scott's theory can be thus operationalised for the study of the Roman world¹³⁵.

Both the powerful and the powerless thus have a hidden discourse they can express when they are not under observation by the other group. At the same time, both make sure to uphold the public transcript throughout mutual interactions. The hidden transcript of subordinates "represents a critique of power spoken behind the back of the dominant" whereas that of the powerful contains "the practices and claims of their rule that cannot be openly avowed"¹³⁶. Scott is primarily interested in systematically exploring 1) the relation between the hidden transcripts of both groups, and 2) the relation between each hidden transcript and the common public transcript. Such analysis, Scott argues, uncovers the way dominance, hegemony, and power relations are maintained, legitimised, and reproduced as well as how subordinates can act "politically" in the face of overwhelming domination.

1.2.1 The hidden transcript

The nature of hidden transcripts makes them very difficult to notice for contemporary members of "the other group" as well as for historians or sociologists. Often, however, hidden transcripts occur in public discourse, albeit in a disguised, oblique form, surfacing only in folktales, rumours, taverntalk, or other manifestations that hide "behind anonymity or behind innocuous understandings"¹³⁷. This is what Scott calls the *infrapolitics of subordinate groups*: "a partly sanitized, ambiguous, and coded version of the hidden transcript [that] is always present in the public discourse of subordinate groups"¹³⁸. Hidden transcripts are uttered manifestly only on very rare occasions in the face of power, that is, "on the stage" which is normally reserved for the negotiation of the hegemonic public transcript. Hopkins already made a similar observation for the ancient world in particular: "[m]ost slave resistance involved neither open rebellion nor murder. It probably took the form of guile, deceit, lying and indolence"¹³⁹. This is due to the fact that subordinates too, have stakes in upholding and even reinforcing the public

¹³⁵ Stewart (2012), *passim* (e.g. 54, 67, 143); Galvao-Sobrinho (2012), 147. The latter, for example, raises the question whether "the shift away from household burial [in the late first century BCE could have been] an expression of resistance to the forms of control and domination imposed [on slaves and freedmen] in the early Principate", and theoretically supports this suggestion by explicit references to Scott.

¹³⁶ Scott (1990), xii.

¹³⁷ Scott (1990), xiii.

¹³⁸ Scott (1990), 19.

¹³⁹ Hopkins (1978), 121.

transcript. It is for this reason that Roman epigraphic texts or the works of freed authors like Epictetus, Publilius Syrus, or Terence are of very limited value in reconstructing a true “freedman’s perspective”¹⁴⁰. If these documents had really contained fundamental critiques on their authors’ social position, for example, they would have never been uttered in the domain of the public transcript. Instead, they adhere precisely to this public transcript and thereby reinforce it, presenting and legitimising it as being approved from below as well as from above. In epigraphy, this process is exemplified by the standardisation by which freedmen glorify their patron for being benevolent, generous, and kind, and by which patrons in turn praise their freedmen’s loyalty, gratefulness and piety. Both parties openly adhere to the public transcript in which the relation between patron and freedman is conceptualised as that of a benign father and an obedient son¹⁴¹.

Consequently, penetrating the hidden transcript is a very delicate task since it always hides in the shadows of the public transcript and since the occasions in which it is subtly expressed in public discourse are rarely recorded¹⁴². The nature of the source material makes this difficulty all the more pertinent for ancient historians and does only rarely allow us to get a glimpse of “what freedmen really thought”. One would have to look for those spheres (and sources) in which freedmen could either innocuously or anonymously air their critiques on their subordination (assuming they had any). One way to proceed could be to study *defixiones*. Curse tablets were, by their very nature, not meant to be read by other persons, and the gods to which they were addressed were considered unlikely to reveal the secret feelings that were being entrusted to the lead sheets. In the late first century CE, the population of the Umbrian city of Tuder was horrified after the discovery of a curse directed against some members of its city council. A *sceleratissimus servus publicus* was accused, but no details are provided about how his guilt was established. We know of the case because a freed *Augustalis* priest named L. Cancrius Primigenius had begged for and eventually obtained divine help in remedying the dangerous situation. As a token of gratitude for the felicitous outcome of the affair, he erected an inscription in the temple of Jupiter¹⁴³. The actual content of such *defixiones* would have been particularly helpful in revealing the opinions and

¹⁴⁰ This was already noted by Finley (1980), 117, 177. See Kleijwegt (2006b), 92 for an updated discussion. Cf. Chapter 6.

¹⁴¹ Joshel (1992), 14 similarly refers to this phenomenon when she reminds us that epigraphical texts are not true representations of actual thoughts: “And when epitaph and dedication are the texts to which we look for the other’s subjectivity, the absence of a language that says “I think” or “I feel” increases the difficulty”.

¹⁴² One ancient definition of slavery centred precisely on the impossibility to “say what one thinks”. Eur. Phoen. 392: “δούλου τόδ’ εἶπας, μὴ λέγειν ἅ τις φρονεῖ”.

¹⁴³ CIL 11, 4639. For this case, see Gager (1992), no. 135 (p. 245-6); Luck (2006), no. 16 (p. 128).

complaints of slaves (but also freedmen) that could not be uttered in the public sphere. Unfortunately, curse tablets by slaves or freedmen are often very brief and the ones that have been preserved are of very limited value for the reconstruction of their author's hidden resentments¹⁴⁴. Graffiti present another possible gateway to subordinates' hidden transcripts since they can be written anonymously. As is clear from an example from Pompeii, graffiti could be used to utter critiques that could not – without potentially grave consequences – be expressed in the face of power, i.e. in the public transcript. At some point during Nero's reign, someone scratched the words *cucuta ab rationibus Neronis Augusti* on a wall. Usually, a *rationibus* is preceded by a name to identify someone as the bookkeeper of – in this case – the emperor Nero. In this instance, however, it refers to *cucuta* (the juice of the hemlock plant and therefore a pars pro toto for “poison”). The phrase thus translates as “poison [is] Nero's bookkeeper” and as such refers to the rumours that Nero had rich people killed to confiscate their property and to allow for his own excessive expenditure¹⁴⁵. Once again, however, barely any graffiti are left that inform us about the hidden resentments and social critiques of freedmen in particular. As we will see in due time, the exceptional nature of epistolary sources – written in the context of daily life – can provide us with alternative examples.

The powerful usually know that the powerless have spheres (both physically and discursively) in which they utter criticism against their subordination¹⁴⁶. Indeed, the extreme measure of putting to death the entire household “that had been present under the same roof” after a master had been murdered by one of its members, implies the dominant's suspicion that premeditation and advance knowledge of the crime was widely proliferated among all household members through the elusive channels of the hidden transcript¹⁴⁷. The Senate's opposition against a uniform garbing of slaves was

¹⁴⁴ Some of the lead tablets produced by freedmen and slaves include curses against rivals in chariot races or against masters unwilling to set free a slave. E.g. Gager (1992), no. 13 (p. 67-8); no. 79 (p. 171-2). Appeals to the gods not to be sold by their masters reoccur as well. E.g. Gager (1992), no. 78 (p. 169-71). Freedmen could also be cursed themselves, but the underlying reasons are rarely given, e.g. Gager (1992), no. 93 (p. 192-3); 103 (p. 201). For further editions of these and other defixiones, see still Audollent (1904); Kropp (2008). Funerary inscriptions could be exceptionally presented as *defixiones* both in content and in form. See, for example, the second inscription on the aedicula of P. Vesonius Phileros near the Porta Nocera in Pompeii, which is literally nailed to the monument. Any passer-by familiar with *defixiones* would have recognised the iconography. Cf. Elefante (1985); Williams (2012), 263-4. Inscriptions like this are, however, very much “public” transcript.

¹⁴⁵ For this case as an example of a “critique sociale”, see Desclos (2000), 517; Beard (2008), 50-1.

¹⁴⁶ Pliny's villa at Laurentum – and many others like it – had separate work and living quarters for slaves and freedmen. For a good overview of the archaeological evidence on slave quarters in Roman villa's, see Joshel & Petersen (2014), 165-9.

¹⁴⁷ After Pedanius Secundus was murdered, all his slaves were executed. A motion to punish the resident freedmen as well was in extremis denied by Nero, Tac. Ann. 14.45. For the legal perspective, see Robinson (1981), 234; Wolf (1988), 11-2; Bauman (1989), 98-9; (1996), 81-3.

based on the fear that slaves would recognise their overwhelming number¹⁴⁸. This fear implies at least some notion of a widely shared hidden transcript of resentment among the slave population as a whole. Although they could never fully grasp the content or extent of it, the slave holding elite was aware of its existence among the powerless strata of society.

1.2.2 The public transcript

As mentioned earlier, it is not only the subordinates that put up an act in their interactions with the group on the other side of the spectrum of power: “the powerful have their own compelling reasons for adopting a mask in the presence of subordinates”¹⁴⁹. They have to adhere to their own ideology of domination through which their superiority is rooted in and legitimised by their image as benevolent guardians of social order and harmony. The rhetoric of opportunity that presented worthy slaves as able to transcend their position and even become Roman citizens by their own virtues – the *somnium Romanum* in a sense – was a fundamental part of this ideology. It not only legitimised the institution, but it also made sure that subordinates (i.c. slaves) would have more to benefit by “following the rules” than by trying to change them at great risk. The promotion of worthy slaves and the creation of citizens were fundamental parts of the public transcript. However, this transcript would lose its consolidating power if freed citizens were subsequently treated merely as “promoted slaves” instead of “real citizens”. As we will argue in (especially) Chapter 7, this formed the basis of a public transcript of equality with regard to freedmen.

In short, the powerful sacrifice absolute power, but they legitimise and consolidate their dominant position in doing so. It is precisely this aspect of the public transcript that subordinates can use as the field within which to negotiate their own position and that therefore constitutes the main reason for their stakes in upholding it. Indeed: “any dominant ideology (...) must, by definition, provide subordinate groups with political weapons that can be of use in the public transcript”¹⁵⁰. Or in Pliny’s words: “No one who bears the insignia of supreme authority is despised unless his own meanness and ignobility show that he must be the first to despise himself. (...) It is a poor thing if authority can only test its powers by insults to others, and if homage is to be won by terror”¹⁵¹. If the dominant ideology, expressed in the public transcript, presents the

¹⁴⁸ Sen. Clem. 1.24.1.

¹⁴⁹ Scott (1990), 10.

¹⁵⁰ Scott (1990), 101.

¹⁵¹ Plin. Ep. 8.24.5-6.

master or patron as a generous and forgiving father to his slaves and freedmen, then subordinates that had overstepped their bounds could manoeuvre within this logic to obtain a pardon. By the same logic, masters who treated their slaves and freedmen with extreme violence were not tolerated because of the deviation from the public transcript it implied¹⁵². Publius Veditius Pollio, for example, was known for his cruel habit of feeding unfortunate slaves to his collection of carnivorous lampreys. When Pollio invited Augustus to his house for dinner, the emperor was confronted with this practice: a slave had broken a crystal cup by accident and was punished in Pollio's favourite way. Appalled by the inappropriately cruel punishment, Augustus not only prevented its execution, but also publicly condemned Pollio for such intolerable behaviour¹⁵³. Similarly, a patron was supposed to aid his freedmen in need. Although he was not technically obligated to furnish support (*alimenta*), the law provided that if he ignored a request for help, he would forfeit the privileges that were granted him by the manumission, including the rights over the freedman's estate¹⁵⁴.

Likewise, a shared image of slaves as ignorant and dumb could mollify the sanctioning of an act of disobedience by ascribing it to these very traits¹⁵⁵. By accepting the dominant's point of view as the basis of negotiation and by using the very logic by which it is legitimised, subordinates can use the public transcript to their own advantage. Scott calls this "critiques within the hegemony"¹⁵⁶. When emotionally imploring Pliny to intercede on his behalf, an unnamed freedman who had disobeyed and thereby insulted his patron, counted on the dominant ideology that considered the patron as a forgiving father¹⁵⁷. In his letter to said patron, Pliny relied on the very same ideology of patronal benevolence when trying to convince him of the desirability of a reconciliation. "He realises he was wrong" (*deliquisse se sentit*), Pliny writes, indicating that the freedman was willing to restore the public transcript¹⁵⁸. Similarly, Cicero

¹⁵² Slaves were increasingly protected by law as well. Whereas censorial supervision would have been the main check on exaggerated abuse of slaves, *senatus consulta* and laws provided that slaves could not be castrated (Dig. 48.8.6), arbitrarily made to fight against wilde animals (Dig. 48.8.11.1-2), abandoned when seriously ill (Suet. Claud. 25), etc. For these and other measures, see Buckland (1970), 36-7; 70-1 and Watson (1987), 115-33.

¹⁵³ Dio 54.23.2-4; Plin. NH. 9.39; Sen. Cl. 1.18.2; Ira 3.40.2-3.

¹⁵⁴ Dig. 25.3.6pr: "Alimenta liberto petente non praestando patronus amissione libertatis causa impositorum et hereditatis liberti punietur: non autem necesse habebit praestare, etiamsi potest".

¹⁵⁵ Scott (1990), 99-101. For the danger of considering servile stereotypes as references to a "core of untransformed truth", see Joshel (1992), 6-7 which warns against their masking function that "eclipses the power relations that uphold [them]".

¹⁵⁶ E.g. Scott (1990), 105-7.

¹⁵⁷ Dig. 21.1.17.5 states that a slave who runs away from his master and seeks refuge with his mother is not considered a *fugitivus* when he did so to obtain his mother's intervention (*deprecatio*) in asking forgiveness for a misdeed.

¹⁵⁸ Plin. Ep. 9.21; 24.

showed himself prepared to forgive Atticus' freedman Dionysius' transgressions. His only condition was that he should apologise for them, i.e. that he should restore and reaffirm the public transcript in which Dionysius was the loyal freedman and Cicero the benign (pseudo-) patron¹⁵⁹. In a letter to his mother-in-law, Pliny jokingly complained about his slaves. He explains that these slaves only served their master for appearances' sake (e.g. when guests were visiting) but that they had become so used to him in private settings that their industry was lacking. Because of Pliny's wish to (appear to) be a humane and kind master to his household members, his slaves had started to realise that they could afford to act indifferently and become utterly lazy, as Pliny – no doubt exaggerating – observed¹⁶⁰.

1.2.3 Hegemony, consent, and resistance

The concept of a public transcript to which both the powerful and the suppressed adhere is very reminiscent of the Gramscian notion of hegemony as domination by consent. Scott, however, fundamentally disagrees with Gramsci's conception of consent. The belief that subordinates somehow consent to their subordination is based on a flawed methodology which focuses only on the public transcript to which the subordinates openly adhere but which does not account for the many oblique acts and discourses of resistance¹⁶¹. Scott clarifies this by pointing to the difference between two versions of false consciousness (i.e. a mistaken belief about society and the social order and the inability to recognise its arbitrariness). The "thick version" argues that a dominant ideology is accepted by subordinates because they have truly internalised the values that justify their inferior position. The "thin version" does not suppose internalisation of values but only states that subordinates do not resist because of their belief in the unavailability of the status quo. In Scott's words: "the thick theory claims [what Gramsci would call] consent; the thin theory settles for resignation"¹⁶². Scott, however, rejects the Gramscian notion of false consciousness (and thus of hegemony as domination by consent) in its entirety. He notes that it is incompatible with empirical evidence to claim that internalisation of norms and values (or Bourdieusian

¹⁵⁹ Cic. Att. 10.16.1. Dionysius was given the praenomen Marcus in honour of Atticus' friendship with Cicero, which led Cicero to take his transgressions in a more personal way than usual, cf. *infra*.

¹⁶⁰ Plin. Ep. 1.4.

¹⁶¹ Scott (1990), 4: "Any analysis based exclusively on the public transcript is likely to conclude that subordinate groups endorse the terms of their subordination and are willing, even enthusiastic, partners in that subordination".

¹⁶² Scott (1990), 72.

“naturalisation”) temper the potential of social conflict¹⁶³. Indeed, if values and the social order are either internalised or considered inevitable, it becomes impossible to explain resistance against them. On the contrary, Scott argues, the explanandum in this regard is precisely “[why it is] that subordinate groups (...) have so often believed and acted as if their situations were not inevitable”¹⁶⁴.

If the many instances of resistance (mostly through hidden transcripts but sometimes also out in the open) undermine any notion of structural hegemony (and internalisation or naturalisation of the dominant ideology), how does one account for the apparent submission and acquiescence of subordinates in any given society? Scott’s answer, it should be clear by now, is based on the existence of the public transcript¹⁶⁵. Voluntarily and pragmatically adhered to by subordinates, a public transcript may give the impression of an overall consent to domination, but it is only one side of the medal. There appears to be no resistance, but this is a consequence rather of this resistance not (or rarely) playing out in the public transcript than of such resistance being non-existent. The very nature of the division between public and hidden transcripts, therefore, is responsible for the *illusion* of hegemony and consent to it by subordinates. Only by structurally recognising the subordinate’s intent to make it look like there is widespread consent (i.e. by making sure that the hidden transcript remains hidden) does one realise the reality of resistance and the flaws in theories of hegemony and consent.

1.2.4 Transcript theory as methodology

The relation of the “transcript”-theory with other sociological models is a very complicated one. Like Bourdieu and Foucault, Scott pays considerable attention to the normalisation and naturalisation of power. Unlike the Gramscian notions of hegemony and consent or their counterparts in the works of Foucault (normalisation) and Bourdieu (symbolic violence), however, he does not believe that the naturalisation of an essentially arbitrary “order of things” truly occurs in any society. Whereas Bourdieu’s habitus is essentially “uncritical” (like the fish who is unaware of the water), subordinates for Scott are well aware of the arbitrariness of the public transcript (and indeed critique it through the hidden one). Foucault, in contrast to (neo-)Marxists, generally ignored the themes of class struggle and subordination (or at least remained neutral in the debate about whether resistance should be encouraged by social theory).

¹⁶³ Scott’s critique on hegemony and false consciousness is elaborated upon in Scott (1990), 77-96.

¹⁶⁴ Scott (1990), 79.

¹⁶⁵ Scott (1990), 85-6.

Scott's work could be rightly seen as a project that provides the analytic tools to study precisely these phenomena. Contrary to Foucault, moreover, Scott's work primarily focusses on personal forms of domination instead of the "impersonal, 'scientific', disciplinary forms of the modern state that preoccupied Foucault"¹⁶⁶. Foucault's conception of power not as definitely owned but as relatively exercised, and its logical consequence that not only social elites can have power, finds its reflection in Scott's notion of the infrapolitics of subordinates (i.e. the twilight zone between hidden and public transcript in which subordinates can act "politically"). By considering the importance of symbolic and personal domination in the exercise of power, Scott shares Foucault's opposition to Marxist theory that sees economic and materialistic processes as the primary or sole cause of inequality. In fact, Scott eventually admits that both views have their merit and that dominance (as well as resistance) is both symbolic and material but that the former usually has a more pronounced effect¹⁶⁷. With practitioners of Critical Discourse Analysis (cf. *infra*), Scott shares the conviction that discourse is not only a reflection of attitudes or behaviours, but that it also creates and reproduces them¹⁶⁸. As a corollary of his critique on hegemony as domination by consent, however, he disagrees with many of them (usually inspired by Marxist thought) that the analysis of discourse should have as its primary objective the revealing of processes that enable and expedite "normalisation". For Scott, hidden transcripts are not mere speech acts, but also "a whole range of practices" such as poaching, embezzlement, etc.¹⁶⁹

In our own adaptation of Scott's theory, we will primarily focus on the notion of the public transcript. We will argue in favour of a public discourse of equality. The personal patronage relation imposed stringent conditions on freedmen's lives. A lifelong debt of *gratia*, contractually assigned *operae*, but above all the discrimination in inheritance law, voting rights, and eligibility for public office (all of which, as we will show, stem from the individual relation with a patron instead of the so-called *macula servitutis*) weighed heavily on an ex-slave. However, in the public domain – we argue – a public transcript of equality made sure that their respectability as citizens remained unimpaired. This point is elaborated on in Chapter 7.

After having discussed social capital, trust (networks), and transcript theory, we now turn to the methodology by which these theoretical frameworks will be operationalised throughout the study. What social capital, trust, and transcripts have in common is that they are realised by historical agents by and through "communication" (in the broadest, sometimes symbolic, sense of the word, thus including ceremonies, rites of passage,

¹⁶⁶ Scott (1990), 62 note 31.

¹⁶⁷ Cf. Scott (1990), 188-94.

¹⁶⁸ E.g. Scott (1990), 188-9.

¹⁶⁹ Scott (1990), 14.

Foulcauldian discourses, etc.), and that it is through such “language” that we can study them. This may seem like a rather self-evident observation, but it is important to consider all its ramifications. That crucial connotations, linguistic structures, or figures of style may elude a superficial reader of Latin and that reality is represented by an author who is at the same time – consciously and unconsciously – distorting that reality by imposing on it his own perception of it, are widely recognised truths¹⁷⁰. A structural attention to the word-use, the subtextual meanings, and linguistic patterns in general is less common in historical studies. Classen has noticed how Tacitus’ use of *modestia* (and similar terms) reveals his attitudes toward the Principate¹⁷¹. Pliny is mindful of an orator’s use of language even in his daily life and Cicero often explicitly weighs his words when writing a letter, carefully making sure that the language he employs is fitting for both the purpose of the letter and the status of its intended audience¹⁷². Ancient authors were well aware of the impact of their language on (different) readers and so should we. It is for this reason that we will first appropriate some of the crucial insight of the discipline that has for decades studied the subtleties and performative functions of language.

1.3 Critical Discourse Analysis

The so called Sapir-Whorf hypothesis postulates that linguistic categories and structures influence, shape, or even determine thought to a degree not yet wholly agreed upon by scholars¹⁷³. One of its best known advocates today is cognitive psychologist Lera Boroditsky. Her work has unambiguously laid bare the impact of language on how people perceive fundamental dimensions of reality such as time, space, and causality. When someone is asked to order chronologically a small amount of

¹⁷⁰ Isaac uses the term “translation” to refer both to the act of translating a text from one language to another, but also to the process by which historians and anthropologists (he speaks of ethnographic historians) have to submerge themselves in the framework of the authors whose text they study, Isaac (1982), 324-5. In fact, his notion of translation implies a hermeneutic approach to a past reality, cf. infra.

¹⁷¹ Classen (1988).

¹⁷² E.g. Plin. Ep. 1.16.2: “Adsunt aptae crebraeque sententiae, gravis et decora constructio, sonantia verba et antiqua”; Cic. Fam. 7.5.3: “non illo vetere verbo meo [scribo](...) sed more Romano quomodo homines non inepti loquuntur”; Fam. 13.33: “Nihil iam opus est exspectare te quibus eum verbis tibi commendem quo sic utar ut scripsi”.

¹⁷³ See Hoijer (1954) for the earliest formulation of and reflections on the hypothesis.

images reflecting temporal progression (e.g. a man aging), Europeans will end up with a series of images going from left to right. Unsurprisingly, Hebrew speaking individuals will order from right to left (reflecting the way they write). An individual speaking Kuuk Thaayorre (the Aboriginal language spoken in Pormpuraaw, Australia), however, will lay out the images from east to west, regardless of which direction he or she is facing¹⁷⁴. An unconscious “awareness” of one’s position clearly influences the perception of time. The same holds true for language. The Kuuk Thaayorre language does not contain terms like “next to” or “left” and “right”, but instead uses cardinal directions¹⁷⁵. Indeed, “In Pormpuraaw, one must always stay oriented, just to be able to speak properly”¹⁷⁶. Space, time, and language systems are interrelated even though specific agents are usually unaware of this. This is a dialectic process in the sense that cognitive processes shape language but that the reverse is also true. Changing the way someone talks, similarly changes the way in which he or she thinks¹⁷⁷.

1.3.1 Foucault and discourse

An operationalisation of these insights for the study of Roman antiquity is, however, hardly feasible since the methods by which they are obtained and demonstrated (i.e. primarily through interviews and experiments) are not available to historians. Nevertheless, the importance of language in human relations is beyond any doubt. It is because of this observation that sociologists, linguists, and philosophers have tried for decennia to develop operational frameworks by which language and its influence on both individual actors and societal values and norms could be analysed. Within this extensive tradition, the importance of the insights of French philosopher Michel Foucault take pride of place. His works have had a resonating influence across disciplinary borders from the 1970’s onwards¹⁷⁸. This is not the place or time to elaborate on the complexity of Foucault’s many theories and insights but in this context, his focus on the performativity and productivity of language and discourse deserves particular attention. For Foucault *cum suis*, power and discourse are dialectically related: social institutions (and reality as such) are both products and

¹⁷⁴ This experiment is accessibly explained and elaborated upon in Boroditsky (2011), a popularising account of her scientific results. For the scientific report, see Boroditsky & Gaby (2010).

¹⁷⁵ E.g. “the cup is southeast of the plate” or “the boy standing to the south of Mary is my brother”.

¹⁷⁶ Boroditsky (2011), 64, which offers many more intriguing examples.

¹⁷⁷ Boroditsky (2011), 65.

¹⁷⁸ Among the many ancient historians indebted to Foucault’s insights, Paul Veyne could be considered one of the most important, e.g. Veyne (1976). For more examples and references, see MacLean (2012), 177.

producers of discourse¹⁷⁹. In his works, discourse is conceptualised as the collection of all communicated representations – linguistic or material – of socio-economic, cultural, and political reality. The dominant discourse in any society is the set of representations that structure and legitimise current power relations and is continuously reproduced by its affirmation through the agency of all members of that society. Every relevant societal issue, for Foucault, has a discourse through which it is represented. The amount of potential discourses for Foucault – and he strongly differs on this point from a Lacanian notion of discourse¹⁸⁰ – is theoretically infinite as reality can be thought of as a collection of countless domains, spheres, and issues of interest. With the concept of “orders of discourse”, Foucault captured the way in which discourses can occur in (and differ from each other depending on their connection to) different institutional settings that try to constrain and control them. “Family” has a discourse, “government” has a discourse, “democracy” has a discourse, “human rights” have a discourse, etc.¹⁸¹

Reality, therefore, does not exist prior to its perception, structuring, and (thereby reproductive) expression of individual or collective agency, nor does there exist a thinking process prior to its substantiation through (and therefore limiting

¹⁷⁹ The interrelatedness of power, knowledge, and discourse was set out in Foucault’s inaugural lecture delivered at the Collège de France in 1970, see Foucault (1972a). The insights on discourse were further elaborated in other theoretical works, as well as operationalised in many of Foucault’s historical studies. E.g. Foucault (1972b) and Foucault (1977) respectively. The empirical studies continuously stress the fact that discourse became more and more specialised over time, allowing “specialists” such as doctors to impose their discourse (i.e. that of medicalisation), which could be transposed onto societal domains. Foucault’s observation that the language of medicine is increasingly used outside its original context to endow certain ideas, beliefs, or even products with its authority is an example of such “specialisation”. For recent adaptations of Foucault’s theories in linguistics, see Mayr (2008a). For discourse having “the performative power to bring into being the very realities it claims to describe”, see Fairclough (2003), 203-4. Some scholars implicitly or explicitly suggest that the importance of language as the prime determinant of power and ideology is a product or trait of modern society. See for example Fairclough (2013), 2-3. This very modernistic view stems in part from the author’s clear social and emancipatory agenda (p. 4) as well as from the fact that at the time modern society was the main focus of social linguists (cf. Foucault himself). However, language – as the linguistic turn has made clear – has always had this function and inherent power in other historical periods as well.

¹⁸⁰ Lacan distinguished only four types of discourse (under which all the others could be grouped). The master’s discourse (i.e. the discourse between or about the powerless and the powerful), the university discourse (i.e. the discourse – often serving the master’s discourse – that endows someone with power as a result of his knowledge), the hysteric discourse (i.e. the discourse that questions the dominant view expressed in the master’s discourse), and the analyst discourse (i.e. the discourse that reveals to the agent his existential longing by laying bare the existence of the other discourses). For Lacan, these discourses are the product of terms rotating over fixed positions, rendering the whole theory very formalistic and mechanical. It should not concern us any further here.

¹⁸¹ Foucault (1984).

determination by) discourse¹⁸². Because the reality agents live in – arbitrary in essence but perceived as natural – is shaped by this process, and because the same process makes it impossible to either imagine or realise other “realities”, the study of discourse becomes paramount to any attempt at grasping hegemonic social structures and the relations that emanate from them. Discourse, in other words, is the straitjacket imposed on the objective world and prevents any clear view on it. The “world” does not a priori have any meaning, but is given meaning through discourse which is therefore productive and as a consequence serves as the most powerful tool of the dominant who possess the symbolic capital to impose their own¹⁸³. Power, in this perspective, is never owned or attributed but rather exercised and practised.

At the same time, discourse defines and dictates what *cannot* be said. These “rules of exclusion” are internalised by every agent and can be divided into three kinds of “prohibition”. Prohibition of the *object* limits the things that can be spoken of, prohibition of the *ritual* limits the way in which can be spoken in any given context, and prohibition of the *subject* defines who can speak and who cannot¹⁸⁴. These prohibitions explain the different registers of language agents use in any given situation. It goes without saying that this interpretation is closely related to the Gramscian concept of hegemony, Bourdieu’s notion of symbolic violence, and Scott’s model of the public transcript (but is by no means identical to it, cf. *infra*). However, the enormous contribution of Foucault was his developing of a method that would allow sociologists and historians (among others) to empirically study the workings, influence, and effects of discourse in a historical context: discourse analysis.

¹⁸² Foucault captured these essential traits of discourse by stating that it has no inside (in thought) and no outside (in things). This is, of course, not to say that for Foucault everything consisted of discourse. He paid important attention to the non-discursive as well. For a discussion, see Kendall & Wickham (1999), 35-41.

¹⁸³ See Mayr (2008b), 5 (including the many references). This should not merely be considered a conflict between elites and non-elites. Indeed, Foucault’s early work on the historical evolution of the way people perceived insanity, for example, focused on how “the other” was increasingly separated (both mentally and spatially) from the “normal people” and eventually became “defined” as a corollary to the process he called normalisation, Foucault (1973).

¹⁸⁴ Foucault (1984), esp. 109f. This theoretical division finds expression in many works on discourse analysis, where it is used to categorise the discursive constraints imposed on the powerless. Fairclough (2013), 39, for example, uses the triad of contents (restraint on “what is said or done”), relations (restraints on “the social relations people enter into in discourse”), and subjects (restraints on the “‘subject positions’ people can occupy”).

1.3.2 Critical Discourse Analysis as methodology

Foucault's notion of discourse analysis has been widely taken up in the social sciences where the strands of investigation that are indebted to it are often grouped under the heading of Critical Discourse Analysis (CDA)¹⁸⁵. Simplistically defined, CDA is "a theory and method analysing the way that individuals and institutions use language"¹⁸⁶. It should be stressed, however, that certain branches of CDA highlight only one aspect of what Foucault considered to be the essence of discourse. Foucault never thought of discourse as merely a linguistic phenomenon, whereas CDA is concerned precisely with the analysis of vocabulary, structure, connotation, etc. of a certain written or spoken text¹⁸⁷. For Foucault, the social aspect of discourse analysis is at least as important as the linguistic one. It refers to a much broader conception of discourse as a collection of communicative acts that are steered and determined by (and in turn reproduce) the dominant ideological conviction about a societal issue¹⁸⁸. Discourse captures and reflects objects and structures in the world, but at the same time it also constructs and shapes them. The linguistic and the social aspects of CDA meet when the structure of a text, the intentional use of specific words, or repeated catch phrases are deconstructed in order to unravel that text's normative character and lay bare the ideologies, values, and power relations of which it is an expression. It is this meaning of CDA that we will use throughout the analysis as our methodological instrument.

It would be far beyond the scope of this chapter to discuss the history, different points of focus, and nearly endless applications of CDA. Indeed, socio-linguistics, pragmatics, cognitive psychology, conversation analysis, etc. are strands of enquiry that have both made valuable contributions to the development of CDA and benefit from its increasing theorisation and level of complexity¹⁸⁹. The "critical" in CDA stands for the way in which the analysis aims at uncovering connections between the straightforward language of a text on the one hand and the assumptions, ideologies, and power relations that are hidden (and often obscured by it) on the other. It shows how conventions are

¹⁸⁵ For a very comprehensive introduction in Critical Discourse Analysis, see Fairclough (1995), which consistently considers discourse a form of social practice.

¹⁸⁶ Richardson (2007), 1.

¹⁸⁷ Systemic Functional Linguistics (SFL), a popular theory of language withing CDA, for example, focusses mainly on the linguistic aspect of discourse. See Mayr (2008b), 17ff.

¹⁸⁸ Conley & O'Barr (1998), 6-7 have this dyadic nature of discourse in mind when referring to it as either macrodiscourse (i.e. discourse in the social, more Foucauldian sense) or microdiscourse (i.e. discourse in the mere linguistic sense). Cf. also Lee (2012), 2. The distinction is echoed also in Habermas' theory that separates communicative use of language (making oneself understandable) from strategic use of language (language which uses others to attain certain goals). For a discussion of these uses of language, see especially Cooke (1994), *passim* (esp. 8-27).

¹⁸⁹ See Fairclough (2013), 5-10 for a short overview.

never a priori natural and vocabulary or terminology rarely neutral. It takes into account who says “what”, “when” and “why”, but especially “how”. CDA, in other words, wants to reveal how communication in any given context may seem neutral and innocent to the agents concerned, but at the same time discloses that it is always systematically structured, socially determined, and a reflection of power relations. Communication is always a choice – albeit a predominantly unconscious one – and any choice of words and speech is, just like the omission of others, always meaningful. Or in Bourdieu’s words: “[i]t is because subjects do not, strictly speaking, know what they are doing that what they do has more meaning than they know”¹⁹⁰.

CDA necessarily involves three stages. Firstly, one has to analyse the text itself (i.e. which words are used, how are the sentences structured, when are passive rather than active verb forms used, etc.). Fairclough calls this first step *Description*. Secondly, the way in which and the reason why the text was produced as well as the understanding and interpretation of it by the receiver should be scrutinised. This is the process of *Interpretation* within the discourse analysis. Finally, due attention has to be paid to the embeddedness of production, product (text), and interpretation within social structures (i.e. the internalised mental framework of agents, which Bourdieu would call their *habitus*). This process of *Explanation* is concerned with both the social determination as well as with the social effects of discourse¹⁹¹. An essential corollary – well-known by historians – to keep in mind throughout any attempt at discourse analysis, is that a text cannot be read or studied in isolation from its productive, interpretative and broader socio-historical context. Not only should we fully recognise the implications of, for example, the vital chasm between intended readership and actual readership (an observation of particular relevance when reading ancient letters), but we must also acknowledge the common assumptions, mental models, and cognitive structures that the author and any potential reader (may or may not have) had in common.

One of the strategies CDA uses to go about this task, is to consider language as a form of action, a social and cultural *practice*. This is primarily the object of the linguistic sub-discipline of pragmatics, i.e. the strand of scholarship that studies the *use* of language¹⁹². The performative function of discourse was of course already recognised by Foucault, Bourdieu, and even Gramsci, but recent works have further developed and operationalised this insight. One particularly inspiring example is Rhys Isaac’s 1983

¹⁹⁰ Bourdieu (1977), 79.

¹⁹¹ For a much more detailed view on this methodology, see Fairclough (2013), 18-22. Note how we restrict discourse analysis here to the analysis of mere texts, whereas in its broadest sense, it should also include other communicative acts (or multimodal approaches to communication). For our purpose, of course, texts form the crux of the source material.

¹⁹² Fairclough (2013), 7-8.

Pulitzer Price in History winning account of *The Transformation of Virginia, 1740-1790*. Although Isaac does not primarily set out to use CDA throughout his analysis, the most fundamental tenet of his methodology exists in considering all actions that are reported in literary sources as statements by historical actors. Historical sources need to be looked at in the first place as windows on those actions, providing clues to the historian as to how historical agents created, perceived, and transformed their reality. Actions – much like the discourse that is both their basis and their product – are always value-laden statements. Uncovering the meaning they conveyed for both the historical actor and the historian is the fundamental objective of Isaac’s methodological approach. This can only be done by immersing oneself in the “language” of the historical society under consideration¹⁹³. Learning that “language” is therefore the first task of the historian. This leads to an “inescapable circularity”, a hermeneutic circle as it were, in which knowledge of the “language” is 1) necessary to fully comprehend the socially rooted action statements of historical agents, but 2) achievable only through the study of these action statements¹⁹⁴. The process by which the historian internalises this “language” (and which Isaac calls “translation”) therefore consists in the alternation between attention to the social structures or ideologies and an endeavour to fine-tune his understanding of them by testing it against individual cases that are contextual expressions of it. During this process, it becomes clear that there might exist “competing and conflicting definitions of what the actual situation was”¹⁹⁵ as actors – to use Scott’s terminology – may not only negotiate their terms of existence within the public transcript when appearing “on stage” but can also, “behind the curtains”, contest the public transcript in its entirety through the hidden transcript¹⁹⁶.

In his *Discourse on method*, Isaac suggests a manner in which to study action statements¹⁹⁷. Without going in too much detail here, every action is considered as an (often unequal) exchange, an “accounting process”, or a “social trading” between an agent and a *significant other*, resulting in the endowment and reproduction of social power which, when internalised by both partners, becomes *social authority*. Internalisation can only occur when the power is somehow considered “normal” or “legitimate” and leaves at least some part of the “stage” open to contestation or

¹⁹³ Isaac, like Foucault, sees language not only as a linguistic phenomenon but also uses it in a more general sense as “all the codes by which those who share in the culture convey meanings and significance to each other”. Isaac (1982), 325.

¹⁹⁴ Isaac (1982), 325.

¹⁹⁵ Isaac (1982), 328.

¹⁹⁶ In this regard, it is no coincidence that both Isaac and Scott use the metaphor of theatre throughout their work.

¹⁹⁷ Isaac (1982), 323-57.

negotiation by subordinates¹⁹⁸. In other words, the authority should be supported by ideals of justice. Each agent acts from his own definition of the situation which is in no small degree determined by the social structures in which the action statement unfolds but which is also subject to change depending on the room for such change within the public transcript (cf. supra). Isaac's conception of historical sources (i.e. texts) as a collection of performative action statements as well as his methodology based on a very close reading of the "language" by which these statements are presented, makes his work a highly original and particularly successful adaptation of the insights of CDA. Throughout our own analysis, we will assess the value of these insights for the study of freedmen, taking into account the necessary modifications and recontextualisations that have to be made when applying them to the ancient world.

1.4 From *opus operatum* to *modus operandi*: operationalising social theory

Although all of the insights discussed above will be employed to underpin the analysis in each subsequent chapter, every single one will have its own specific focus in particular. The next chapter takes the form of a programmatic statement that serves as a framework for the rest of the chapters. It discusses and eventually rejects the notion of a *macula servitutis* being responsible for the freedmen's disabilities in both the private and the public sphere. As will be argued, it is a rather uncritical appropriation of the Roman elite's discourse on freedmen; a remnant of the "Trimalchio vision" Lauren Petersen tried so ardently to expel from scholarship on Roman freedmen¹⁹⁹. Chapters 4 and 5, analysing the freedmen in the Roman epistolary genre, will primarily draw on the theoretical models of social capital and trust as set out above, although its detailed case studies are heavily indebted to insights from CDA as well. Chapter 7 will take up the issue of "the freedman discourse" and introduce in detail the notion of "the public transcript of equality". Theoretically, the chapter draws on Scott's transcript theory, but methodologically CDA is again indispensable. Chapter 8 combines CDA, transcript theory, and insights from social identity theory. It broadens the scope of analysis by

¹⁹⁸ Cf. again Gramsci's notion of hegemony as domination by consent and Scott's theory of the public transcript (supra).

¹⁹⁹ Petersen (2006).

including the *carmina latina epigraphica* which lend themselves better than any other epigraphical texts to comparison with the literary sources on freedmen.

In the final paragraphs of the current chapter, some clues are provided as to how the different theoretical models will be operationalised in what follows. It should immediately be emphasised that our prosopographies of freedmen introduced in Chapter 3 (and included in Appendices 2-4) are not meant to quantify or to serve as a proxy for the social capital of Cicero, Pliny, Fronto, and their correspondents. This would lead to a very distorted image indeed – even if we were somehow able to compensate for the non-representative selection and portrayal of freedmen of these sources (cf. Chapter 3). For one, it would ignore more subtle and informal ways in which trust is produced and reinforced, and which are per definition obscured in our sources²⁰⁰. Nonetheless, the nodal function of freedmen in the social networks of the elite will be the subject of close scrutiny. It is equally important to note that manumission or “trusting freedmen” was not just the consequence of a deliberate strategy to create social capital. This caveat is contained in the notion of “multiplex relations” which denotes the fact that an institution intended to serve a particular purpose can over time also grow to accommodate other ones²⁰¹.

The distinction between bridging and bonding social capital will prove a valuable tool for analysing ancient trust networks. If we conceptualise any social network as a set of expanding concentric circles centred on the core of a *familia*, freedmen functioned as agents facilitating the contact between such cores and their “periphery”. Points of contact in this periphery were in turn the center of a different social network. Insofar as freedmen smoothed communication and trust between these networks, they could be said to have embodied their employer’s bridging social capital (e.g. Caesar’s freedman Diochares who is used to connect Caesar, Atticus, Quintus, and Marcus Cicero; or Statius who is continuously approached by people trying to profit from his representing Quintus’ “capital”)²⁰².

Alternatively, they were also deployed to strengthen cohesion within a particular *familia*, an example of their bonding potential (e.g. Cicero using Aegypta to maintain

²⁰⁰ Cf. Lyon (2000), 676-7: “formal associations may only be a small factor in the production of trust or social capital and the links between networks, norms and the mechanism of creating institutions based on trust is not made clear. There is a risk that some definitions of social capital may ignore the ‘softer’, less formalised networks that cannot be easily quantified”.

²⁰¹ Coleman (1988), 108-9. Earlier studies did not always recognise the multiplex nature of manumission. Wilson (1935), 66 one-sidedly claimed, for example, that “[m]any slaves were manumitted, not as a reward for past services, but in order to enable them to hold more responsible posts in the service of their late masters”.

²⁰² Cic. Att. 11.6.6; Quint. Fratr. 1.2.

contact with Tiro)²⁰³. It goes without saying that the role of freedmen in either bridging different networks or knitting individual networks closer together is also a very delicate one. Failure to succeed (or deliberate sabotage) has repercussions that extend far beyond individual relationships (cf. Chapter 4). Expanding one's trust network by manumitting a slave, by accepting a recommendation, ... is therefore not without risk. Indeed: "[t]hrough the introduction of new members into a family, a clan, or a club, the whole definition of the group, i.e., its fines, its boundaries, and its identity, is put at stake, exposed to redefinition, alteration, adulteration"²⁰⁴. It is very important, in other words, to allow only the most worthy elements to enter the group. Cicero's worries about the manumission of Statius, and Quintus' congratulations to Cicero after manumitting Tiro are examples of how keenly this preoccupation was felt. As a study of the extant letters of Cicero shows, "trusting" the wrong person could be very detrimental to one's reputation ("symbolic capital"). As will be argued, this effect was increased in the case of trust damaged by freedmen since the latter's nodal position in many trust networks would cause the betrayal to reverberate throughout all these networks.

The main reason why trust and trust networks are chosen here as primary frames of reference to study freedmen, is the well-known notion in social theory that it is "the influence not of the individual capital holder within the network, but [that] of the trusted intermediaries that facilitate a network, [that create] specific networks of connections between individuals and institutions" and that these networks "settle down over time to become social structures"²⁰⁵. It is certainly true that the use of freedmen for this purpose is nowhere considered exceptional or unconventional in Roman literature and epistolography – quite on the contrary – and that we may justly speak of a certain degree of institutionalisation. This is all the more clear during the Principate,

²⁰³ Cic. Fam. 16.15.1-2.

²⁰⁴ Bourdieu (2005) [1986], 102.

²⁰⁵ Patulny & Svendsen (2007), 42. Bourdieu (2005) [1986], 101 also referred to the need of "indissolubly material and symbolic exchanges" to maintain relations. Studies in antiquity generally take this observation into account but rarely ever support it theoretically. Hall (2009), for example, brilliantly analyses the relation between Cicero and his correspondents in terms of their politeness. Although he does so primarily through detailed case studies of (repeated) interactions, he does not frame them in or with Bourdieusian notions of social, cultural, or symbolic capital. Besides a mention of "capital" to denote ad hoc political alliances (102), the only reference to the capital metaphor occurs in a footnote (218, note 107) and has no bearing on the actual discussion. Hall, in other words, realises that maintaining networks implies an "endless effort at institution (...) which is necessary in order to produce and reproduce lasting, useful relationship that can secure material or symbolic profits" (Bourdieu (2005) [1986], 101-2), and focusses on the role of politeness in this process. But his approach as a whole would, we feel, benefit in no small degree from embedding these practices of politeness in Bourdieu's model which would see them as only one of many "investment strategies aimed at establishing or reproducing social relationships".

when freedmen become the emperor's primary agents through whom the empire is managed (cf. Chapter 6). The institutionalisation seems complete when the titles these men received (*ab rationibus*, *ab epistulis*, etc.) became exclusively reserved for the *familia Caesaris*, and when these freedmen were no longer regarded as ex-slaves of this or that individual emperor, but as "imperial freedmen" instead: freedmen who served in the imperial administration, sometimes under several successive emperors²⁰⁶. For our purpose, the development within theories of trust and trust networks of frameworks by which the intermediaries rather than the capital holders can be studied, legitimises its central role in our work.

We will furthermore argue that the tension between a freedman as an agent in a patronage relation (*libertus*) on the one hand, and the same freedman as a member of society as a whole (*libertinus*) on the other can be meaningfully explored by applying the theoretical distinction between particularised trust in persons and generalised trust in institutions. Trusting freedmen was always a combination of both: a freedman was trusted because he had *individually* shown great promise which in turn led the master to trust that he would adhere to the *institutionalised* norms of manumission and patronage (*gratia*, *fides*, ...). Recommendations of freedmen therefore always typically invoked the general norms of patronage as well as the confirmation that these were internalised by the freedman (Chapter 5). This confirmation was needed because there never existed a blind belief in the machineries of patronage²⁰⁷. As mentioned earlier, it is assumed in many sociological models that a sustained or increasing level of a particular trust in persons will result in general trust in such institutions²⁰⁸. This stands in sharp contrast with the observation that *liberti* are very much trusted on the personal level (e.g. as couriers, agents, etc.) but that this rarely seemed to have resulted in a more generalised positive perception towards the class of *libertini*²⁰⁹. This is of course in part due to the propensity of agents to place trust in concrete, known persons rather than in abstract groups or classes²¹⁰. The elite reacted particularly bitter and hostile towards freedmen

²⁰⁶ Weaver (1972), 45, 61; Winterling (1999), 23ff; Mouritsen (2011), 94 note 116. For imperial freedmen in general, see the other two hallmark studies of Chantraine (1967) and Boulvert (1974). Nero famously prosecuted Torquatus Silanus (and later his nephew) for allegedly having given the "titles of the business of empire" (i.e. *ab epistulis*, *ab libellis*, etc.) to his own private freedmen (Tac. Ann. 15.35; 16.8).

²⁰⁷ Damon (1997) gives an original account of the pathology of Roman patronage (as experienced by the elite) through a focus on the figure of the parasite as a negative reflection of the *cliens* (e.g. p. 2, 8).

²⁰⁸ E.g. Ogilvie (2005), 4-5.

²⁰⁹ See the ratio of positive and negative evaluations of individual freedmen versus groups of freedmen (SP and GP) in Chapter 3.

²¹⁰ We noticed how people placed more trust, for example, in their own doctor than in the medical system as such.

violating the trust of their patron or acting in a way that differed from the their expectations. In the case of mild transgressions, this tension could be resolved by both parties taking recourse to the ideology that propagated loyal, amiable, and forgiving relations (cf. supra). Often, however, the consequences were too grave to opt for reconciliation, and acts of deviance became to be considered acts of defiance. Not only did a patron see his investments in human and economic capital (sustenance, education, manumission, ...) go to waste, and his social capital crippled, but his symbolic capital too – including the recognition by a subordinate of the status quo as legitimate – was tarnished by an act of insubordination. This is why such acts of betrayal were particularly hard felt, and their condemnation typically consisted of rhetorically reducing the freedman to slave status. The constant realisation that individual freedmen could turn out to be no more than “unjustly freed slaves” did not prevent trust on the personal level, but it did thwart any form of generalisation. It seems reasonable to hypothesise that had no freedman ever tried to usurp positions of power or damaged his patron in any way, generalised trust in the class of *libertini* could have been a possibility²¹¹. Free will, the persistence of social structures, and the realisation of the latent (or overt) discrimination that emanates from them, formed a cocktail that – much like today – prevented the realisation of this ideal situation. It is a short – but analytically incorrect – step from this observation to the idea that a *macula servitutis* was responsible for a freedman’s treatment and disabilities in the social, legal, and political field. This idea of a *macula servitutis* inherent in any freedman’s identity is incompatible with the notion of the public transcript of equality. The tension and apparently paradoxical relation between the public transcript of equality and the equally salient elite strategies of social distinction will be elaborated upon in the next chapter.

An important variable that inclined freedmen to either accept or contest their role in a social network of trust, was their self-perception. Not only will this observation in due time lead us to draw from social identity theory in order to elucidate the notion of “freedmen as social capital”, but it also suggests that elites had their own interests in mind when they adhered to, and confirmed, the public transcript of equality of freedmen. Experimental studies have shown that dependents will be more prone to act selflessly when they have a predominantly positive perception of themselves²¹². Presenting and accepting freedmen as equals in principle, we will suggest, strongly increased their trustworthiness and ensured the acceptance of their role as bonding and bridging agents within their patron’s networks. By representing and increasing his patron’s social capital, a freedman, in other words, also generated social and symbolic

²¹¹ This is, of course, an historian’s translation of Scott’s critique on the notions of consent, hegemony, naturalisation, and internalisation (cf. supra).

²¹² See Tzanakis (2013), 14.

capital for his own. Moreover, as Bourdieu already noted, one's own social capital increases when the economic, cultural, or symbolic capital of one's connections increase²¹³. Patrons therefore needed freedmen not only to stay in touch and have reliable couriers, but the trust they created and evoked was a resource in itself. Openly recognising the trustworthiness of freedmen in letters of recommendation, for example, was thus not only beneficial for the freedman himself, but also for both the writer and the receiver of the letter (provided that the trust was not betrayed afterwards). These processes also at least partially explain, as we will see, the difference in the discourse on freedmen between Cicero and his correspondents on the one hand, and, for example, Tacitus or Suetonius, who did not write about freedmen in a networking-context, on the other (cf. Chapter 6).

Scott's notion of infrapolitics as the field in which subordinates can act politically by creating spheres in the public transcript where aspects of their hidden transcript can be subtly, harmlessly, or anonymously expressed, will prove useful when analysing the behaviour of certain freedmen as "action statements" (cf. Isaac). As will become clear, freedmen found themselves in a constant process of negotiation with their patron and with society at large. Some settled more easily in the patterns of expectation set out for them, but many kept testing and redefining them. They could never openly express their reasons to do so or the precise contents of this potential resentment. This would not only violate the rules of the public transcript, but opposing or transgressing existing norms would also prove harmful in the short-term (and potentially long-term if any hope for advancement through posterity was held). As such, we can only interpret their story through the glasses of the elite that documented it. In this respect, considering what freedmen did as "action statements" will compensate for the lack of personal testimonies. Although the Roman letter-writers or their "publishers" did not include letters written by freedmen, we can sometimes catch a glimpse of what these letters must have looked like (cf. Chapters 6 and 7). Not only is the subject matter sometimes referred to in a letter to a third correspondent, but on rare occasions the writers would even quote from freedman letters. The reason why they did so in specific circumstances is not only revealing in its own right, but the actual contents of these passages can offer a unique insight into the freedmen's thoughts and preoccupations.

The seemingly paradoxical tension between a freedman's *equality* as a citizen (as a freed *man*) on the one hand, and the elite's efforts to safeguard the *distinction* between themselves and these ex-slaves (*freedmen*) on the other, is a common theme throughout the scholarship on freedmen. The methods by which either position has been qualified are manifold, ranging from quantitative analysis of samples from the *Corpus*

²¹³ Bourdieu (2005) [1986], 101.

Inscriptionum Latinarum, over scrupulous examination of case studies, to synthesised accounts of “the” freedman’s social, economic, political, and cultural role in society. Rarely has structural attention been paid to CDA as a methodology that has for decades proved to be instrumental in revealing latent power relations. Bourdieu already remarked that the “truth of any interaction is never entirely to be found within the interaction as it avails itself for observation”²¹⁴. We cannot take descriptions or accounts of events at face value since they are partially shaped by broader hidden structures. We argue that CDA can help us in laying bare these structures. Moreover, Bourdieu stressed that the primacy of symbolic capital originates from the ability it gives its possessors to exercise symbolic *power*. This happens predominantly through the imposition and naturalisation of a specific discourse. The struggle for capital is therefore not only a struggle *for* discourse, but also a struggle *through* discourse. Negotiation of, and competition for, position in the *field* is always discursively framed. CDA therefore emerges as the analytical tool *par excellence* to study these very processes.

Throughout the analysis, we will therefore pay particular attention to how grammatical and syntactical forms, as well as specific choices on the semantic level not only justify the meaning they themselves create, but also express hidden assumptions, symbolic power and hegemony. What is said in a text is often as important as what is omitted. This distinction between explicit mention and implicit meaning is crucial to acknowledge. What is merely implied often gives an indication of what is taken for granted, what is considered common sense or “natural”, in short: for ideology²¹⁵. When analysing what is explicitly stated, the grammatical and syntactical patterns may reveal either deliberate rhetorical strategies or unconsciously expressed opinions. Repeated functionalisation (the reduction of a subject to a type) or identification (the reduction of a subject’s identity to one dimension of it), reveal the author’s wish to classify (and force) these subjects in his own conception of reality. When nominalisation occurs (verbs represented as nouns), it may be an indication of the author downplaying agency and creating distance from the subject. The same goes for the choice for passive rather than active verb constructions. Binomials, a chain of two (or more) syntactically similar words, are used to – often empathically – stress a point. When the same binomial reappears often in a similar context, it may betray formalisation and standardisation, rather than real feelings. Whereas figures of style are usually consciously created by the author, grammatical and syntactical patterns like the ones just mentioned often originate from unconscious habit and may therefore be revealing for the author’s

²¹⁴ Bourdieu (1989), 16.

²¹⁵ Fairclough (1995), 5-6.

opinions and assumptions. They are therefore considered of primary importance by CDA²¹⁶.

As noted before, CDA will underpin the analysis of the Roman letters. In Chapter 7, the scope will be expanded by transcending the epistolary genre, and by including many other genres in the lexical analysis. The different literary genres – approached as reflections of Foucauldian “orders of discourse” – will be analysed via corpus linguistics, an “empirical approach to natural language which is generally used to show the frequency of items and patterns in texts associated with particular contexts of use”. The meaning or appropriation of a specific term or expression may vary considerably according to the literary genre in which it occurs. Indeed, a common critique on CDA is that it is particularly prone to “over-interpretation”. A limited focus on one genre or corpus may paint only part of the picture. Or in other words, corpus linguistics “can be used to uncover recurrent language patterns over a range of similar texts, which a conventional CDA analysis concentrating on a single or limited range of texts may overprivilege”²¹⁷. By thus not only including various literary genres, but also by expanding our view to include epigraphical sources (Chapter 8), we intend to meet this justified criticism.

²¹⁶ These rhetorical strategies and unconscious formulations (and many more) are introduced and applied to concrete sources throughout the different contributions in Mayr (2008a).

²¹⁷ Bastow (2008), 139.

Chapter 2 *Neque enim aboletur turpitude, quae postea intermissa est?* The *macula servitutis* of Roman freedmen

In 1736, the German jurist Joachim Potgieser wrote a monumental commentary on the Germanic laws of slavery. In a chapter called *De libertis*, he could not resist venturing comparison with the writings of Roman lawgivers on the subject. After mentioning Servius Tullus' role in the enfranchisement of freedmen, the summary continues as follows¹:

“Quantumvis autem deinde AUGUSTUS, & TIBERIUS, de civium Romanorum existimatione solliciti, libertorum iura variis modis coercerent, adeo, ut pauci civitatem Romanam obtinerent; reliqui vero Latini & dedititii fierent, ne tam ingenti libertorum colluvie orbis domina amplius contaminaretur, sed ab omni, quoad eius fieri poterat, macula peregrini & servilis sanguinis incorruptus maneret populus (...)”

This image of freedmen “contaminating” the body of Roman citizens and diminishing its prestige has long been the dominant interpretation of the many laws on freedmen passed under the first emperors. Although this view has been convincingly challenged by recent contributions², a persisting stain of slavery is generally held responsible for freedmen's status as “minderberechtigte Mitglieder” of the citizen body or as “second-

¹ Potgieser (1736), 771 (IV.14.3).

² When freedmen first emerged as a subject *sui generis* in academic research, scholarly discourse largely reproduced ancient elite stereotypes (e.g. Suet. Aug. 40.3; Dio 56.33.3–4). See again Mouritsen (2011), 2ff for a discussion of this long and influential tradition. More recent works have rightly stressed the danger of using elite sources in reconstructing and evaluating the freedman condition, e.g. Petersen (2006), *passim*; Mouritsen (2011), 80ff, 108 (cf. note 132 below); Bell & Ramsby (2012).

class citizens”³. The aim of this chapter is to study whether and to which extent this idea of a *macula servitutis* adequately represents ancient reality. Lavan rightly noted that the Roman ideology of slavery was characterised by a high degree of inconsistency and contradiction and that “any generalisation about Roman attitudes to slaves can only be an oversimplification of a complex discourse”⁴. While freedmen’s past as slaves would always be remembered in Rome’s class-conscious society, to attribute (and thereby reduce) their restrictions and social limitations to a stigma derived from their servile past is too narrow a view.

We will first elaborate on a subject already briefly touched upon in the Introduction, i.e. the question how the undisputed assumption of a servile stain on the freedman’s person has permeated classical studies, and has influenced the way scholars interpreted their sources. Secondly, the expression itself (*macula servitutis*) will be situated in its historical and legal context. A comparison will be made with similar “stains” on a person’s honour, to allow us to evaluate how pervasive, impactful and definite these were for the persons under consideration, and to gauge how this can broaden our understanding of a freedman’s situation. Finally, the shortcomings of the *macula servitutis* view as an explanatory model will be outlined, and some alternative interpretations will be suggested for the source material that has traditionally been regarded as definite proof for it.

2.1 Pervasiveness in modern scholarship

Statements about “une macule servile”, or the “unique – and irredeemable – stigma the freedman carried”, are omnipresent in freedman studies up to the point that the phrase became eponymous for an entire chapter in Mouritsen’s recent monograph on the Roman freedman⁵. As noted earlier, this decision was but the logical culmination of a tradition that had for a long time stressed the pervasiveness of the ex-slave’s past in his social life. Some examples demonstrate the influence this perspective has had, and how it has steered both the analysis and conclusions of many studies.

³ Klees (2002), 91; Taylor (1960), 133.

⁴ Lavan (2013), 79. See also Fitzgerald (2000), 8; MacLean (2012), 212; Hopkins (1978), 216 (writing about the intertwinement of politics and religion).

⁵ Chapter 2 in Mouritsen (2011) is called “*Macula servitutis*: slavery, freedom, and manumission”. Quotes are from Boulvert & Morabito (1982), 111 and Mouritsen (2011), 111 respectively. Cf. Duff (1958), 52.

For instance, at some point in its history, the highest magistracy in the Roman colony of Dion (Macedonia) was, quite exceptionally, in the hands of the freedman P. Anthestius Amphio⁶. In one inscription – immortalising their benefactions to the city – Amphio and his wife omitted their legal status⁷. Demaille argued that they had done so “par souci d’honorabilité” because it was “une tâche indigne”: Amphio felt that his servile past tainted him in such a way that the juxtaposition of libertination and official titles would seem inappropriate⁸. Accepting this motive or concern, however, renders problematic the fact that he (and his wife) *did* include full libertination in other, quasi identical, inscriptions⁹. Conversely, L. Iulius Hyla and T. Granius Felix were *aediles* of the same colony but did not publicise their legal status in their dedications to Liber Pater¹⁰. Although Dion is the only colony in Macedon known to have allowed freedmen to obtain public office in the late Republic and early empire, the phenomenon was not exceptional in other Caesarian colonies throughout the Roman provinces¹¹. In 45 BCE, for example, L. Pomponius Malchio was *duumvir quinquennalis* in Curubis (Tunisia), and

⁶ Dion was re-founded as a Roman colony by Caesar or Augustus, and this context may explain how a freedman could obtain the highest municipal office: especially the former ruler is known to have allowed freedmen to pursue political ambitions in his colonies (cf. the *lex coloniae Ursonensis* of 44 BCE in CIL 2, 5439, cap. 105, and note 11 below). However, the specific case of Amphio has alternatively been dated to the Severan period; well after the *lex Visellia* of 24 CE (Cod. Iust. 9.21), and even after the *lex municipii Malacitani* of ca. 82 CE (CIL 2, 1964, cap. 54), which both formally excluded freedmen from local office (universally and for Spanish towns of Latin status respectively). The earlier date for Amphio’s inscriptions is based on palaeographic and onomastic analysis of the texts, a Severan one on in situ archaeological evidence and other contextual arguments. For the debate and the arguments, including references, see the extensive overview in Demaille (2008), 17-20. López Barja de Quiroga (2010), 330 has noted that taking the Visellian law as support for the earlier date amounts to circular reasoning, which too prematurely dismisses the possibility that this case may have been an exceptional one. Cf. Rizakis (2001), 42. Mouritsen (2011), 74 note 36 called the case of Amphio a “glaring anomaly”.

⁷ AE 1950, 20: “P(ublius) Antestius Amphio / aed(ilis) augur Iivir quinq(uennalis) / et Antestia Iucund(a) / aedem Libero / et colonis de sua / p(ecunia) f(aciendum) c(uraverunt)”.

⁸ Demaille (2008), 3. He connects this omission to the function of the inscription (i.e. listing the acts of evergetism undertaken by the freed couple). However, other inscriptions referencing benefactions included libertination (see the next note).

⁹ AE 1998, 1209: “Serapi et Isi et colonis / portic(us) duas ianum alam / P(ublius) Anthestius P(ubli) l(ibertus) Amphio aug(ur) aed(ilis) / Iivir quinq(uennalis) et Anthesia P(ubli) l(iberta) / Iucunda d(e) s(ua) p(ecunia) f(aciunda) c(uraverunt)”; AE 2008, 1228: “Dianae et colonis / Antestia P(ubli) l(iberta) Iucunda aram d(e) s(ua) p(ecunia) f(aciendum) c(uravit)”.

¹⁰ AE 1954, 23; 2006, 1262. For these and other freedmen holding public office in the colony of Dion, see Rizakis (2003), 119-21.

¹¹ Rizakis (2003), 120-21; Salmon (1969), 135; Treggiari (1969a), 63-4. Rizakis (2001) treats the municipal elites (many of whom were freedmen) of the colonies in Achaëa, with specific attention to Corinth (p. 41-6), Dyme (p. 46-7), and Patras (p. 48), although the role of freedmen in the latter – as an Augustan military colony – was much less outspoken than in the other two. Cf. Spawforth (1996) for the composition of Corinth’s early elite. Demaille (2008) discusses the freed P. Anthestii in Dion. A more general treatment of the role of freedmen in municipal life is provided by Le Glay (1990).

celebrated his contributions to the city in an inscription that explicitly mentioned his freed status¹². However, 25 years later, another *duumvir* of the same city – Cn. Domitius Malchio – chose not to include libertination when listing his acts of evergetism¹³. Other Republican freedmen in positions of power had, like Amphio, multiple inscriptions erected, sometimes with but sometimes without explicit reference to their status¹⁴. Inscriptions of freedmen who did not hold any office but who nonetheless eternalised their influence in, and benefactions to, a city, similarly suggest that the decision to include libertination was highly contextual. C. Iulius Zoilus – the famous freedman of Octavian – thus mentioned his contribution to the construction of the theatre of Aphrodisias (Asia) in an inscription that formally spelled out his freed status (θεοῦ Ἰουλίου υἱοῦ Καίσαρος ἀπελευθέρως)¹⁵. However, earlier inscriptions set up in the same city (listing, for example, his contribution to Aphrodite’s temple), presented Zoilus without any reference to his legal status¹⁶. If shame or a feeling of inappropriateness was the primary motive for omitting libertination in the earlier inscriptions, then surely Zoilus would not have included it in the highly visible one in the theatre some eight years later.

The debate about the proportion of freeborn to freed persons in epigraphic sources in general has often produced similar arguments. Some scholars explained the enormous mass of *incerti* (people of unknown status) as a result of “the freedman’s unwillingness to declare his inferior status (...)”, and therefore suggested that these *incerti* were mostly embarrassed freedmen¹⁷. Libertination (except in the cases of imperial freedmen) did indeed decline at the end of the first, and the beginning of the second century CE, but so did filiation¹⁸. Moreover, whenever individuals chose to

¹² CIL 8, 977: “C(aio) Caesare Imp(eratore) co(n)s(ule) II[II] / L(ucius) Pomponius L(uci) l(ibertus) Malc[hi]o(?) / duovir V / [m]urum oppidi totum ex saxo / quadrato aedific(andum) coer(avit)”.

¹³ CIL 8, 978: “M(arco) Appuleio / P(ublio) Silio co(n)s(ulibus) / Cn(aeo) Domitio / Malchion[e] / duovir(o) quin(quennali) / L(ucius) Sertorius Al[ex]an(der) / L(ucius) Vitruvius Alexan(der) / aed(iles) / pluteum perpetu(um) / scholas II i[tem](?) / [h]orologium / [via]m muni[endam](?) / ...”

¹⁴ See, for example, the famous case of M. Caelius Phileros (CIL 8, 26274; 10, 6104) whose career as *aedilis* and *praefectus iure dicundo* in Carthage and as *duumvir* in the nearby Clupea is discussed in detail by Gascou (1984). Cf. Le Glay (1990), 623-5.

¹⁵ Reynolds (1982), nr. 36 (ca. 30 BCE).

¹⁶ Reynolds (1982), nr. 37 (38 BCE). For a discussion of Zoilus’ extant dedications, see besides Reynolds (1982), 156-164 also Weaver (2004), 199-200; Osgood (2006), 274-6.

¹⁷ Taylor (1961), 122. Cf. Huttunen (1974), 129; MacLean (2012), 126.

¹⁸ Taylor (1961), 119f; Weaver (1963), *passim*; Mrozek (1976b), 40-3 (for Rome). For the situation in the rest of Italy, see e.g. Lazzaro (1985), 465 (for Ateste); (1989), *passim* (in particular for Padua). For a similar development in the East, see e.g. Leveau (1984), esp. 154 (for Mauretania Caesariensis). Łoś (1995), 1034-6 argue that the decline of epigraphic libertination in this period was not (only) related to the epigraphic habit, but (also) reflects the decline of the importance of freedmen in general. This suggestion likewise neglects the equally important observation that filiation decreased at the same time.

nonetheless include explicit status indicators at this time, this was more often done by freedmen than by freeborn dedicators, and often in combination with expressions of pride related to their newly attained freedom and citizenship, their family life and their professional activities¹⁹. A statistical approach in this instance undervalues the contextual motivations of individual actors in epigraphically representing themselves. Kleijwegt thus nuanced the existence of “post-servility stress”, arguing that the situation was “much more complex than the simplified equation hostility (on the part of the freeborn) leading to shame (on the part of the freed slave)” suggests, and that pride in having escaped slavery may have been at least as important as shame about that very past²⁰. In the same vein, Joshel observed that “[t]he omission of formal status indication in contexts that would have been associated with slavery does not point to a desire to hide one's background: the statement made by libertination is missing, but servile origin is concealed neither by burial location nor by the information given on the epitaph”²¹. Verboven likewise noted that the continuing relation with a patron – and the presentation of the freedman as essential part of his trust network and social capital – was an identity dimension worth stressing rather than hiding²². Yet others added that libertination was a useful tool in situating oneself in the social networks not only of a patron, but also of other social relations (professional colleagues, *colliberti*, etc.)²³. Finally, Perry has most recently shown for freedwomen in particular that libertination could serve both to express an individual identity (e.g. when *nomen* and *cognomen* are included besides libertination) and a relational one (e.g. when the *nomen* is omitted but is anyhow implied by a reference to a patron *with* full nomenclature)²⁴.

The matrix of individual decision-making most likely contained elements of both interpretations. The point is that the “shame” explanation is based entirely on the assumption that an all-pervasive *macula servitutis* in the lives of freedmen was not only stressed in elite writing, but was a crucial dimension of the freedman's self-appraisal and identity as well. The fact that on their epitaphs, some ex-slaves chose to refer to

¹⁹ Huttunen (1974), 139-41; 187-8; Joshel (1992), 167f; 183-6. Weaver (1990), 294 stresses the optional character of mentioning libertination. Carroll (2006), 146 (incl. references) accentuates the other identity dimensions that were celebrated besides legal status. Perry (2014), 100 (incl. especially notes 9-12) gives an extensive overview of the debate.

²⁰ Kleijwegt (2006b), 94-5, 110-1. He connects the decline of libertination to the changing of one's name to have it sound less “servile”, but contests that this was done solely to diminish “life-long concerns with the symbols of their suffering”.

²¹ Joshel (1992), 185.

²² Verboven (2012), 98. Contrast Andreau (1993), 196-7 who thought that freedmen “probably tended not to insist too much on the strength of this personal tie” and that “[t]o be free of such ties was probably a freedman's dream come true”.

²³ E.g. Nielsen (1997), 204. This is of course also the central theme of Joshel (1992).

²⁴ Perry (2014), 98ff (esp. 101-2).

each other as *conservus* and *contubernalis* instead of *collibertus* and *coniunx* cannot be explained by (and blatantly contradicts) a widely shared shame among ex-slaves. Apparently, it was more important for these individuals to stress the continuity and durability of their relationship (which had its roots in slavery) than to hide any “stigma” that may have been attached to it²⁵. Likewise, instead of obscuring their children’s servile ancestry, freedmen often gave them (a variant of) their own name, often a Greek or “servile” Latin one²⁶. This practice seems incomprehensible if we assume that the *macula servitutis* weighed heavily on these individuals. Finally, the assumption of a servile stain has also led scholars to suggest that Romans conditioned their freedmen and “inculcated a distinct set of values”²⁷. Often coupled to this line of reasoning is the claim that there existed a status-specific (elite) discourse on freedmen. Because this is a point we will take up in further detail in Chapter 7, we will limit ourselves to merely mentioning it here.

In short, besides a modern conceptual framework, the *macula servitutis* is also attributed a pivotal role in the socialisation of ex-slaves. But how legitimate is this assumption of a pervasive and omnipresent stain on the freedman’s person? How discernible is it in our sources? Was it a widely held belief among Romans or rather a useful analytic concept for modern scholars to grasp (and group) the many particularities of freed status? To fully understand its meaning, we should not only look at the literal attestations of the expression and similar concepts such as the *labes*, *naevus*, *dedecus* or *ignominia* of slavery. It is equally important to analyse 1) the semantic scope of these words outside the realm of slavery and manumission, and 2) to address the issue of a taint on someone’s honour in more general terms, including the social and moral implications, its pervasiveness after restoration or social promotion, and the discourse related to it.

²⁵ MacLean (2012), 133-4. Even if she is mistaken in restoring “CONSER” to “CONSERVI” (instead of “CONSERVATORI”) in CIL 6, 582, the argument still stands strong.

²⁶ Duff (1958), 57-8; Tran (2006), 115; Mouritsen (2005), 41 note 17; (2011), 286-9.

²⁷ Mouritsen (2011), 58. Further onwards, he writes of a “specific set of virtues”, a “fairly well established format for the praise of freedmen”, “common stereotypes used to praise freedmen” (p. 61), “pivotal virtues” (p. 62), a “limited range of virtues open to freedmen” (p. 63), “specific libertine qualities” (p. 64), and of elevating trust (*fides*), parsimony (*frugalitas*), and hard work (*industria*) as particular libertine qualities (p. 148).

2.2 Stains, marks, and blemishes

2.2.1 Literature, epigraphy, and law texts

Throughout Roman literature, *maculae* of all sorts appear, ranging from “stains” or “spots” in a very literal sense to the blemish on one’s reputation after misconduct. Examples of the former can be found in various descriptions of animals, fruits, symptoms of diseases, and bodily flaws²⁸. Such plastic descriptions could in turn be used to express a figurative or metaphorical stain. When Ovidius is told the meaning of one of his dreams, a white heifer representing the poet’s girlfriend had a black blemish (*macula nigra*) on her breast, which the dream-interpreter took to indicate that her heart was not free of adultery’s stain (*adulterii labes*)²⁹. This leads us to the moralising use of *maculae*: the stains on someone’s person or character. When Cicero airs his disgust about the behaviour of jurymen to Atticus, he says they consisted – among others – of *maculosi senatores*³⁰. In his public speeches too, Cicero could mention the stain on Cluentius’ family as a result of his mother’s lust; the *macula*, *invidia*, and *infamia* cast on the state by wicked governors; the pollution and stains of treachery and corruption; and the stain and disgrace (*macula atque labes*) of his age in general³¹. On more dramatic occasions, such descriptions could amount to climactic bursts of rhetoric, as was the case in 57 BCE, when Cicero vehemently accused Clodius of sacrilege for polluting the Megalesian games with numerous crimes, and staining them with infamy (*omni flagitio pollueres, dedecore maculares, scelere obligares*)³². In its figurative sense then, *macula* is often used as a generic insult and, conversely, the lack of any *macula* as a praiseworthy quality³³.

Some masters named their slaves “Macula”, a name they would then usually keep after manumission as part of their *tria nomina*. Thus a midwife from Mactar (*Africa Proconsularis*), most likely freed, was called Aurelia Macula³⁴. However, the name did not refer to any (past) condition, and was as such not associated with slavery. Indeed,

²⁸ Examples are legion: Col. RR 6.37.7; 12.47.2 and 49.4; Plin. NH 8.23(62); 27(69); Liv. 41.21; Lucr., 1.590; Verg. Aen. 5.566; Plaut., Capt. 595; Ovid., Met. 5.455; Cels. 2.8.32; 3.25; Cic. ND 1.79; Suet. Aug. 80.1; 94.4; Nero 51.1; etc.

²⁹ Ovid. Am. 3.5.43. Likewise, after he had set his mind on the praetorship, Cn. Scipio presented himself on the Campus Martius dressed in the white toga of the candidate but soiled by the stains of depravity (*turpitudinis maculae*), Val. Max. 3.5.1.

³⁰ Cic. Att. 1.16.3. Cf. Cluent. 130 (*macula iudiciorum*).

³¹ Cic. Cluent. 12; Prov. 13; Ver. 2.3.144; Rhet. ad Her. 4.47; Font. 36; 41; S. Rosc. 113; Cael. 16; Balb. 15; Sest. 108.

³² Cic. Har. 27. *Polluere* is on other occasions used as synonym of *maculare* as well, e.g. Mil. 85.

³³ E.g. Cic. Planc. 15.

³⁴ AE 1980, 936.

ingenui could carry it as well. Examples include Caius Cassius Macula from Patavium, and Quintus Pompeius Macula, *duumvir* of Pompei in 25 CE³⁵. Most likely, the name Macula (or a derivative) instead referred to a physical trait or imperfection, as did many *cognomina*. In a letter to Quintus Lepta, Cicero mentions another Macula³⁶. This man is probably to be identified with Pompeius Macula in a passage of Macrobius' *Saturnalia*. There, Avienus tells the anecdote of Sulla's daughter Cornelia Fausta who had two lovers simultaneously: a certain Fulvius (the son of a fuller) and our Pompeius Macula. When noticing this scandal, her brother Faustus made a joke based on the literal meaning of *macula*, and on the rhetorical elite aversion to manual labour: he asked himself whether his sister should have a stain (*macula*) because she had a fuller (*miror sororem meam habere maculam, cum fullonem habeat*). He thereby wittily addressed both the undesirability of his sister having two lovers, and the humiliation of one of them being a mere fuller. Since one of the tasks of a fuller was the removal of stains out of dirty garments, *macula* can have both a literal and a figurative meaning in this case, which was no doubt what Faustus was alluding to³⁷. Although it could thus occasionally be used to mock someone, the name Macula in no way referred to a (past) servile condition.

There is no explicit evidence for a stain (*macula, labes, naevus, ...*) of slavery on freedmen in literary sources. In fact, the metaphorical or figurative use of these words is rarely – if ever – related to slavery or manumission. On the rare occasions where it is, the terms explicitly refer to the servile condition alone. For example, Publius Crassus provoked his captor in killing him, thus escaping the disgrace of servitude (*dedecus servitutis effugit*). Likewise, Procopius, Maximus and Eugenius – usurpers of the purple under Valens and Theodosius – are said to have undergone the shame of slavery (*ignominia servitutis*) before their execution³⁸.

Besides a proper name, *macula* was a relatively popular word to refer to one's reputation on epitaphs, occurring most frequently in the formula *sine macula vixit*. In Christian texts, it was closely associated with the concept of sin. Thus Saint Nazarius had led a *vita immaculabilis*³⁹, and in an epigram Saint Ambrose described a baptistery as a place where repenting men were freed from sin's stain (*maculosum crimen*)⁴⁰. Despite the

³⁵ CIL 5, 2918; CIL 10, 896.

³⁶ Cic. Fam. 6.19.1.

³⁷ Macr. Sat. 2.2. For fullers, see Ovid. Fast. 3.821; Plaut. Capt. 841.

³⁸ Front. Strat. 4.5.16; Jer. Ep. 60.15.

³⁹ CIL 5, 6250.

⁴⁰ CLE 908. For this epigram and its context, see Wills (2012), 12-3.

omnipresence of the metaphor of slavery in early Christian ideology, none of these texts refer to the (cleansing of) a stain of *slavery* in particular⁴¹.

In non-Christian sources, *sine macula* often referred to the nature of an ideal marital union. In the epitaph for his beloved wife Urtilia Benedicta, Q. Dasumius Euelpides mentioned that he had lived with her for eleven years *sine macula*⁴². Similarly, it seemed important for Artorius Felicissimus to stress that he had had no quarrel with his late wife Aemilia Barbara (*macula non habui*) during the 56 years they had lived together⁴³. In many of these epitaphs, the status of both dedicator and dedicatee is uncertain. When it can be established, however, we see that slaves, freedmen and freeborn persons alike commemorated their marital bond in this manner, confirming that the expression did not so much refer to their identity dimension of social or legal status, as to the quality of their marriage⁴⁴. This is clear also from the fact that *macula* in the same formula is often replaced by other terms. Flavius Amantius, for example, uses *sine querella*, Decimus Iulius Doles *sine ullo stomacho*, and like many other people, Cornelia Paulina preferred *sine ulla animi mei laesione*⁴⁵. Variations could occur in the same epitaph. Thus Divixtus (*civis Sequani*) described himself as *sine ulla macula*, but stressed that he had lived *sine ulla discordia* with his wife⁴⁶.

When *sine macula* is used outside a marital relationship to describe an end-of-life achievement, it could be tempting to read it as an apologetic statement, denying any remaining stains from a servile past. For example, both the imperial freedman Aurelius Petronianus and Lucius Staius Onesimus – probably a freed trader – are presented as *sine macula* after having died at the age of 46 and 48 respectively⁴⁷. However, slaves too could be praised in these terms. Thus, a certain slave girl Data is described by her *conservus* Verna as *sine ulla macula*, just like Urbicus, *vilicus publicus* of Volaterrae was⁴⁸. If this *macula* referred to any stain as a consequence of the servile condition, stating that these slaves had no such blemish would seem rather odd. Moreover, freeborn people are at least as often praised for the lack of any stain on their person. Thus Aurelia Aia (*Titi filia*) is described by her husband as having lived *sine ulla macula*⁴⁹.

⁴¹ For a good starting point to the immense bibliography on this subject, see Combes (1998); Byron (2003); Harrill (2006); Nasrallah (2014).

⁴² AE 1992, 221.

⁴³ CIL 3, 8425. Other examples include CIL 3, 2213; CIL 5, 143; AE 1991, 298.

⁴⁴ E.g. CIL 5, 5322 (possibly two freedpersons sharing the same *nomen*); CIL 6, 22657 (*idem*); CIL 10, 8418 (an imperial slave and his – probably freed – wife); CIL 13, 1884 (a freeborn veteran and his wife).

⁴⁵ AE 1992, 725; CIL 10, 3409; CIL 13, 1851; CIL 13, 1838; CIL 13, 1880; ...

⁴⁶ CIL 13, 1991.

⁴⁷ AE 1957, 127; CIL 6, 9663.

⁴⁸ CIL 9, 3365; CIL 11, 1751.

⁴⁹ CIL 7, 793; CIL 13, 2505.

There is no reason to assume that dedicators of epitaphs had any apologetic intentions (related to a servile past) when including the phrase *sine macula* in their commemoration. It described the end-of-life achievement of people of all statuses, and when attributed to freedmen, there is no indication of any status specific connotation. Of course, the expression *macula servitutis* would not have become the key-phrase *par excellence* to refer to the freed condition in modern studies if it did not have any footing in the source material at all. The references in support usually derive from law texts. Before discussing these, and to finish our list of source types in which stains of any kind occur, we will briefly look at the juridical sources in general.

In the Justinian Code and similar law texts, *maculae* occur only in the figurative sense. Although still carrying a pejorative connotation, these mentions are stripped from any derogatory or rhetorical meaning. Instead, they are part of a legal discourse in which “stains” were usually further specified to indicate a particular status or punishment. Getting whipped as punishment for a crime, for example, did not automatically entail loss of reputation (*existimationis infamia*), unless one was already branded with infamy (*ignominiae maculam*) by a previous transgression. Those who exercised usury were also branded with infamy (*infamiae macula*), and judges who had been polluted by corruption and other crimes (*furtis et sceleribus maculasse convicti*) were deprived of their honours, and degraded to the lowest rank of plebeians. Relatives could institute proceedings against the will of a brother or sister if it proved to be *inofficiosus*. This was the case, for instance, when it benefited heirs that were branded with infamy or dishonour (*infamiae vel turpitudinis macula*). And finally, Marcus Aurelius made sure that descendants of *virii eminentissimi etiam perfectissimi* could not be punished or tortured in the same way as plebeians, unless they had incurred the stigma of violated honour (*violati pudoris macula*) through someone of a nearer degree, who would thereby halt the transmission of the privilege⁵⁰. These examples confirm that stains of *infamia*, *ignominia*, *pudor* and *flagitium* were not only literary *topoi* but actual legal concepts. Although they could be used to accentuate a diminished social and legal status, the formal status of freedmen or their *de facto* position in society at large is hardly ever described in these terms. Moreover, in the rare instances where this seems to have been the case at first sight, the reference is to *slave* status, not freed, as the next section will further accentuate.

⁵⁰ For these examples, see Cod. Iust. 2.11.14; 2.11.20; 3.28.27; 9.41.11pr; 12.1.12.

2.2.2 The *macula servitutis* in law texts

The expression is usually taken from three legal texts in which it literally occurs⁵¹. In the Digest, it is mentioned during the treatment of *restitutio natalium*. It is established that a freedman who is “restored to his birth right” is considered to have become freeborn “and, in the meantime (*medio tempore*), had not endured the stain of slavery (*macula servitutis*)”⁵². Secondly, from the Justinian Code we learn that a slave who has willingly usurped the office of *aedile* should be appropriately punished because he had “defiled the dignity of the decurionate with the *servili macula*”⁵³. In these two cases, the stigma referred to is pertaining to the servile condition and not the libertine. This is very clear in the last passage where the defiling is a result of the *slave’s* usurpation of the office. In the first passage, it is not clear whether the *medio tempore* (during which the subject had suffered the *macula servitutis*) refers to his time as a slave or to the period between his manumission and the *restitutio*.

A comparative approach can be illuminating here, even though conceptions (and discursive representations) of the servile and freed condition in temporarily and geographically remote societies can by no means provide clear-cut or transposable conclusions, and should therefore be considered solely as presenting a window of possibilities. The phrase *macula servitutis* appears in a range of different sources throughout European history⁵⁴. But when it did, the writers consistently referred to the stained condition of slaves, not freedmen. In 1257, Bologna may have been the first city ever to collectively free its serf population. The act was recorded, together with the names of the beneficiaries, in the famous *Liber Paradisus*⁵⁵. When presenting the motives for this radical decision, the lawgivers resorted to a biblical discourse on the original *perfectissima et perpetua libertas* of mankind. For this reason, they argued that the city should henceforth be free from people shackled by servitude, by restoring them to their original freedom⁵⁶. In a sense, then, the collective manumission was perceived as a

⁵¹ Most studies mentioning or discussing the *macula servitutis* quote Mouritsen (2011), 12 and the three law texts it refers to, e.g. den Hollander (2014), 87; Goodrich (2012), 79; Nasrallah (2014), 58.

⁵² Dig. 40.11.5.1: “Libertinus, qui natalibus restitutus est, perinde habetur, atque si ingenuus factus medio tempore maculam servitutis non sustinisset”.

⁵³ Cod. Iust. 10.33.2: “Praeses provinciae, si eum qui aedilitate fungitur servum tuum esse cognoverit, si quidem non ignarum condicionis suae ad aedilitatem adspirasse perspexerit, ob violatam servili macula curiae dignitatem congruenti poena adficiet (...)”.

⁵⁴ We here only discuss this phrase as representative of other similar expressions that appear in identical contexts, e.g. *naevus servitutis* (Prudentius Trecensis, *De Praedestinatione*, PL 115, 1047D; Paulus Diaconus, *Historia Langobardorum* 1.12), all of which refer to the condition of slavery alone.

⁵⁵ Currently kept at the Archivio di Stato di Bologna.

⁵⁶ “(...) servitutis maculam radicitus extirpavit et servitutis vinculo compeditos provocavit ad pristinam libertatem”.

restitutio natalium. Interestingly, the city of Bologna would, as a result of the act, cease to be tainted by the *macula servitutis*, which therefore clearly pertained solely to the servile condition. When almost two centuries later Iacobus Gali, a merchant and citizen of Barcelona, freed his *serva et captiva* Astacia, he gave her and her descendants “pure and perfect freedom”. Since Astacia was originally freeborn, the manumission again takes the form of a *restitutio natalium*, restoring her *iura ingenuitatis*. Iacobus addresses her directly when he stresses that she will henceforth live as if she were freeborn and had never carried the stain of slavery (*si ingenua esses et nunquam servitutis maculam habuisses*)⁵⁷. Again, this case is particularly reminiscent of our passage in Dig. 40.11.5.1. Since Astacia is made *ingenua*, she “skips” the stage of *libertinitas*. The *macula servitutis* mentioned here, therefore again refers to the stain she suffered as a *slave*. Finally, when slaves were freed in eighteenth century Brazil, their manumission papers – be it the testament of their master or a document specifically drawn up for the occasion – typically included a formula expressing that the slave would henceforth be free “as if he were born in that condition”⁵⁸.

Not only in cases similar to the Roman *restitutio natalium*, but also after “normal” manumissions was a slave considered cleansed of his *macula servitutis* in both ancient and modern accounts. In 375 CE, Saint Jerome wrote a letter mentioning that his companion Hylas, a *famulus*, had cleansed the stain of slavery through the purity of his virtues⁵⁹. In modern times, Voltaire demanded in the first article of his *projet d'affranchissement* that “tous nos sujets soient libres, et de franche condition, sans tache de servitude personnelle et réelle”. At the beginning of the manifest, he had cited Jean Ferault, a jurist of king Louis XII, who in his treatise on the privileges of the French kings, had stressed the right and duty of kings to free slaves, to remove their stain of slavery (*servitutis maculam delere*), and to restore them to their original freedom⁶⁰. In the work of Potgieser, cited at the beginning of this chapter, the blemish of slavery occurs quite regularly, and usually in the form of the expression *macula servitutis*. He mentions, for instance, that not all German *coloni* lived under one and the same law. Indeed, many of them, after being cleared of the *servitutis macula*, are truly free⁶¹. When men of servile status entered a Batavian community, lived in it as citizens, and if during the course of a year no questions arose as to their status, it was held that the *macula servilis conditionis*

⁵⁷ Firenze, AS, Notarile antecosimiano, 18791, fasc. III, nr. 46, line 28.

⁵⁸ Mattoso (1979), 203.

⁵⁹ Jer. Ep. 3 *ad Ruffinum Monachum*.

⁶⁰ “Regium munus est et monarcha dignum servos manumittere, servitutis maculam delere, libertos natalibus restituere (...)” (p. 403-6 in the edition of L. Moland).

⁶¹ Potgieser (1736), 231 (I.4.53): “Haud tamen sum ignarus, non omnes colonos, qui nomine der Hoff-Leute vel Hovener insigniuntur, una eademque lege vivere, multi quippe, abstersa servitutis macula, a conditione liberorum hominum prope absunt; alii vero non propemodum, sed plane liberi”.

was utterly washed away⁶². In all of these cases, the *macula servitutis* referred to the blemish on the person of the slave only, without it persisting after manumission. If he was freed, the defilement would dissolve immediately instead of remaining as a distinctive identity trait⁶³.

We cannot, of course, rely on an exceptional act of jurisprudence in thirteenth century Bologna, on the words of a fifteenth century Spanish merchant, or on the account of an eighteenth century author writing about Germanic slave law to draw conclusions about Roman practice and ideology. But when considered as a whole, the comparative evidence is much in line with the statement of Saint Jerome that his freed friend had shook of the *macula servitutis* after manumission.

Returning to Dig. 40.11.5.1, it should be clear that a strong case can be made to interpret *medio tempore* as referring to the period of *servile* subjugation. Thus, at least one, and probably two of the canonical mentions of the *macula servitutis* in the juridical sources do not relate to freedmen.

In one case only, then, does it occur in relation to an actual freedman⁶⁴:

Cum precum tuarum conceptio, licet eum contra quem supplicas ex ancilla natum esse expresserit, tamen nomini cognomen, quo liberi dumtaxat nuncupantur, addiderit et non servum esse, sed servili macula adpersum comprehenderit, contra eum qui servus non est supplicasse te intellegitur.

Because the terms of your request – even though it expressed that he against whom you filed it is the child of your female slave – added a *cognomen* (by which only free persons are referred to), and by that act made clear that he is not a slave but [merely] tainted by the stain of slavery, [because of this, then,] you are considered to have addressed your request against someone who is not a slave.

It seems unlikely that the slave in question was a formally freed Roman citizen. The only factor that led the lawgiver (and forced the master) to consider him free, was the possession of a *cognomen*. Indeed, his status at the end of the passage is not described as *civis* or *libert(in)us*, but merely as someone *qui servus non est*. Therefore, and since a formal manumission would hardly have required or evoked a statement like this, it

⁶² Potgieser (1736), 768 (IV.13.8): “Apud Batavos peraeque si homines servilis status recepti, si civitatem ingressi, in eadem permanserint, & ut cives habiti, nec quaestio status illis mota intra annum & diem, deleta censebatur prorsus macula servilis conditionis”.

⁶³ Cf. also Potgieser (1736), 238 (I.4.57): “(...) existimantes illos non servos, sed homines proprios, imo, abstersa servili macula, plane liberos esse dicendos”.

⁶⁴ Cod. Iust. 7.16.9.

looks like this passage is referring to an informally freed slave⁶⁵. Bearing in mind both the various possibilities of “upgrading” this status to formal freedom, and the Romans’ pragmatic willingness to erase stigma of all shape and form (see below), it could be plausibly argued that this *macula servitutis* would cease to exist once (if ever) the freedman was formally made a Roman citizen.

Of these three often quoted legal passages, then, probably two attribute the *macula servitutis* solely to slaves, and the only one that links it to an actual freedman does so in the context of an informal, very recent, and seemingly unintended manumission. In any case, these three legal passages are hardly decisive proof of a general habit of the Roman jurists to explicitly and literally stress the freedman’s servile stain.

However, there are other legal mentions of the *macula servitutis* that are rarely ever considered by scholars. Even though they are generally of a later date, they do provide a valuable insight into the use and meaning of the expression. When specifying the status of children born of a union between a free and an unfree parent, for example, Justinian repeated the standard rule of thumb: if the mother was free but the father was not, the child would be free. However, if the situation was reversed, the child would follow the servile condition of the mother (*maternae condicionis maculam*)⁶⁶. The stain again pertains to the slave status, and does not characterise the condition of a freedman.

Traditionally, children who were abandoned by their parents retained their original status in the eyes of the law and could, in theory, reclaim it through the process of *vindicatio in libertatem* (if freeborn), or could be reclaimed by their original master (if slave)⁶⁷. This changed rather suddenly in 331 CE, when the recollection of abandoned

⁶⁵ Other legal texts reference very similar cases, where slaves would be considered freed as a consequence of a legal act, without manumission having occurred. Like in Cod. Iust. 7.16.9, these cases do not specify the subsequent status of the freed slave, but informal freedom was the most logical consequence (considering the lack of a formal manumission procedure). See, for example, Inst. Iust. 1.11.12, where the lawgiver invokes a precedent (ascribed to Cato) to rule that slaves adopted by their master are freed by that very act (*servi si a domino adoptati sint, ex hoc ipso posse liberari*). When a master declared his slave to be his son in an official document, the act would automatically make the slave a free man, although it would not endow him with the rights of a real son (*eum servum quem dominus actis intervenientibus filium suum nominaverit liberum esse constituimus, licet hoc ad ius filii accipiendum ei non sufficit*).

⁶⁶ Cod. Iust. 11.48.24pr: “Si qui adscripticiae condicionis constituti mulieres liberas quacumque mente aut quacumque machinatione sive scientibus dominis sive ignorantibus sibi uxores coniunxerunt vel postea coniunxerint, in sua libertate permanere tam eas quam prolem quae ex eis cognoscitur procreata sancimus: illo procul dubio observando, ut, si ex libero marito et adscripticia uxore partus fuerit editus, is maternae condicionis maculam, non paternam sequatur libertatem”. *Sive scientibus dominis sive ignorantibus* is a clear reference to the Claudian decree of 52 CE, which Justinian repealed (cf. infra).

⁶⁷ Dig. 22.6.1.2; 40.4.29; Cod. Iust. 8.51.1; Cod. Theod. 5.10.1. Cf. Plin. Ep. 10.65-6. In reality, many exposed children would not have been aware of their original status nor of the opportunities the

children by the original parents or master was prohibited and said children were reduced to whatever status their “new parents” saw fit (including slave status)⁶⁸. If this change was drastic, then the rulings of Justinian two centuries later were nothing short of revolutionary. This emperor confirmed the prohibition on reclaiming abandoned slaves or children, but added that these children would not be considered either freedmen, slaves, tenants or vassals (*vel loco libertorum vel loco servorum aut colonorum aut adscripticiorum*), but rather free and freeborn (*liberi et ingenui*), regardless of their status at the moment of abandonment⁶⁹. They would be able to freely acquire and transmit to their posterity or external heirs any property they wanted “without being branded with the stigma of servitude, vassalage, or the restrictions attached to the conditions of tenancy” (*nulla macula vel servitutis vel adscripticiae aut colonariae condicionis imbuti*). It is not clear whether the *macula servitutis* here refers to the condition of slaves or freedmen, but from the continuation of the passage, it seems not impossible that the latter was meant. Indeed, it is specified that those who have subjugated the foundlings do not gain any rights over their property *quasi patronatus iura*. Earlier in this passage, however, freedmen (*libertina progenie*) had been contrasted with both freeborn children (*ab ingenuis genitoribus*) and slaves, who were described as *servili condicione maculatus*. In one and the same legal text, then, the *macula servitutis* is attributed to both slaves and freedmen. The difference between the two is that the expression is used not for *libertini* but for *liberti*, that is, freedmen in direct relation with their patron, specifically referring to the patron’s rights on their estate. Indeed, the class of freedmen in general (*libertina progenie*) is contrasted with people *maculati servili condicione*, whereas individual freedmen in relation to their patron are understood to suffer restrictions as a consequence of this personal bond.

Thus in the only two legal passages in which a freedman – and not, as was much more common, a slave – is attributed a *macula servitutis*⁷⁰, it is mentioned within the context of the individual patronage relation. In addition to the lack of explicit mentions of a servile

law provided to reclaim it, cf. D. Chr. Or. 15.22-23; Ramin & Veyne (1981), 474ff. For child abandonment in the Roman world, see especially Harris (1994) and Harper (2011).

⁶⁸ Cod. Theod. 5.9.1. For this ruling as a phase in the on-going process of abandoning the principle of inalienability of free status in favour of the rights of *nutritores*, see Harper (2011), 406-7. It was still intact almost a century later, Cod. Theod. 5.9.2 (412 CE) but may have been partially revoked again shortly after, Const. Sirm. 5 (419 CE). Not later than 374 CE, child exposure had been made punishable by law, Cod. Iust. 8.51(52).2.

⁶⁹ Cod. Iust. 8.51.3. Twelve years later (541 CE), another constitution (Nov. Iust. 153) confirmed this ruling, referring to the early imperial precedent of permanently freeing sick slaves who were abandoned by their masters on the island of Aesculapius (Suet. Claud. 25). See Harris (1994), 19-22 and Tate (2008), 129-39 for this evolution in regulating child abandonment.

⁷⁰ Cod. Iust. 7.16.9 and 8.51.3.

stain on freedmen in literary and epigraphic sources, this observation renders even more pertinent the question whether a *macula servitutis* was in fact the primary reason for the *public* disabilities of freedmen. Especially when we consider the fact that in Roman thought, stains on someone's character or honour were rarely a priori persistent, as the next section will illustrate.

2.3 Social promotion and persistence of *maculae*

It cannot be denied that past status or behaviour often resonated after social promotion. Indeed, in a commentary on the *lex Iulia* and the *lex Papia Poppaea*, Ulpian states that a woman who had practiced prostitution in the past was disgraced in the eyes of the law (even when she had ceased to do so) “for disgrace (*turpitudō*) is not erased by later discontinuing the behaviour”⁷¹. Similarly, as is very well known, freed slaves in Greece (few in numbers as they may have been), or informally freed ones in Rome were not granted full citizen rights but continued to constitute a “marginal” part of the population (*metics* and *Iunian Latins* respectively)⁷². As noted earlier, for yet another kind of Roman freedmen, the specific category of *dediticii* was formalised as part of the Augustan reforms. This was the lowest status an ex-slave could obtain. It was reserved for those slaves who had been beaten, branded, chained or who had been forced to fight in the arena; in short, for all slaves whose previous treatment was incompatible with citizenship⁷³. They often carried the scars of slavery in a very literal sense (e.g. the freedman in Martial who had covered up his branding scars to avoid being recognised as a former slave)⁷⁴. Contrary to other freedmen or, indeed, prostitutes, the stigma of *dediticii* was absolute. In the case of prostitutes, even though Ulpian (and other lawmakers) stated that the loss of a woman's honour was definitive, others explicitly argued that there were ways to regain it – especially through formal marriage after

⁷¹ Dig. 23.2.43.4: “Non solum autem ea quae facit, verum ea quoque quae fecit, etsi facere desiit, lege notatur: neque enim aboletur turpitudō, quae postea intermissa est”.

⁷² For Greek manumission, see Calderini (1908); Zelnick-Abramovitz (2005). Whereas Greek freedmen may have been “marginal” also in terms of their number, this was most likely not the case for *Iunian Latins*, cf. Weaver (1997), 55; Sirks (1981), 274; Koops (2013), 116ff.

⁷³ Gaius Inst. 1.13; 15; 26-27; Suet. Aug. 40. This status would become increasingly rare and was abolished under Justinian (Cod. Iust. 7.5.1).

⁷⁴ Mart. 2.29.

manumission⁷⁵: a feature which freedpersons, not coincidentally, frequently stressed in their epitaphs (cf. Chapter 8). These lawmakers believed that “the compulsory nature of slavery could be a mitigating factor that reduced the stigma of sexual duties”⁷⁶. Similarly, female slaves could become respectable Roman matrons after manumission, indicating that their dishonourable past was outranked by their newly attained status⁷⁷. Since *matres familias* were explicitly defined as women who had not lived dishonourably (*non inhoneste vixit*)⁷⁸, the inclusion of freedwomen in this category is indeed significant. Finally, as has been mentioned, Augustus famously provided ways for Iunian Latins to gain full Roman citizenship after having fulfilled specific conditions such as producing offspring or performing acts of civic service⁷⁹.

From a broader point of view too, a stain rarely seemed to have been absolute or persisting. In their correspondences, Cicero, Pliny, and Fronto never speak of a *macula servitutis*, but they do occasionally mention a stain on someone’s honour or reputation. In a letter to Brutus, Cicero mentions “the great blot on the honour of the Roman people” (*magna populi Romani macula*) as a consequence of Caesar’s tyrannical rule, which had reduced the Roman citizens to slave-like status⁸⁰. In his description of Silius Italicus’

⁷⁵ Cod. Iust. 5.4.23pr-1 is an explicit grant of pardon by the emperor Justinian to women who chose to better their way of life after previous misconduct. It would be unfair, so the logic goes, to deny free women what could be granted to freedmen (referring to the procedure of *restitutio natalium*). Tainted women, too, could now be purified from all blemishes (*omni macula penitus direpta*). *Infamia* could also more generally be lifted (e.g. also in the cases of gladiators or actors), Dig. 3.1.1.9. Cf. Greenidge (1894), 177-85; Gardner (1993), 153-4.

⁷⁶ This is a vital observation throughout Perry (2014), esp. 150-51. Thus, at least in principle, women who had once worn the toga as an indication of their sordid profession and base status as prostitutes (McGinn (1998), 156f) could always hope to one day wear the *stola* of a free Roman matron and, by doing so, shake off quite literally the stain of their past. For freedwomen wearing the *vestis longa*, see Perry (2014), 132. For marriage as a redeeming factor (even in literature), see pp. 149-50. Trimalchio’s wife Fortunata is probably the most famous example of a woman who had risen from prostitution to exceptional luxury (Petr. Sat. 37). See, however, Gloyn (2012) for an argument against Fortunata being a prostitute.

⁷⁷ For the freedwoman Hispala Faecina in Livy’s account of the Bacchanalia, it seemed important to stress that she had not accompanied her *domina* to these rites after she was set free. As a slave girl, she had “nothing to lose” from association with the cult – she did, in fact, not have much of a choice in the matter – but as a free woman, she wanted to stay away from this *officina corruptelarum omnis generis* (Liv. 39.10.5-8; 12.6-7).

⁷⁸ Dig. 50.16.46.1.

⁷⁹ See already our remarks in the introduction. For the *anniculi probatio*, see Weaver (1990), passim (esp. p. 277, 280, 301). For a summary of the other conditions, see Sirks (1981), 254; López Barja de Quiroga (1998), 145-6.

⁸⁰ Cic. Brut. 1.15.4. Cicero often interchangeably used “monarchical rule” and “slavery” and presented Caesar as ruling over an enslaved Roman people (e.g. Off. 3.84: “Nam quanto plures ei regi putas, qui exercitu populi Romani populum ipsum Romanum oppressisset civitatemque non modo liberam, sed etiam gentibus imperantem servire sibi coegisset?”). For Cicero comparing “the

career, Pliny mentions the fact that he had damaged his reputation (*laeserat famam*) under Nero by acting as an informer⁸¹. Not only were informers considered to sustain and aid wicked emperors in the suppression of their subjects, but they also – as a consequence – were often considered slavish themselves⁸². Fronto, when trying to obtain the reinstatement of Volumnius Serenus as decurion of Concordia, wonders whether it is justified to inflict a significant stain (*insignem maculam*) on a very old man (i.e. by denying him this reinstatement)⁸³. Since Volumnius had been temporarily banished, his opponents argued that he had re-entered the body of decurions unlawfully. It is significant that in all of these cases, the focus shifts from the stigma itself to the fact that it was either already cleansed or that it could be cleansed in the future. Indeed, in the quoted passages, Cicero speaks of a *macula deleta* after Caesar had been killed. Pliny stresses the fact that Silius Italicus had removed (*abluerat*) the stigma of his former activities by his honourable retirement. And Fronto wonders whether and when the stain on Volumnius' reputation was to be effaced (*quando, oro te, abolendam?*)⁸⁴. Here, as in the case of freedwomen, Iunian Latins, and prostitutes, there were clear-cut ways (legally and “socially”) of diminishing or completely shaking off the stain of past actions and condition, even when these stains were at least rhetorically related to slavery.

Nonetheless, it was often a rhetorical strategy to stress that particularly severe “stains” could *not* be cleansed. Thus Cicero described the confiscation of Cyprus by Rome as a stain which no one could ever efface (*macula quam nemo iam posset eluere*), and accentuated the depravity of patricide by stating that it left a stain that could not be washed out (*macula elui non potest*)⁸⁵. Similarly, he warned Verres that he was greatly mistaken in thinking that he could remove the stains of his thefts and depravities in the

situation in which the *res publica* had recently found itself under the rule of Caesar to the condition of an enslaved person”, see Stacey (2007), 25f.

⁸¹ Plin. Ep. 3.7.3.

⁸² E.g. Tac. Dialog. 13, or the stain on informers (*macula delatoris*) in the legal sources, e.g. Cod. Iust. 9.35.3; 10.11.3. *Delatores* were a vital tool for emperors to quell any form of resistance, but were often victims of purges by ‘good’ or suspicious emperors (cf. Suet. Tit. 8; Dom. 9; Plin. Pan. 34-35), cf. Chapter 6.

⁸³ Fronto, Ad Amicos 2.7.8.

⁸⁴ Other indications of people who had their reputation tainted through improper behaviour, and who were subsequently described with (a derivative of) *macula* include Cic. Att. 1.16.3 (Cicero describes a mock trial led by a group of *maculosi senatores*); Plin. 4.11.4 (Valerius Licinianus disgraced (*macularit*) his profession by violating a Vestal Virgin); 6.31.4 (Gallitta brought disgrace (*maculaverat*) on her own and her husband's position by committing adultery); Fronto, Ad Antoninum Pium 3.4.9 (Niger Censorius seared his memory with a stain (*maculam*) by using intemperate language in his will).

⁸⁵ Cic. Sest. 63; S. Rosc. 66. The image is made more vivid since the *macula* here is the stain left, quite literally, by the blood of parents. The soiling of something or someone by blood became a *topos* in literature, e.g. Apul. Met. 3.18; 9.38; Liv. 22.1; Stat. Ach. 1.854; Silv. 1.5.38.

blood of Rome's innocent allies (*maculas furtorum et flagitiorum tuorum sociorum innocentium sanguine eluere*)⁸⁶.

The same discourse on stigma and its cleansing can be found in the writings of the Roman historians. Fonteius Capito, for example, was defiled and stained by his greed and lust (*avaritia et libidine foedum ac maculosum*), Fabius Valens (*foedum ac maculosum*) by his petty strife with Caecina which resulted in a Roman defeat, Lucius Vitellius by his role as informer (*omni dedecore maculosum*), etc.⁸⁷ Again, there were always ways to cleanse or mollify such stigmata, which rarely seem to have been absolute or permanently disabling. Caecina, in the example just mentioned, did not hesitate to disregard Valens' "despicable" character when rallying against their common enemy Otho. When encouraging his Pannonian troops, Antonius Primus reminded them that by bravery they could blot out the stain of their earlier disgrace (*abolere labem prioris ignominiae*), and decades earlier Augustus had waged war on the Germans to erase the shame (*abolendae infamiae*) of the Varus disaster of 9 CE⁸⁸. Likewise, during a heated debate between Eprius Marcellus and Helvidius Priscus, the former was allegedly burdened with the memory of his crimes as informer (*memoria flagitiorum urgetur*)⁸⁹. And finally, Titus Vinius is said to have gone through many changes of character (*variis moribus*) throughout his life. His initial military service under Calvisius Sabinus was *infamis* because of his part in adulterous affairs. He was later reinstated, and went on to become an exemplary praetor and legionary commander, as if his past crimes had never occurred. When invited to the emperor Claudius' table, however, he could not resist stealing a golden cup. This disgrace again stained his character, which was now even referred to as that of a slave (*servili probro*). This did not prevent Tacitus from describing Vinius' subsequent administration of Gallia Narbonensis as strict and integer again (*proconsulatu severe integreque rexit*)⁹⁰. Once more, servility is metaphorically indicated as the cause of bad behaviour and a smirched reputation. Nevertheless, this "stain" did not in itself preclude or diminish subsequent praiseworthy attitudes.

⁸⁶ Cic. Ver. 2.5.121.

⁸⁷ Tac. Hist. 1.7 (Fonteius Capito); 2.30 (Fabius Valens, cf. 2.56); 3.38 (Lucius Vitellius, cf. 2.53; ; 4.41: the informer Paccius Africanus is expelled from the Senate).

⁸⁸ Tac. Hist. 3.24; Tac. Ann. 1.3. Cf. also Ann. 1.43 (Germanicus deploring the *flagitia* of his army and begging the soldiers to *eluere hanc maculam*). The stain of surrender could also befall an entire city, even after bravely resisting the enemy, e.g. 4.60 (*egragiam laudem turpi macularent*).

⁸⁹ Tac. Hist. 4.7. Cf. 2.53 for Marcellus as hateful (*invisus*) and exposed to odium (*expositus ad invidiam*) and 4.43 for another attack by Priscus against Marcellus. See Pigoń (1992) for a detailed discussion of this *inter Helvidium et Eprium acre iurgium* and its wider scope.

⁹⁰ Tac. Hist. 1.48. Cf. also 2.86 (restoration of senatorial rank after earlier condemnation); 4.44 (two senators are denied return from exile whereas lesser offenders were allowed to come back); Ann. 6.37 (a former exile gets rewarded with Roman citizenship for being a *haud inglorious auxiliator* to Tiberius and subsequently receives further honours from the Parthian king).

Regardless, it would be naive to think that a freedman's past was simply forgotten in any class-conscious society. Indeed, Horace's sneer at a wealthy freedman (*fortuna non mutat genus*)⁹¹ found remarkable – and sometimes almost literal – resonance throughout the history of European slavery. In the 9th century, for example, one could still reproach a freedman by exclaiming that he was indeed free but that he could never obtain the social standing of a nobleman⁹². Horace's account is harsher since it rhetorically implies a natural difference between freed and freeborn, whereas its 9th century parallel merely states that freed status is an impediment to becoming *nobilis*. As briefly hinted at earlier, however, the entire discussion benefits greatly from reconfiguring it in light of any elite's wish to distance itself from the lower classes in general, rather than *prima facie* considering these attempts at distinction as the consequence of any libertine stigma in particular. In Rome especially, the highly ambivalent and controversial nature of “the” freedman made him the target *par excellence* of this discourse of distinction⁹³. Considered in tandem with the strong preoccupation of safeguarding private patronal rights, and of preventing freedmen from obtaining a position of power over their former masters, this observation not only highlights the inherent problems of the *macula* framework, but also goes a long way in providing alternatives in explaining the disabilities of freedmen⁹⁴.

2.4 Inconsistencies and alternatives

The exclusion of freedmen from the legions and their restrictions in both inheritance law and voting rights are examples of measures meant to safeguard patronal interests, rather than of concerns related to any inherent inferiority of freedmen. Soldiers were expected to be deeply invested in their country to guarantee their motivation and zeal. The exclusion of slaves and even Iunian Latins from the legions would have been easy

⁹¹ Hor. Epod. 4.6.

⁹² Theganus, *de Gestis Ludovici Pii*, cap. 44 “Fecit te liberum, non nobilem, quod impossibile est post libertatem”. Contrast, however with CLE 990: “M. Aurelius Cottae Maximi Zosimus, accensus patroni. Libertinus eram fateor / sed facta legetur / patrono Cotta nobilis umbra mea”, cf. Chapter 8.

⁹³ Or to paraphrase Wiedemann (1987), 11 (writing about Greek slavery): slavery and manumission were tools and concepts used to address broader social issues. For example, good emperors were rulers who respected and protected the social hierarchy. The control over and indulgence towards their freedmen was often taken as a yardstick of their policy and worth (Plin. Pan. 88.1-3; cf. Tac. Hist. 3.55 for a similar discourse on the granting of Latin rights to foreigners).

⁹⁴ Mouritsen (2011), e.g. 122 and Perry (2014), e.g. 137 sometimes hint at this but never abandon the *macula* ideology as explanatory framework for the freedman's disabilities.

enough on the grounds of them not possessing citizenship, but even freed *citizens* seem to not have fit this expectation. On the one hand, no law (or even brief reference) survives that attests to the formal exclusion of freedmen from the legions, but on the other, no evidence exists of ex-slaves actually serving as legionnaires⁹⁵. As a consequence, most assumptions on the matter essentially derive from *ex silentio* arguments, and conflate absence of proof with proof of absence. Atkinson argued – very speculatively – that freedmen could and did serve in the legions, and that the *lex Iunia* was intended precisely to guarantee “a flow of recruits for the armed forces”⁹⁶. Much more reasonable is Sherwin-White’s suggestion that freedmen are not found in the legions simply because they were too old at the time of their manumission (and not because there was a formal ban), but Mouritsen rightly reminded us that this too is an unsupported theory⁹⁷. Mouritsen’s own alternative stresses the potential lack of loyalty and skill in freedmen as reasons for their exclusion, but typically describes these concerns as “conventional prejudices against the ‘slave nature’”⁹⁸. Again, a persisting *macula servitutis* is invoked to explain a limitation that could otherwise be accounted for.

Moreover, freedmen may have been unwilling *themselves* to serve in the military. Slaves who were freed had often enjoyed a good education or training, and could generally make a better (and safer) living continuing the trade they had learned as slaves. While this too is a valid consideration, the lack of attestations of freedmen in the legions is puzzling indeed, if only individual choices or motivations played a role. Fundamental, we would argue, was the fact that patronal authority and the freedman’s duty of *obsequium* (not to mention the occasional *operae*) would have been greatly impeded by a military career⁹⁹. The reluctance of patrons to let their freedmen off to the legions¹⁰⁰, but also an ingrained unease with freedmen potentially rising to positions of power over their patrons, are arguments very much in line with the centrality of the patronage relation in Roman ideology on slavery and manumission.

Indeed, other measures seem to have had the patronal interest rather than any “contamination” or “degradation” of a particular body or group in mind. When in 169

⁹⁵ Only in times of crises were freedmen allowed in the army, but even then in separate units (Suet. Aug. 25). Cf. also Vell. Pat. 2.111.1; Dio 55.31.1-2; Macr. Sat. 1.11.32. When slaves were exceptionally allowed in the army, they were freed on recruitment (Suet. Aug. 25; Tib. 4; Cod. Theod. 7.13.16).

⁹⁶ Atkinson (1966), 366.

⁹⁷ Sherwin-White (1973), 324-5; Mouritsen (2011), 71 note 22. The military age was between 17 and 46 years, cf. Forsythe (2007), 31.

⁹⁸ Mouritsen (2011), 72.

⁹⁹ Cf. Dig. 38.1.43.

¹⁰⁰ When Augustus tried to quell the Panonian revolt, he had to compel patrons to provide freedmen as recruits, which suggests that they would normally have been reluctant to do so (Vell. 2.111; Suet. Aug. 25; Dio 55.31.1).

BCE the censor Ti. Sempronius Gracchus proposed a motion that would deprive freedmen of the vote, his colleague C. Claudius Pulcher opposed it because it constituted a fundamental infringement on the freedman's freedom and citizenship (*id esse ciuitatem libertatemque eripere*), and would as such greatly tarnish the public transcript of equality¹⁰¹. The compromise was to enrol all freedmen into one single urban tribe (the Esquiline), severely diminishing their weight in the *comitia tributa*. The affair was but one episode in the on-going struggle between *populares* and *optimates*, who continuously sought to expand or restrict the distribution of freedmen over the thirty-five tribes. The Roman system of block-voting allowed for an artificial reduction of "democratic" representation by grouping a large societal group in but a few tribes¹⁰². Although this practice met with strong opposition from the *populares* who appealed to the fundamental freedom of all citizens, the very same notion of *libertas* was invoked by the *optimates* to justify the manifest discrimination of ex-slaves. In the elite's mind, complete equality was essentially unjust (*iniqua*) because it ignored the moral superiority of the highest echelons of society and fundamentally tarnished the *gradus dignitatis*¹⁰³. Any attempt to equate the lower orders with the higher ones would thus infringe on the very *libertas* the *populares* claimed to pursue by pleading for equal voting rights for all citizens. It is therefore not surprising that originally, not only freedmen but a much larger group of unspecified *humiles* were restricted to the four urban tribes¹⁰⁴.

When Clodius tried to open up the rural tribes for freedmen, the attempt provided Cicero with effective ammunition to convince a jury of his depravity. Cicero's main concern, however, was not the safeguarding of the rural tribes against any form of contamination in a moral sense. His main fear – and thus undoubtedly also the unease he wanted to evoke or manipulate in his audience – was that freedmen would, as a consequence of the Clodian law, obtain an unparalleled preponderance in elections, and, accordingly, an indirect influence over their patrons. If enacted, Clodius' laws, Cicero vigorously argued, "would have made us subject to our own slaves" (*incidebantur iam domi leges, quae nos servis nostris addicerent*)¹⁰⁵. Cicero, in this instance, clearly used *servi*

¹⁰¹ Liv. 45.15.

¹⁰² For (the evolution of) the distribution of freedmen in the tribes, see especially Taylor (1960), *passim* (esp. p. 132-49); Treggiari (1969a), 37-52; Fabre (1981), 135-8 (a "véritable discrimination"); Millar (1995); Arena (2006); Mouritsen (2011), 76-9 ("openly discriminatory").

¹⁰³ Cic. Rep. 1.43; 53, mirrored in Plin. Ep. 9.5.3. Arena (2006) is dedicated entirely to this ideological adaptation of the notion of *libertas* by both *populares* and *optimates*.

¹⁰⁴ Liv. 9.46. Cf. Treggiari (1969a), 42, 52.

¹⁰⁵ Cic. Mil. 87. Cf. Treggiari (1969a), 50; Arena (2006), 79-80.

instead of *liberti* for rhetorical effect – like he often did throughout his speeches¹⁰⁶. Later commentators indeed assumed that this phrase referred to Clodius’ motion on tribal distribution¹⁰⁷. In a contribution meaningfully titled “Fear of freedmen”, López Barja de Quiroga similarly argued that the sheer number of known instances where the freedman vote dominated the political agenda throughout the Republican period betrays the fact that the elites considered it a very real threat¹⁰⁸. Likewise, Arena has drawn attention to the “numerous instances of agreement or silent acceptance of *populares* measures on the part of the senate” but stressed that the enrolment of freedmen in all tribes would mean too much of a threat to *optimates* supremacy to give way to it, and was therefore repeatedly and consistently fought¹⁰⁹.

If a distribution among all thirty-five tribes would grant freedmen only indirect influence over their patrons¹¹⁰, access to political office constituted a prospect to be dreaded even more profoundly. Even prior to the *lex Visellia*, which formally barred freedmen from obtaining public office in the municipalities, ex-slaves seem to have been *de facto* excluded from these dignities¹¹¹. This did not mean that freedmen were entirely excluded from the *honores* system. The freedman L. Iunius Puteolanus, for example, is said to have held all the honours (*omnes honores*) which freedmen could take up¹¹². Similarly, the imperial freedman Titus Flavius Crescens received from the decurions and people of Gabii many *honores*, which he faithfully took up¹¹³. These (and similar) inscriptions indicate that freedmen could receive certain honours, as long as these did not entail any formal power. The *lex Visellia* therefore aimed at safeguarding

¹⁰⁶ E.g. Cic. Mil. 89, which refers to the same Clodian law (*lege nova, quae est inventa apud eum cum reliquis legibus Clodianis, servos nostros libertos suos effecisset*). Treggiari (1969a), 265 argued that the *servi* were in fact *liberti* and the *liberti* clients. Other scholars interpreted Clodius’ proposal not as a distribution law, but as an attempt to legally enshrine the freedom of informally freed slaves (an early “*lex Iunia*” as it were). Even if correct – the suggestion cannot be definitely proved – *servi* would still have to refer to (informal) freedmen, and a reading of *liberti* as clients remains necessary since no (informally freed) slave would become an actual freedman of Clodius. Cf. Łoposzko (1980), 84ff; Benner (1987), 131-3; Tatum (1999), 238-9. For a justified criticism, see Mouritsen (2011), 78.

¹⁰⁷ Ascon. 52C: “Significasse iam puto nos fuisse inter leges P. Clodi quas ferre proposuerat eam quoque qua libertini, qui non plus quam in IIII tribubus suffragium ferebant, possent in rusticis quoque tribubus, quae propriae ingenuorum sunt, ferre”.

¹⁰⁸ López Barja de Quiroga (2007).

¹⁰⁹ Arena (2006), 80-1 (with examples in note 46).

¹¹⁰ The analytic distinction patron-freedman often obscures the fact that many patrons were themselves of servile descent. Not every patron therefore necessarily sympathised with the “optimate” definition of *libertas* and the consequent distribution of freedmen in the four urban tribes only. From an elite’s perspective, however, the empowerment of freedmen would obviously be conceived as a threat to “normal” status categories.

¹¹¹ Cod. Iust. 9.21.1.

¹¹² CIL 2, 1944. The mention of the *municipium Suelitanum* provides 53 CE as *terminus post quem* for the erection of this altar; well after the *lex Visellia*.

¹¹³ CIL 14, 2807. His name situates Crescens in Flavian times.

the “natural order” rather than stressing and consolidating any innate inferiority of freedmen¹¹⁴. The exceptional leniency in allowing freedmen to hold municipal office in Caesar’s colonies seems to confirm this picture. There was no danger of freedmen gaining direct *auctoritas* over their patron in these contexts, and it may have often been by the initiative of these very patrons themselves that their freedmen were elevated to such exceptional heights, e.g. to secure important commercial or strategic positions in the region¹¹⁵. The creation *ex nihilo* of many of these colonies moreover ensured that there was no opposition of an entrenched elite corps. If freedmen were considered inherently incapable or undeserving of holding municipal magistracies, these exceptions – let alone the case of Anthestius Amphio mentioned above – surely would not have been tolerated.

The same *lex Visellia* formally allowed the emperor to grant the right of wearing the golden ring to a freedman (*ius anulorum aureorum*). This *beneficium* quite literally “annulled” all formal restrictions in the public sphere, entitled the freedman to the appearance – though not the actual status – of free birth (*imago non status ingenuitatis; ut ingenuus habetur*), and thus allowed him to exercise all functions of a freeborn person (*omnia ingenuitatis munia habet; officia publica ingenuorum peragunt*)¹¹⁶. Significantly, however, this “cleansing” would not erase the connection and obligations to his *patron*, who maintained his (inheritance) rights over the freedman, and to whom the latter continued to owe *reverentia* and support¹¹⁷. Like a Iunian Latin who lived free but died a slave, a freedman who received the golden ring lived as an *ingenuus* but still died as a freedman (*hic enim vivit quasi ingenuus, moritur quasi libertus*)¹¹⁸. Saller observed that these grants were “matters of patronal favoritism” and were as a consequence often granted to imperial favourites. He concluded that we cannot gauge the extent to which these

¹¹⁴ It has been justly argued that the consequences of this restriction differed in no fundamental way from those of the formal requirements and informal mechanisms that prevented the lower classes in general from obtaining high office. Cf. Mouritsen (2011), 73; Perry (2014), 134.

¹¹⁵ Treggiari (1969a), 62–4; Mouritsen (2011), 74–5. See, however, Millis (2014), who shows (at least for Corinth) that these colonial situations were not cases of exceptional social mobility of freedmen but rather the result of economic and politico-strategic considerations of elites (and therefore precisely an impediment to social mobility). The argument is an echo of Frederiksen’s (1959), 111 who focused on the commercial use of freedmen to secure and consolidate the power-hold of certain families. See also Kleijwegt (2006a), 49 who draws attention to the specific “political constellation which favoured members of an outsider group to counter or reduce the influence of another group”.

¹¹⁶ Cod. Iust. 6.8.2; 9.21pr; Dig. 2.4.10.3; 40.10.5,6; Dio 48.45.8–9. For the *ius anulorum*, see Duff (1958), 85f; Sherwin-White (1973), 331; Demougin (1984), 218–9.

¹¹⁷ Dig. 2.4.10.3; 38.2.3pr; 40.10.5,6. On the other hand, the freedman would not forfeit the benefits related to the patronage relation, e.g. Dig. 40.10.1pr.

¹¹⁸ Dig. 38.2.3pr; Gaius Inst. 3.56.

grants were actually desired or actively pursued by freedmen¹¹⁹. However, a freedman like L. Marius Doryphorus would give the achievement pride of place in his funerary inscription, where it meaningfully preceded the account of his impressive apparitorial career as *scriba, praeco, viator, and lictor*¹²⁰.

From a *macula servitutis* point of view, the *ius anulorum* was a “remarkable invention” because it entailed a “miraculous suspension” of the freedman’s “stigma”. For this reason, its formalisation under Augustus has been described as “surprising” since it was precisely this emperor who was a vigorous defender and enforcer of traditional status boundaries¹²¹. However, Augustus’ responsibility is only “surprising” when we interpret the *ius anulorum* essentially as “purging” persons who were inherently inferior due to a servile past. Rather than considering it merely as a legal, *public* cleansing of an ideological stain, the potential subversive effects of the *ius anulorum* derived in no small degree from its influence on *private* relations. As a social practice, the impact existed primarily in the elevation of a freedman to a legal “status” that could potentially endow him with formal authority over his patron. This is implied by the provision that the grant of the *anulus aureus* required the explicit permission of the patron, and could be revoked if obtained without the latter’s knowledge¹²². Since the “promotion” of his freedman would by no means diminish a patron’s rights or financial claims over him (cf. *supra*), the explicit requirement of patronal approval must have served other interests. On an ideological level, this prerequisite was a formal recognition of the patron’s authority over, and judgement of, his freedman. On a more pragmatic level, however, it was important for a patron to explicitly agree with granting one of his freedmen the golden ring, since the change in legal status would allow the latter to obtain a position of formal power over his ex-master. Both ideologically and pragmatically, then, the change in legal status had to be approved by the party that was (besides the freedman himself) affected most directly by the transition¹²³.

¹¹⁹ Saller (1982), 53. Contra Duff (1958), 86 who speaks of “large numbers of humbler freedmen” who, like imperial freedmen, gained the privilege.

¹²⁰ CIL 6, 1847: “[L(ucius)] Marius L(uci) lib(ertus) Doryphorus anulos aureos / consecutus a divo Commodo scrib(ae) aedilic(io) et / tribunic(io) scrib(ae) libr(ario) aedil(ium) curul(ium) praeco co(n)s(ulis) / praec(o) quaestorius sacerdotal(is) viator(is) augurum / lictor curiat(or) Laurens Lavinus fecit sibi et / Ae(liae) Asclepiodote coniugi item libertis / libertabusque suis posterisque eorum”.

¹²¹ Mouritsen (2011), 107-8.

¹²² Dig. 40.10.3: “Divus Commodus et ius anulorum datum ademit illis, qui invitis aut ignorantibus patronis acceperant”.

¹²³ Mouritsen (2011), 47 note 68 claims that the *ius anulorum* “only altered the relationship between the freedman and the outside world”. Although this is true in a strictly legal sense (cf. note 116 above), the possibility of an ex-slave obtaining formal positions of power had repercussions for the dynamic of the patronage relation as well (as suggested by the explicit requirement of patronal approval for a grant of the *ius anulorum*).

The habit of protecting patronal rights was ingrained in Roman law, but it sometimes at least theoretically conflicted with the need to respect the principled equality of freed citizens. One of the main arguments of Matthew Perry's recent monograph, is that Roman freedpersons' citizen rights were respected and protected, even when this meant curbing patronal power to some degree. For instance, a patron could not *force* his freedwoman to marry him. However, he could *de facto* make a slave girl promise to marry him after she would have been freed (especially since yielding to this "proposal" was plausibly the only way for her to obtain freedom in the first place). The distinction between a soon-to-be-freedwoman and an actual freedwoman may seem like juridical hair-splitting at first sight, but the vital difference was that a freedwoman's citizen status granted her a set of unalienable rights, which could not be infringed upon, since this would undermine the fundamental principle equality she was entitled to as a citizen¹²⁴. Similarly, potential loopholes in the prohibition of *revocatio in servitutem* were carefully closed to safeguard the integrity of a freed Roman citizen. For instance, the law made sure that a slave who was (formally) freed by testament on condition that he would remain with the deceased's heir for a few years, could not be made a slave again when he violated these terms after his manumission¹²⁵. As always, we have no way of knowing to what degree these and similar laws were implemented on every occasion. Legally, for example, a freedman was free to conduct business where and how he wanted¹²⁶ – even if his patron did not agree –, but the threat of informal sanctions (e.g. the revocation of financial aid or the exclusion from the patron's workshops) would have *de facto* forced the freedman to take into account his patron's wishes¹²⁷. Be that as it may, the general reasoning behind freedman measures in Roman law clearly betrays a concern of respecting the principled equality of free Roman citizens. This equality perhaps did not always translate into social practice, but on these occasions, the reason why it did not, was not an ingrained belief of moral inferiority, but – again – a preoccupation with patronal rights.

The same logic lay behind the special treatment of freedmen in inheritance law. As citizens, *libertini* should by definition have the same property rights as freeborn citizens. As *liberti*, however, they were increasingly disadvantaged. Somewhere during the fifth century BCE, the Law of the Twelve Tables ensured that after he died, the property of a freedmen who left a will or who had *sui heredes* would transfer according to the rules that applied to inheritances of freeborn citizens¹²⁸. In two later stages, patronal rights

¹²⁴ Perry (2014), passim (esp. p. 89-93).

¹²⁵ Dig. 40.4.52.

¹²⁶ E.g. Dig. 37.14.2, 18; 37.15.11. Cf. Waldstein (1986), 316; Aubert (1994), 36-7.

¹²⁷ Mouritsen (2011), 212-3.

¹²⁸ Gaius Inst. 3.40.

increased, even though initially the situation of freedmen was still identical to that of emancipated sons¹²⁹. The reasons for granting special privileges to patrons were less inspired by a freedman's servile inferiority than by pragmatic concerns to curb the increasing influence and wealth of freedmen who, at the time of these legislative measures, sometimes surpassed their patrons in both respects. Perhaps even more important, these measures (the *lex Papia Poppaea* in particular) need to be framed in the Augustan reforms in which the *discrimina ordinum* in general was rigorously observed and patrons' rights carefully protected¹³⁰.

The *lex Iulia de maritandis ordinibus* (18 BCE) was meant to safeguard precisely this *gradus dignitatis* in society at large¹³¹. This Augustan law, prohibiting senators and three generations of descendants in the male line, from marrying either a freedwoman (*libertina*) or a woman who herself (or whose mother or father) had practiced the *ars ludicra*, is occasionally explained as a stigmatising tool, its goal being to prevent these persons' innate inferiority from "rubbing off" and "contaminating" the elite¹³². There are, however, indications that the *raison d'être* for this ban was a concern with sustaining the exclusivity of the senatorial body in general, rather than a fear of servile contamination in particular¹³³. Indeed, the same law explicitly guaranteed that other

¹²⁹ Gaius Inst. 3.41-42; Dig. 37.12.1. For a comprehensive overview of this evolution, see Gardner (1993), 21-3.

¹³⁰ Perry (2014), 137 drew on Gardner to make a similar argument: the disabilities of *libertae* are not designed to mark their *macula* or inferiority, but rather to protect patrons' rights. Contra MacMullen (1974), 104 who saw these disabilities as a punishment for the tainted freedperson. For the *discrimina ordinum* as corner stone of the Augustan reforms, see Mouritsen (2011), 89-91. For its central role in elite ideology, see Tac. Ann. 2.33.

¹³¹ Dig. 23.2.44pr; Tit. Ulp. 13.1; Dio 54.16.2. See Borbonus (2014), 251-2 note 8.

¹³² E.g. Nasrallah (2014), 57; Mouritsen (2011), 21. This is probably too literal an interpretation of certain ancient writers (cf. note 2 above). See however Mouritsen (2011), 80ff (rightly nuancing these and similar passages and arguing that the Augustean measures should be seen as "a statement of principle" rather than a "radical attempt to alter current practice"), 108 (imperial measures against freedmen are explained as self-profiling by the emperor (who openly needed to respect social hierarchy by containing his freedmen) instead of as a general condemnation of a "stigmatised" class). Mette-Dittman (1991) and McGinn (2002) discuss the Augustan marriage law in particular. Perry (2014), 134-5 (including notes) reasonably argued that any resulting disabilities of freedpersons (exclusion of "the most elite standing" but also legal disabilities, as social status became increasingly important in Roman law) were a corollary of the primary purpose of the laws to secure the exclusivity of the senatorial order. He sees in them a tightening of social status groups and as such a foreshadowing of the later divide between *honestiores* and *humiliores* (p. 135): "If freedwomen were inferior to senators and their wives, then they shared this inferiority with the overwhelming bulk of Roman citizens; in terms of practical application, the law did not entail freedwomen being treated all that differently than the majority of free female citizens".

¹³³ Weber (1988), 259 compared the law in this respect with the German "Rassengesetzen" of the 1930s and 1940s ("eine gewisse Nähe"). Pace Mouritsen (2011), 21 who saw the ban as a measure to prevent "'contamination' of the citizen body in general" (though nonetheless adding that "the

ingenui incurred no stigma when marrying freedwomen. The accentuation of the division between senators on the one hand, and the rest of society (including other elite members like knights and *decuriones*) on the other, is already clear in the passages of (the commentaries on) the *lex Iulia* that separated senators from *ingenui ceteri*¹³⁴, but it is even more explicitly stressed in the *lex Papia Poppaea* (9 CE), which confirmed that all freeborn men *praetor senatores eorumque liberos* could marry freedwomen¹³⁵. The *Tituli ex corpore Ulpiani* provide the clearest distinction between the two groups, since their respective restrictions are treated in separate subdivisions¹³⁶. If any *macula* precluded the marriage between freed and freeborn, the ban would have been made more general. Instead, its limitation to the senatorial class is a clear indication of its being directed at this exclusive order rather than to that of freedpersons. Indeed, senators were equally barred from marrying, for example, actresses (i.e. practitioners of the *ars ludicra*), prostitutes (those who made *corpore quastum*), or women who were *damnatae publico iudicio*¹³⁷.

In his seventh *Controversia*, Seneca has a speaker give evidence for marriages between senators and freedwomen in the past. The only example he comes up with is the marriage of Cato the Elder. However, Cato married a low ranking freeborn woman, not a freed one. For the speaker, these ranks were interchangeable, the only relevant trait being their common distinction from the senatorial order¹³⁸. Moreover, in the same passage, any difference between a freedman and a *colonus* is explicitly and meaningfully downplayed by comparing it to the much greater difference between the speaker and the great Cato himself (*plus interest inter me et Catonem quam inter libertum et colonum*). Later marriage regulations, not dealing with freedpersons specifically, seem to have had the exact same concerns in mind¹³⁹. These laws were inspired by a strong preoccupation

highest order in particular” was envisaged). Cf. Fabre (1981), 186 who stresses “la protection de la pureté du recrutement du Sénat (et de l'ordre sénatorial)”.

¹³⁴ E.g. Dig. 23.2.44.8: “Eas, quas ingenui ceteri prohibentur ducere uxores, senatores non ducent”.

¹³⁵ Dig. 23.2.23.

¹³⁶ Tit. Ulp. 13.1 considers the regulations for senators, and 13.2 those of the *ceteri ingenui*. Although the text is valuable precisely for explicitly making this distinction, the actual content of the respective restrictions should be treated with care since editorial flaws and postclassical additions have likely occurred, cf. Gardner (1993), 123-5; McGinn (2002), 50-4.

¹³⁷ Dig. 23.2.43.10; 2.44pr; Tit. Ulp. 13.1-2 (see, however, the reservation in the previous note).

¹³⁸ Sen. Contr. 7.6.17, cf. Plut. Cat. 20.1. See also Cic. Phil. 3.17 in which Antonius is despised for having children by a woman of servile descent. However, it is not any remaining servile stain but rather her want of noble birth in general (*ignobilitas*) that provides Cicero with his rhetorical ammunition. Indeed, Antonius' father is attacked on the exact same grounds for marrying the (freeborn) daughter of a traitor.

¹³⁹ E.g. Mathisen (2006), 1028-32 (discussing a fourth century marriage law prohibiting *provinciales* from marrying *barbari*) and Harrill (2006), 387 (Tertullian invoking the *exemplum* of slavery to forbid mixed marriages between Christians and non-Christians).

with safeguarding the “natural” *discrimina ordinum* and *gradus dignitatis*, rather than an attempt to stigmatise freedmen or to prevent servile “contamination”. Instead of “lashes of the law” trying to alter or adjust existing malpractices, these provisions were confirmations of an already existing and established social practice among Rome’s senatorial elites. Their immediate result was therefore not a *de facto* discrimination of freedpersons, actresses, or prostitutes, but rather a confirmation of ideological beliefs of distinction in a social context where “endogamous” marriage had been the unwritten rule all along¹⁴⁰.

This is clear also from closely related issues. Q. Antistius Vetus, for instance, is said to have divorced his wife because she had been seen talking to a *libertina vulgaris* in public (*in publico*)¹⁴¹. This passage has been quoted in support of a general belief among the Roman writers that nobles could quite literally be infected with servility by coming in contact with it¹⁴². However, the passage must be seen in its context. Vetus’ motives had been the same (*nec aliter sensit*) as those of C. Sulpicius Gallus, who divorced his wife because she had appeared in public without her veil¹⁴³. Both “crimes” – like so many others – were only considered grave because they had occurred *in public*¹⁴⁴. Conversing with a freedwoman would not have been a problem in the secluded sphere of the woman’s own *domus*. This contradicts the idea of *servile* contamination as the reason for Vetus’ severe reaction. In this context, the description of the freedwoman as *vulgaris* is meaningful as well. It is probably at least as much her baseness of character or her belonging to the lower *plebs* in general, as her social status as ex-slave that made the encounter particularly shameful. In both cases, the divorces were caused by the women not living up to *their* status and not respecting the distance that should be kept with the lower classes.

The a priori acceptance of the *macula*-ideology as determinant of the freedman’s condition poses other problems as well. As is well known, Roman law did not postulate

¹⁴⁰ Raepsaet-Charlier (1994); McGinn (2002), 57-8; Mouritsen (2011), 84-5, 91-2; Perry (2014), 135. For an alternative view, see Gardner (1993), 39.

¹⁴¹ Val. Max. 6.3.11.

¹⁴² See most recently Mouritsen (2011), 21.

¹⁴³ Val. Max. 6.3.10.

¹⁴⁴ See also Tac. Ann. 1.77 (knights cannot be seen with actors *in public*); 13.45 (an aristocratic woman is praised for rarely appearing *in public*, and for always wearing a veil on the rare occasions when she did); Cic. Com. Pet. 2 (Antonius Hybrida *openly* keeps a slave girl as his mistress); Suet. Galb. 22 (Galba *publicly* kisses his freedman); Otho 2.4 (Vitellius’ father “not secretly nor seldom, but *openly* and every day” worships his freedwoman); Dio 60.2.4 (Claudius was despicable because he – *more conspicuously* than anyone else – was ruled by slaves and women). Epigraphic praise of freedwomen *qua* matrons often focussed on their reluctance to associate with the common crowd (e.g. CLE 959; 1988). See also Joshel (1992), 28.

that slaves were inferior *by nature*¹⁴⁵. However, the condition and *experience* of slavery in itself could *change* a person's character in a way that made him or her inferior to free people¹⁴⁶. The conviction that moral inferiority is a result of being a slave (rather than the other way around) is difficult to reconcile with the procedure of *vindicatio in libertatem* by which wrongfully enslaved persons could reclaim their freedom. Interestingly, they would legally “become” *ingenui* again and would as such not suffer from any formal *macula servitutis*, despite having endured servile treatment¹⁴⁷. However, a necessary consequence of the conception of slavery as “not natural” is that the praxis and experience of slavery should, at least theoretically, leave as much of a stain on these people as on “real” slaves – both categories having been “born equal” and subsequently subjected to the same “servile experience”¹⁴⁸. Indeed, freeborn prostitutes or actors were automatically branded with *infamia* because of their occupation and behaviour (cf. *infra*). On the contrary, law texts clearly stated that the practice of (unjust) slavery did *not* make a freeborn person “servile”¹⁴⁹. The fact of unjustly having been a slave did *not* result in any disabilities in public or private life in these cases. The same could be said of the practice of *postliminium* whereby freeborn Romans who were enslaved by foreigners, could reclaim their freeborn status without any permanent limitation or “stain”¹⁵⁰. These observations nuance the belief that any moral deficiency as a consequence of servile treatment was the primary reason for the freedman's social and public

¹⁴⁵ The law explicitly stated that according to the *ius naturale*, all men are born free (Dig. 1.1.4) and therefore essentially equal (Dig. 50.17.32). Slavery was an institution of the *ius gentium*. See Buckland (1908), Chapter 1 (e.g. already p. 1-2), 347; Garnsey (1996), 11-5. Cf. also Fitzgerald (2000), 89. For a recent discussion with many references to both ancient literary, philosophical, and legal sources as well as to modern opinions, see Mouritsen (2011), 14-7.

¹⁴⁶ Mouritsen (2011), 22; cf. Klees (2002). Similarly, a woman caught in the act of adultery was branded with *infamia* even before (or without) any conviction took place because the degradation resulted from the (f)act itself rather than from any formal condemnation (... *quia factum lex, non sententiam notaverit*, Dig. 23.2.43.12).

¹⁴⁷ Harper (2011), 395 (with notes); Watson (1967), 218-22; Treggiari (1969a), 19. Lavan (2013), 80f. As mentioned above, there were exceptional ways for slaves to become *ingenui* without incurring any formal *macula servitutis*.

¹⁴⁸ In defence of the *macula* ideology, Mouritsen tries to show that “some ‘taint’ did indeed remain in the eyes of society because of the reality of servitude, however unjustified”, Mouritsen (2011), 17 note 39. The single case of Vespasian's wife is, however, hardly sufficient evidence.

¹⁴⁹ E.g. Cod. Iust. 7.14.10. Cod. Iust. 7.16.6 states that an *ingenuus* cannot distance himself from his *ingenuitas* even by voluntarily declaring that he is a slave. Freeborn children who were sold into slavery did not lawfully forfeit their original status, cf. Buckland (1908), 420-1; Harris (1994). Debtors who were condemned to serve their creditors as slaves in order to pay off their debt, however, may have been freed like other slaves and ended up as freedmen (Quint. Inst. 5.10.60 and 7.3.26-7). Cf. Lavan (2013), 77.

¹⁵⁰ For *postliminium*, see Dig. 49.15.19; Cod. Theod. 5.7.1. Buckland (1908), 304ff. Cf. also the procedure of *restitutio natalium* (Dig. 40.11.5).

disabilities. It was the formal legal status of *ingenuitas* or *libertinitas* that determined the evaluation of the consequences of a “servile subordination”, not the other way around.

Reasoning backwards, the fact that in some – albeit exceptional – cases a freeborn individual could become a freedperson without ever having been a slave confirms this conclusion. In 52 CE, the *senatus consultum Claudianum* ruled that a freeborn woman who had a sexual relationship with a slave without the consent of the slave’s master, would become a slave herself. If, however, the master had agreed to the union, she was to be a *liberta* only¹⁵¹. Modern authorities disagree on the precise purpose of this SC, but many think that it was not intended as a punishment for the woman in question¹⁵². Be that as it may, this measure shows that being a freedperson but not having been a slave was not an insurmountable (legal) contradiction, and that the restrictions and disabilities of these women therefore did not result from any servile past (but rather served to close the status-gap between the slave and the woman in question, in order to make their union somewhat more acceptable)¹⁵³.

The ability of enslaved freeborn people to reclaim their original status without incurring formal disabilities, or the possibility of being branded with any without formally having been a slave, thus reveal an inconsistency in the idea that a moral *macula servitutis* was the primary identity dimension of freedmen. In the first scenario, this assumption becomes even more problematic when we consider that the formal modes of manumission (at least *vindicta* and maybe *censu* as well) were in fact legal fictions that presented the process of manumission as *restitutiones in libertatem*¹⁵⁴. In an attempt to ideologically explain and justify the transformation of slave into free person, it was pretended that the slave was at some point unjustly enslaved and, by the formal manumission, restored to his original status, thus symbolically placing him on the same footing as *ingenui* restored to their birth right by the procedures of *vindicatio in libertatem* or *postliminium* mentioned above. Especially the public restrictions freedmen would nonetheless suffer from, indicate that it was their formal legal position in society rather than an ideological belief of moral inferiority that constituted the basis of

¹⁵¹ Tac. Ann. 12.53. For this *senatus consultum* and its purpose, see (among others) Sirks (2005) and Harper (2010). Cod. Iust. 7.16.3 declares that the same “crime” committed by a free *man* is not punished in this way.

¹⁵² See particularly Herrmann-Otto (1994), 28-33 and Sirks (1994).

¹⁵³ Mouritsen (2011), 22 note 70 argued that the woman’s demotion paradoxically helped restore her honour, because it was less shameful for a freedwoman than for an *ingenua* to associate with a slave in this way.

¹⁵⁴ Treggiari (1969a), 21-2; Buckland (1908), 441-2. People held in slavery, who were not aware that they were legally free, constituted a distinct category in Roman law: a *liber homo bona fide serviens* (p. 331-52). See Mouritsen (2011), 11-2 for further references.

differentiation. It seems rather insufficient to dismiss these flaws in the *macula*-framework as mere “exemptions” or “inconsistencies”¹⁵⁵.

Finally, a comparison between the “stigma” of freedmen and the social and legal condemnation of *infames* (“degraded persons”) is illuminating. Freedmen shared their exclusion from political office with other social groups like women and *infames*. Whereas this legal disability was “ascribed” to freedmen and women, it was “acquired” by *infames*: the former were inflicted with it by their very condition (legal and biological respectively), the latter incurred it throughout their lives as a result of immoral or criminal behaviour¹⁵⁶. Although the legal status of freeborn *infames* and that of freedmen was fundamentally different¹⁵⁷, their restrictions in public life often overlapped. It is well known that there did not exist one all-encompassing notion of *infamia* under which all those branded with it could be equally categorised. Indeed, there were several gradations in the restrictions imposed, and limitations depended both on the context of the crime and on the status of the offender¹⁵⁸. Roman citizenship in general was no “package deal”¹⁵⁹. Parts of it could be granted or revoked, and the notion of *infamia* (“downgrading” *ingenui*) – much like the *ius anulorum* (“upgrading” *libertini*) – was instrumental in maintaining a trapped system of (citizen) rights.

Even though the restrictions of freedmen and women were similarly ascribed, the two groups still differed from each other since women could not, by their very *nature*, and under any circumstance, lay claim to *auctoritas*, whereas freedmen could technically do so in contexts where there was no threat of rising to positions of power over their patrons (e.g. in Caesar’s colonies¹⁶⁰), or when they did so illegally by usurping power¹⁶¹. Tacitus explicitly writes that informers had to find alternative ways to incriminate women, precisely because women could not, a priori, be charged with usurpation of power. Indeed, ambitious women could be silenced by a reference to their *impotentia*

¹⁵⁵ Mouritsen (2011), 25 note 84.

¹⁵⁶ The standard works on *infamia* remain Greenidge (1894) and Kaser (1956). For the most relevant contributions for the current discussion, see Gardner (1993), 110-54 (with a list of the most important legal sources on *infamia* on p. 126-8) and Edwards (1997).

¹⁵⁷ For example, although Tacitus (Ann. 6.7) harshly condemned the behaviour of Cotta Messalinus who was *egens ob luxum* and *per flagitia infamis*, even the historian had to admit that he nonetheless remained a noble (*nobilis quidem*).

¹⁵⁸ Gardner (1993) provides a discussion of the range of potential consequences. Besides public restrictions like exclusion from public office, citizen privileges that could be revoked included: providing or receiving legal representation (p. 111-8), acting as (and later also making use of) a witness (p. 118-23), and marrying freeborn persons (p. 123-6).

¹⁵⁹ Mathisen (2006), 1019-20.

¹⁶⁰ The only times freedmen were allowed in the army (cf. supra), they served in the navy or were put on garrison duty (i.e. contexts that typically removed them from their home region and their patron).

¹⁶¹ Cf. Reinhold (1971). Ostentatious usurpation of power by women was impossible.

*muliebris*¹⁶². On the contrary, the exclusion of freedmen (or freeborn *proletarii* for that matter) was not natural or, to nuance Horace's sneer, not based on their supposedly different *genus*. Much closer to the truth is Asinius Gallus' claim that senators and knights enjoyed the benefits provided for them by law, not because they differed *in kind* from other men, but rather in their place, rank, and dignity (*distinctos senatus et equitum census, non quia diversi natura, sed ut locis ordinibus dignationibus antissent...*)¹⁶³.

The *lex Visellia* provided that freedmen who pretended to be freeborn, and who usurped the office of decurion would become *infamis* (*cum infamia adficitur*)¹⁶⁴. Note how recourse was taken to *infamia*, rather than to a description involving the *macula servitutis* (as was explicitly done when a *slave* usurped office in this way)¹⁶⁵. Interestingly, freeborn people who had been subjected to the servile punishment *par excellence* – flogging – could *still* legally be admitted to the *ordo decurionum* since they were *not* considered *infamis*, even though the jurists implied this admission would be *inhonestus*, and advised that priority be given to *viri honesti*¹⁶⁶. In terms of dishonour, these people were the freeborn equivalent of freed *dediticii*: morally inferior after having suffered an ostensibly servile treatment. Nonetheless, they were allowed to take up magistracies which even freed citizens *optimo iure* could not. This points to a significant discrepancy between legal ruling and social practice. A flogged freeborn person, Callistratus implied, was certainly degraded by the experience, but in terms of legal consequences, he did not “acquire” the restriction that was a priori “ascribed” to freedmen. Whereas elite literature invoked a servile past or treatment to justify and consolidate the generalised disability of freedmen, the jurists clearly did not (primarily) have this consideration in mind when judging similarly “impaired” freeborn persons. Again, the different legal condition strongly determined the extent of the consequences of similar degrading experiences. This is, of course, not to say that legal rank was the only criterion by which social status was determined. Nicolas Tran, for example, has convincingly argued that Roman *collegia* provided a locus for freedmen to achieve social respectability or even prestige, and that being a *collegiatus* constituted a valuable complement (rather than an absolute alternative) to legal status and subordination to a patron¹⁶⁷. Legal rank,

¹⁶² Tac. Ann. 6.10: “quia occupandae rei publicae argui non poterant (...)”; Ann. 12.57: “nec ille [Narcissus] reticet, impotentiam muliebrem nimiasque spes eius [Agrippinae] arguens”. Freedmen, on the contrary, were often ascribed *potentia*, no matter how transgressive this was perceived (Tac. Hist. 4.11; Ann. 4.59; 11.28; 12.54; Suet. Cal. 56.1).

¹⁶³ Tac. Ann. 2.33.

¹⁶⁴ Cod. Iust. 9.21.1.

¹⁶⁵ Cf. supra (Cod. Iust. 10.33.2).

¹⁶⁶ Dig. 50.2.12. For the notorious “servility” of flogging, see Quint. Inst. Or. 1.3.13-4.

¹⁶⁷ Tran (2006), passim (esp. p. 112, 124-37, 462-70, 490-3, 506-18). Other identity dimensions able to mediate social status have been studied in detail, e.g. professional pride (Joshel (1992); Tran (2013)), respectful marriage (Perry (2014)), and personal connections (Nielsen (1997), 204).

however, was the most salient identity dimension invoked to justify formal restrictions. Rather than a moral taint or a servile scar (which freedman would logically share with unjustly enslaved freeborn persons or even with rightfully flogged *ingenui* in general), it was a desire to uphold the *gradus dignitatis* and status boundaries, together with a persistent attention to safeguarding patronal interests that was responsible for the formal disabilities of freedmen.

The legal disqualifications and the social disgrace attached to *infamia* have often been considered a consequence of a moral condemnation of behaviour or crimes by society at large¹⁶⁸. Like the *macula servitutis* ideology, however, a strong moralising *condemnation* in literary texts should not be conflated with the lawgivers' *reasons* for imposing certain restrictions. Much like "ascribed" restrictions of women and freedmen, "acquired" *infamia* was not necessarily a consequence of moral depravity. Gardner, for example, has argued that the infamy of *praecones* (auctioneers), *dissignatores* (overseers in a broad sense), and *libitinarii* (undertakers) – and specifically their exclusion from the *ordo decurionum* and thus local office – was not due to any moral wantonness, despite recurrent literary condemnation¹⁶⁹. Indeed, the *lex Iulia municipalis* states that this restriction applied only to *actual* practitioners of these occupations (*dum eorum quid faciet*), but ceased to exist once these persons gave up their profession¹⁷⁰. Gardner plausibly suggested that their exclusion from municipal office was intended to prevent conflicts of interest, as all three professional groups would often accept, and work under, contracts from the decurional council. She concluded that no particular stigma or prejudice was attached to these people: not while actually being *praecones*, *dissignatores*, and *libitinarii*, nor after abandoning these professions. This again points to a vital and often undervalued distinction between presumed individual depravity as the alleged *reason* for *infamia* and its resulting restrictions on the one hand, and the juridical *consequence* of being branded with *infamia* on the other¹⁷¹.

Similarly, Edwards has scrutinised the discourse and prejudices concerning three "unspeakable professions" that shared an association with providing public pleasure, and that were consequently branded with *infamia*: those of actors, gladiators, and

¹⁶⁸ E.g. Greenidge (1894), 8. For a justified nuance, see especially Gardner (1993), 110ff; Edwards (1997), 69-70.

¹⁶⁹ Gardner (1993), 130-4.

¹⁷⁰ *Tabula Heracleensis* (CIL 1, 593 lines 94-6).

¹⁷¹ The distinction is most explicitly made in Gardner (1993), 142-3. These pages contrast the later legal compilations that considered condemned criminals, beast-fighters, and prostitutes as *inherently* infamous with the original praetorian edict that *judged* these people as infamous. Dig. 3.1.1.5 echoes this distinction when it states that the praetor *notavit* (external judgment) those persons who were *notabiles turpitudine* (inherent feature), and even Cicero distinguished between externalising inherent immorality by committing a crime and the legal condemnation of it (Cic. Leg. 1.90.50-1).

prostitutes. Even though mostly implicitly, this contribution too respects the distinction between a *general* moralising discourse by which elites consistently defined these “others” (and thus “themselves”) on the one hand, and the actual *individual* reasons for branding them with *infamia* on the other¹⁷².

The difference between the “reason” for a restriction – both embedded in and emanating from social practice – and the “judgement” of the afflicted individuals – often framed in a moralising discourse of distinction – should thus be given its due attention. Neither *infamia* (in the legal sense of the word, as opposed to its appropriation in literary texts) nor freed status should be a priori conceived as a consequence of inherent immorality. A similar judgement of freedmen and *infames* in elite literature, firmly situated in a discourse of moral corruption, obscures the potentially different “reasons” for the imposed restrictions. A monolithic elite discourse of distinction (and thus self-identification) could very well explain and legitimate the exclusion of, for example, *praecones* and actors, but in doing so, it ironed out and thereby obfuscated potentially diverging motivations. As has been suggested throughout, the *macula servitutis* framework similarly reduces underlying social practices to generalising and self-serving (elite) representations. Like *praecones* (who were pragmatically excluded to prevent conflicts of interest within a municipality’s *ordo decurionum*) or actors (who besides their close connection to sexual transgressions – on which elite discourse often focused – were considered as useless, unproductive, and therefore undesirable elements in society¹⁷³), freedmen too were a category *sui generis* in terms of the underlying reasons for their disabilities, despite elite discourse that grouped all of them together as “the other” from whose behaviour any virtuous citizen should stay clear. As has been argued, a potential “conflict of interest” between patron and freedman is at least as important, if not more so, as a generalised “moral depravity” in assessing the “reasons” for ex-slaves’ public disabilities, especially in light of the lack of “stains of servitude” in our sources.

¹⁷² Edwards (1997), passim, e.g. p. 83: “Yet this association [with transgressive sexual behaviour] does not explain (...) their relegation to the category of *infames*”. For the *infamia* of actors in particular, see Ducos (1990).

¹⁷³ Gardner (1993), 152.

2.5 Conclusion

Neither in literature nor in epigraphic sources do we find evidence for a Roman habit of capturing the libertine condition by an all-encompassing catch phrase such as *macula* (or *labes*, *naevus*, *dedecus*, *ignominia*, ...) *servitutis*. It could be argued, therefore, that using this expression (and the load it covers) as a conceptual framework in freedman studies is anachronistic. Only the jurists mention it on occasion, but in so doing usually had the servile condition in mind. This is in line with the analysis of source material from later periods which – without stressing the point too hard – invariably attributes the *macula servitutis* to slaves, who would be cleansed of it after manumission. Moreover, the Romans were clearly very pragmatic in allowing the cleansing of all kinds of stigmata. At the very least then, *macula servitutis* seems a misnomer when used as a common denominator for the social condition of freedmen. But there is more to it.

Surely, we cannot deny the disparaging stereotypes of freedmen which permeate the elite's discourse. And of course, the description of freedmen as slaves was an easy, almost gratuitous, way of ridiculing and attacking them. But throughout Roman literature, various persons of any status group were compared to slaves, attesting to the convenient function of slavery as a general metaphor of depravity¹⁷⁴. Cicero thus presented Verres and his supporters, but also men who took orders from women as slavish. For Tacitus the entire body of senators is often nothing more than a group of slaves, and soldiers could see senators as their *domini*, thereby representing themselves as slaves as well. Finally, according to Tacitus, informally freed slaves were still bound by the *vinclo servitutis* even though we know that their freedom was protected first by the praetor and later by the Augustan *Lex Iunia*¹⁷⁵. Moreover, when freedmen are described as such, there was usually a very concrete “reason” to do so, indicating that these persons were not a priori considered *quasi servi* but only because they proved to be incapable of living like free men should, at least in the eyes of the elites (cf. Chapter 6). For Mouritsen, Tacitus' mention of the *servilium ingenium* and *servilis animus* of freedmen are indications of the general servile stain of freedmen¹⁷⁶. It should be clear, however, that these particular freedmen had “provoked” these derogatory comments by their “misconduct” (manipulating the emperor or betraying their patron), and not by a priori

¹⁷⁴ Cf. Fitzgerald (2000), 11: “slaves were good to think with”.

¹⁷⁵ Cic. Ver. 2.4.126; Par. Stoic. 36; Tac. Ann. 1.26,31; 2.2,7; 3.65; 13.27; Hist. 4.8; Plin. Ep. 8.6.4. Other groups that were occasionally called slaves include governors (Tac. Ann. 6.32); emperors (Tac. Ann. 6.20); entire states (Tac. Ann. 2.4). Cf. Garnsey (1996), 220-35. Citizens could be described as put in chains of slavery (*vinculo servitutis*), after their freedom was curbed by sumptuary laws (Val. Max. 2.9.5).

¹⁷⁶ Mouritsen (2011), 18 notes 47 and 48 (on Tac. Ann. 2.12.3; 15.54.4; Hist. 2.92; 5.9.3).

being slaves *in essence*. Servility was a recurrent *topos* in elite discourse. The reproaching of freedmen as slaves should also be seen in this light¹⁷⁷.

Most of the arguments in support of an all-encompassing stain of slavery on freedmen come from elite literary sources. The norms and values in these texts, however, are notoriously more strict than mainstream ideology, precisely because the elite wanted to distinguish itself from it. Petersen has shown that the idea of a “freedman art” – typically supported by analyses of elite sources – should be revisited¹⁷⁸. Similarly, the age-old conviction that there was a general contempt in Rome towards manual labour stems from an overstressing of this elite’s discourse of distinction and is now rightly being contested¹⁷⁹. This chapter’s aim was to show that the framework of the *macula servitutis* can be subjected to a similar revision. Like artistic or professional stereotypes, a servile past was merely instrumental in a broader process of protecting the *discrimina ordinum*.

When we do not take the regular attacks on freedmen and their past in elite literature as representative of daily belief and practice – as, indeed, we should not – and when we contextualise both the literal mentions of a *macula servitutis* and the concept of a stain on one’s honour in general, a less conflicting explanation for the social and legal disadvantages of freedmen becomes much more preferable. Instead of an inherent stain on the ex-slave’s person, looming large in every aspect of his life, it was the reflex of the elite to distinguish themselves from lower class citizens in general which inspired the derogatory discourse on – especially rich and powerful – freedmen who would not by any other objective standard differ from these traditional elites. What made the treatment of freedmen different from that of other groups similarly presented as “the other” (the *sui generis* nature of the social category of the Roman ex-slave can by no means be denied), was their embeddedness in the patronage relationship, which provides a very comprehensive framework to evaluate freedmen’s disabilities.

¹⁷⁷ E.g. Smadja (1976), 88. Attempts to explain occasions where freedmen were called slaves as neutral descriptions (e.g. Treggiari (1969a), 172; Andraeu (1993), 184) are rightly refuted by Mouritsen (2011), 100 note 155.

¹⁷⁸ Petersen (2006).

¹⁷⁹ The *locus classicus* for this elite contempt is, of course, Cic. Off. 1.150-1. An enormous boost to the revisiting of this generally held belief was the publication of Lis and Soly (2012). See Verboven (2014) for a discussion of its immediate relevance for antiquity. Cf. Mouritsen (2011), 209-11. Tran (2013) provides the most comprehensive overview of the evolution (p. 187-9), as well as an original in-depth analysis of the interaction between aristocratic and lower class mentalities (*passim*). The notion of *statut de travail* (esp. p. 5-10; originally introduced by Andraeu in several contributions, e.g. (1985), 378; (1987), 25ff) highlights the important potential of professional activity to positively shape and mediate social identity.

In short, this chapter has very broadly set out some key lines of enquiry, providing a general framework in which to situate the following chapters. Certainly, rigid legal distinctions or highly rhetorical literary ideals should be distinguished from the social context in which agency and daily interaction was embedded. It is for this reason that the next chapters will focus in detail on the occurrence and representation of freedmen in their everyday dealings with the classes that produced these legal and literary stereotypes. The next three chapters will centre around the Roman correspondences, whereas Chapter 8 engages in particular with the available epigraphic material (and especially with metric epitaphs as an extensive case-study).

Chapter 3 Freedmen in Roman correspondences

3.1 The correspondence of Cicero (106-43 BCE)

3.1.1 Introduction to Cicero's letters

As a *homo novus*, Cicero did not have at his disposal an entrenched (inherited) social network in Rome, nor did his symbolic capital match that of the members of the Roman nobility, who could boast about a family line that went back for centuries. To secure his own place among Rome's highest elites, Cicero had to rely on his own efforts and resourcefulness. His remarkable talent as an orator famously paved the way for his forensic and political successes, but maintaining an extensive network of (political) friends and clients was essential in consolidating these successes. In light of the great distances that could separate public officials from one another (e.g. when holding provincial office), letter-writing was the most efficient way of doing so¹.

Cicero's correspondence (or rather, what remains of it) consists of 4 corpora of collections, containing letters on all kinds of subjects – from private freelings of anxiety or joy, over trivial family matters, to financial accounting and delicate political events. The first corpus is called *Epistulae ad Familiares* – an early modern name – and consists of 435 letters arranged in 16 books, most of which were ordered either thematically or per addressee. Book 3, for example, contains the correspondence with Appius Pulcher, and book 13 the letters of recommendation. Originally, these books existed on their own, and were only later compiled into one set of 16 books. The second collection, the *Epistulae ad Atticum*, similarly contains 16 books (with 426 letters in total). Two much smaller collections contain the letters exchanged between Cicero and his brother Quintus (*ad Quintum Fratrem*, 27 letters in 3 books), and between Cicero and Brutus (*ad M.*

¹ Hall (2009), for example, focusses on the smoothening function of politeness in Cicero's letters to facilitate delicate exchanges when these could not be taken care of in person. Cf. already Schneider (1998).

Brutum, 25 letters in 2 books)². Overwhelmingly large as this collection may seem at first sight, it probably contains no more than 1% of the letters Cicero wrote during his political career³. The *ad Familiares* collection differs from the others in that it contains the correspondences of a wide variety of clients, friends, and family members of Cicero's, whereas the other three corpora include letters written to or by but one person⁴. Additional collections of letters (e.g. to and from Caesar, Pompey, Hirtius, Marcus junior, and Octavian) existed in antiquity, but did not survive the vicissitudes of time. At least 38 books have thus not been preserved⁵. Yet other letters simply never made the editor's cut⁶.

The correspondence as a whole includes letters dated from 68 to 43 BCE. Some letters explicitly included a date, but many others can be securely dated via internal evidence. Much more difficult to assess is the date of their publication. We know that prior to the publication of the 16 books *ad Atticum*, Cornelius Nepos already witnessed 11 of them in circulation. For Nepos, these letters contained so much historical information that they could easily replace any historian's account of the period (*quae qui legat, non multum desideret historiam contextam eorum temporum*)⁷. The debate on the publication dates of (specific parts of) Cicero's correspondence is, however, notoriously extensive, although scholars now tend to agree that the correspondence as a whole was in circulation before the end of the first century CE⁸.

Contrary to most of the *ad Atticum* letters, the *ad Familiares* were not arranged in a strictly chronological order. Mary Beard has quite rightly warned us that the chronological ordering by modern editors greatly diminishes the literary value of the letters, since deliberate connections are irretrievably lost when ignoring the original editor's choices⁹. Indeed, there have been clear editorial choices in selecting and ordering the letters. The question as to who was this editor has been as eagerly debated

² For a justified criticism on these numbers, see White (2012), 172, who points out, for example, that two letters may have merged into one throughout the manuscript tradition, and that letters cited in other letters are not always distinguished.

³ Achard (1991), 139; Hall (2009), 16.

⁴ Deniaux (1993), 96-108 exhaustively lists the 97 persons who were either senders or receivers of at least one letter. Most of these were recipients of a letter. For an overview of the other letter-writers in the correspondence, see White (2010), 173-4. For some general details of the correspondence (numbers, correspondents, dates, etc.), see McConnell (2014), esp. 9-13; White (2010), Appendix 1 (p. 171-5).

⁵ Büchner (1939), 1199-1206.

⁶ Nicholson (1998), 76-87; White (2010), 31-61.

⁷ Nep. Att. 16.

⁸ The exact dating remains a subject of controversy, e.g. Shackleton Bailey (1965), I, 59-76; Setaioli (1976); Beard (2002), 116-9; White (2010), 31-61, with 174-5 including further references. For Cornelius Nepos' potential role in the publication, see Stem (2012), 77-9.

⁹ Beard (2002), *passim*.

as the correspondence's publication date, although the two most likely candidates are Atticus (for the *ad Atticum*), and Tiro (for the *ad Familiares* and the smaller corpora)¹⁰.

In 46 BCE, Cicero had been at least contemplating the publication of some of his letters (*video quid agas; tuas quoque epistulas vis referri in volumina*, to Tiro)¹¹. By “publication”, no modern process of widely disseminating these documents should be understood, as – at least in a first stage – “publication” would merely mean “circulation” among close friends¹². Two years later, these plans took more concrete form, as Cicero was about to examine and correct some 70 letters for this purpose (*eas ego oportet perspiciam, corrigam; tum denique edentur*)¹³. But given the fact that Cicero would be executed in the next year, and that he had few opportunities to occupy himself with this work during his last months, it is uncertain how much of the eventual collection he had been able to revisit himself¹⁴.

Certainly, before sending a rather delicate letter, Cicero would sometimes ask a close friend of his to inspect it¹⁵, and if not Cicero himself, then surely the editor(s) of the eventual correspondence may have – to some extent – polished up individual letters after Cicero's death¹⁶. Some letters, moreover, were intended for a wider audience from the start. The first preserved letter Cicero wrote to his brother Quintus, for example, is a full-fledged piece of advice that resembles a rhetorical essay more than a letter¹⁷. Some were expected to be read by at least a small circle of close friends, and others were explicitly intended for even wider dissemination¹⁸. At all times, however, letter-writers were aware of the potential danger of their correspondence being intercepted by an unintended audience, and they often adapted both style and content to this threat (cf. Chapter 4).

But even if they cannot be labelled “spontaneous”, the letters are in any case “authentic”. Indeed, in clear contrast to Pliny's correspondence, no traces of skewing of

¹⁰ For Tiro and Atticus as editors, see Tyrrell & Purser (1904), 67-8; McDermott (1972), 281-2; Zetzel (1973); Phillips (1986); Shackleton Bailey (2001), I, 2; (2002), 4; White (2010), 33-4. Beard (2002), 131 provides a sceptical note, by reminding us that no real evidence can be advanced, especially for Tiro's role.

¹¹ Cic. Fam. 16.17.1.

¹² Cf. Nicholson (1998), 104; Murphy (1998); McConnell (2014), 12 note 27 for further references. For the circulation of literary works in general, see Starr (1987).

¹³ Cic. Att. 16.5.5.

¹⁴ Cf. White (2010), 32-3: “The scarcity of opportunity for literary work during this time is the most compelling reason to doubt that he could have expanded and carried through the plan for an edition of the letters before he died”.

¹⁵ Cic. Att. 13.25.3. Cf. Trapp (2003), 14: “However much the letter may be thought of as an unofficial kind of writing, Cicero was never truly off duty, as stylist or as self-presenter”.

¹⁶ Hutchinson (1998), 1-24.

¹⁷ Cic. Quint. Fratr. 1.1.

¹⁸ E.g. Fam. 1.9; 9.8; 13.1. Cf. Hall (2009), 24-7.

facts, manipulating versions of events, or of manifest stylistic enhancement can be found in the corpora¹⁹. Moreover, – and this is where Cicero’s and Pliny’s correspondences *do* find common ground – the collection was published as a corpus of letters, i.e. intended to be readily believed to be a reflection of actual epistolary norms and decorum. We should, finally, remember that all references to revision by Cicero himself, or to vetting of letters by a third party are very circumstantial, and pertain to no more than a few dozens of letters. The great Ciceronian scholar David Roy Shackleton Bailey was thus convinced that Cicero’s correspondence as a whole consists “almost entirely of private letters written without any idea of future publication and published, as it seems, almost exactly as they stood”²⁰. This impression has been accepted by modern scholars, who now generally believe that “the letters were not in any sense written for publication”²¹.

It has been noted, however, that any study of the correspondence should not only evaluate the content of individual letters, but also their intertextual relation to others, as well as their embeddedness in the corpus as a whole²². Perhaps much more so than any retouching of individual letters prior to publication, the editorial positioning of these letters – creating a meta-narrative that endows them with meaning beyond that conveyed merely by its content – is the most significant impediment to consider these documents as unproblematic representations of reality²³. We will come back to his point repeatedly.

3.1.2 Who is who? Freedmen in Cicero’s correspondence: a *status quaestionis*.

3.1.2.1 Identifying freedmen

A considerable portion of the analysis in the next chapters draws on the numerous passages in Cicero’s correspondence that mention or refer to freedmen. A clear demarcation of the source material – a database of these passages – is therefore vital at the outset. This is, however, an endeavour much more complex than one would expect at first glance since it involves the thorny issue of “who is who”.

¹⁹ For a particularly vivid metaphor of the difference between Cicero’s and Pliny’s correspondences in this regard, see White (2010), vii-viii.

²⁰ Shackleton Bailey (2001), I, 1.

²¹ Powell (2003), 1562. Balsdon (2003), 1560 is slightly more nuanced: “only a minority (...) was written with any thought of publication”.

²² Cf. most recently Beard (2002); McConnell (2014), esp. 10-3.

²³ Beard (2002); Henderson (2007); Gunderson (2007).

One of the main difficulties in identifying freedmen throughout the correspondence (and many other literary sources) is the choice or intuitive habit of writers not to include specific status indicators. Our deliberately stringent criteria for status determination (cf. *infra*) result in a list that undoubtedly underestimates the actual number of freedmen. Libertination – whether by the Latin *libertus* or a Greek equivalent like ἀπελεύθερος²⁴ – is by far the most straightforward way to attain certainty as to an individual’s freed status. This is the case for many freedmen who are only mentioned once throughout the correspondence: Cilix, Dardanus, Menander, Antigonus, Apollonius, Gabinius Antiochus, etc.²⁵ The reference to a patron (e.g. in the cases of Evander, Hammonius, Zoilus²⁶) or to a manumission (e.g. of Antipho, Eutyichides, Chrysippus²⁷) sometimes clarifies the identity of an individual whose status would otherwise remain uncertain.

Others are not explicitly indicated as freedmen in the letters, but can be identified as such through external evidence. In a letter to Trebatius from April 53 BCE, Cicero casually writes that he will spend the night at M. Aemilius Philemon’s house in the Pomptine region and that his host has provided him with news from Rome. It is only through a passage in Asconius’ commentary on Cicero’s *Pro Milone* that we know this individual to be a quite renowned freedman (*homo notus, libertus M. Lepidi*)²⁸. The same goes for the Demetrius who passes information from Cicero to Atticus as mentioned in a letter from June 55 BCE. Of course we are here dealing with the famous and wealthy freedman of Pompey, Demetrius of Gadara, who is well known for persuading his patron to rebuild his hometown in the Levant²⁹. It may well have been his renown that made Cicero omit a superfluous status mention in the first place. Likewise, in November 44 BCE Cicero mentions that he wanted to make sure the world would know that Mark Antony had children by C. Fadius’ daughter. It is again only by reading the *Philippics* that we understand that this Fadius was a freedman, and that Antony’s union with his daughter was inappropriate for this very reason³⁰. Finally, Licinius Tyrannio is nowhere identified as a freedman in the correspondence, but via Plutarch’s *Life of Lucullus*, we know that he was a famous grammarian of Amisus, first captured by the Romans and later controversially freed³¹. Besides these four, every individual in our database is at

²⁴ E.g. Cic. Att. 6.4.3 (Philotimus); 6.5.2 (Timotheus).

²⁵ Fam. 3.1.2; 10.25.3; 13.70; 13.33; 13.16; Att. 4.18.4;

²⁶ Fam. 13.2 (C. Avianius Evander); 13.27.2 (C. Avianius Hammonius); 13.46 (L. Nostius Zoilus).

²⁷ Att. 4.15.6 (Antipho); Att. 4.15.1; 4.16.9 (T. Caecilius Eutyichides); 7.2.8 (Chrysippus and an unnamed *homo operarius*)

²⁸ Fam. 7.18.3 (=Asc. 37C).

²⁹ Att. 4.11.1 (= Joseph. AJ 14.75; BJ 1.155; Plut. Pomp. 2.4; 40.1–5). Cf. Syme (1939), 76.

³⁰ Att. 16.11.1 (= Phil. 2.3, he is here called Quintus – not Gaius – Fadius).

³¹ Att. 2.6.1, 4.4a.1, 4.8.2, 12.2.2, 12.6.2, Quint. Fratr. 2.4.2, 3.4.5, 3.5.6 (= Plut. Luc. 19.7).

least once attributed a clear status indicator³², a consequence, of course, of our selection method rather than a reflection of the epistolary practice of Cicero and his peers. Indeed, there is a bias in our list towards attestations with explicit status markers since many individuals are *incerti* (and thus not included in our list) precisely *because* they are not explicitly called *liberti*, *because* they are not mentioned in conjunction with their patron, or *because* their manumission is not (implicitly) referred to.

A more inclusive attitude towards *incerti* and the application of more lenient criteria would permit us to expand our list of “freedmen”, but only at the cost of increasing uncertainty as to whether the results of the subsequent analysis are truly derived from detailed study of *real* freedmen. The case of Quintus Roscius Gallus, although not occurring in Cicero’s letters, is illustrative. The suggestion that Gallus was a freedman has been a persistent misconception. We know he was a gifted actor; so talented in fact that someone who excelled in any profession could be described as “a Roscius”³³. He is best known from the eponymous speech, delivered by Cicero in his defence (*Pro Q. Roscio Comoedo*) and enjoyed Sulla’s favour, from whom he also received the first golden ring (*annulus aureus*) attested in literary sources³⁴. Since the grant of a golden ring to freedmen – and their correspondent elevation to the rank of knight – is well known from the Principate, and because Pliny mentions Roscius when discussing actors who bought their own freedom, several scholars have attributed slave status to this Roscius³⁵. Moreover, at this time, *cognomina* were still mainly reserved for ex-slaves and the patrician elites, and it is very tempting to interpret “Gallus” as the name given to a Gallic slave brought to Rome³⁶.

³² The only exception is Caecilius Trypho (Att. 3.8.3). The reason for his inclusion in the list is a combination of freed status indicators (his Greek name and the more than likely derivation of his *nomen* from Atticus’ uncle Q. Caecilius) and the *communis opinio* in regard to this persons’ freed status (e.g. Shackleton Bailey in the latest Loeb translations of Cicero’s letters). Even if both assumptions are mistaken, the impact would be negligible since the only reference to Trypho is the contextless statement *Tryphonem Caecilium non vidi* by Cicero.

³³ Cic. De Orat. I.130: “Itaque hoc iam diu est consecutus, ut, in quo quisque artificio excelleret, is in suo genere Roscius diceretur”. For the lasting “Nachleben” of Roscius, well beyond Antiquity and extending into the eighteenth and nineteenth centuries, see Garton (1972), passim (esp. Chapter 9: “The Rosciad Idea”, p. 203-29).

³⁴ Macr. Sat. 3.14.13: “Is est Roscius qui etiam L. Syllae carissimus fuit et anulo aureo ab eodem dictatore donatus est”. This elevated Roscius to the rank of the equites.

³⁵ For the *ius anulorum aureorum* (including examples and notes), see Mouritsen (2011), 107-8. For the passage in Pliny the Elder, see NH 7.128: “(...) quippe cum iam apud maiores Roscius histrio HS D annua meritasse prodatur”. Henry (1919) referred to this passage to argue that Roscius’ status as ex-slave is possible (p. 345-6). The Encyclopaedia Britannica (Online Academic Edition, 2014) still describes Roscius as a freedman.

³⁶ Von der Mühl (RE 16) saw in Roscius’ *cognomen* Gallus an indication of servile descent, although Der Neue Pauly (“R. Gallus, Q.”) clearly corrects this view by stating that the actor was freeborn.

However, none of these arguments are conclusive. Indeed, Pliny merely mentions Roscius as an example of an actor who became rich because of his talent and fame, but he does not imply that the man was an ex-slave himself, despite the general theme of the passage. Similarly, “Gallus” could just as well have been the name of one of Roscius’ forefathers (one of which may have been a freed captive)³⁷. Recent studies have convincingly argued, moreover, that Roscius was freeborn. Nicolet, for example, reminds us that the golden ring was granted to equestrians in order to cleanse them from the *infamia* their acting on stage had caused³⁸. None of these arguments can thus serve as evidence in favour of a freed status for Roscius, and it is nowadays accepted by most scholars that he was indeed freeborn³⁹.

Restraint in attributing freed status to *incerti* is also warranted by examples from Cicero’s correspondence itself. If we would take Greek *cognomina* as potential indicators of freed status, C. Avianius Philoxenus – whom Cicero recommends to Acilius – could wrongly be categorised as an ex-slave, especially when we take into account that two freedmen in the correspondence carried the very same *nomen* and *praenomen*⁴⁰. In this case, we are lucky to possess extra information, indicating that Philoxenus was a freeborn Greek, made Roman citizen by Caesar in the colony of Novum Comum, and who had received his name through his connection with Avianius Flaccus⁴¹. In other instances where such clarifying information is not provided, lenient criteria of inclusion may result in a distorted database of “freedmen”. Shackleton Bailey, for example, identifies another Philoxenus of Att. 7.2.5; 13.8; Quint. Fratr. 3.1.1 – mentioned only as a courier – as a “slave or freedman” without any other evidence supporting such claim.

In the following paragraphs, we would like to draw attention to some observations with regard to our (method of) identification and selection, and make explicit both our own assumptions and the relation of our list of freedmen to previous ones. Indeed, the presentation of yet another list of ex-slaves mentioned in Cicero’s letters requires some justification in view of the many attempts by previous scholars. Our intention is to lay bare the shortcomings and inaccuracies of these existing lists, to isolate the different factors that led to these imprecisions, and to integrate this knowledge in our own

³⁷ In support of this suggestion, Cic. Div. 1.79 can be cited, which mentions Roscius’ birth in Solonium (Latium) – not Gaul – where his father was present to consult soothsayers after the little Roscius had been marked by a divine omen.

³⁸ Nicolet (1974), Vol. 2, 1003-4 (n° 300, note 3, including examples). Nicolet thus thinks that Roscius was not only freeborn, but of equestrian rank as well.

³⁹ See also Mouritsen (2011), 107 note 197, who agrees with Nicolet on Roscius’ free birth (but erred on Roscius’ *praenomen* which is given as Sextus instead of Quintus).

⁴⁰ These are C. Avianius Evander (Fam. 7.23.1-3; 13.2) and C. Avianius Hammonius (Fam. 13.21.2; 13.27.2), both freedmen of M. Aemilius Avianianus.

⁴¹ Fam. 13.35.

method of selection in order to establish a definite, exhaustive overview of *all* the freedmen in Cicero's correspondence. It should be clear that it is not our intention here to provide a complete account of every attempt made to establish such a list. Such an effort – if feasible at all – would be unproductive almost by definition. Instead, we choose to focus on a selection of attempts which are of immediate use for our own objective. As a consequence, the emphasis is not so much on the actual content of these lists as on the light they shed on both the methods their authors applied, and the pitfalls these authors became victims of in the process⁴².

3.1.2.2 Existing lists of freedmen in Cicero's correspondence

3.1.2.2.1 Marion Park (1918)

Scholars who have committed to creating such lists often made an analytical distinction between Cicero's own slaves and freedmen on the one hand, and those of his correspondents (sometimes "lent out" and in Cicero's employment) on the other. An early example of such endeavour is Marion Park's list of the members of Cicero's *familia urbana* in her *The Plebs in Cicero's Day*⁴³. Among them, she found ten freedmen: seven of Cicero or Terentia (Aegypta, Chrysippus, Hilarus, the *scriba* Laurea, his own Philotimus, Terentia's Philotimus, and Tiro) and three of another patron but for a long time closely connected to Cicero's household (Dionysius, Tyrannio, and Apollonius). Besides these, she included two freedmen who are not mentioned in the correspondence (Eros and another Tyrannio), completing the list of twelve freedmen in total.

The list continues with the freedmen of Cicero's correspondents. As we will see shortly, the status of many of these individuals cannot be ascertained and in many cases the categorisation as freedmen rests on implicit assumptions, some of which are dubious at best. To give but one example here: the *librarius* Decius is deemed "probably a freedman" of P. Sestius only because he is described as *frugi*, which Park unwarrantedly takes to be a "typical freedman's adjective"⁴⁴. In addition, the list is not a useful instrument for anyone who wants an accessible overview of all freedmen in Cicero's correspondence. As mentioned, it focuses first on Cicero's own freedmen and then expands its scope to include also "the *liberti* of Cicero's acquaintances"⁴⁵. But this latter list focusses primarily on freedmen in the service of politicians and businessmen.

⁴² Carcopino's list (1947, I, 128), for example, is in these respects very similar to that of Drumann & Groebe and will therefore not be discussed.

⁴³ Park (1918), 58ff.

⁴⁴ Park (1918), 66 note 5. See especially Chapter 7 for the dangers involved in this strand of reasoning.

⁴⁵ Park (1918) 65ff.

Vettius Chrysippus, a freedman of the architect Vettius Cyrus, for example, appears only later in the chapter: in a list of architects employed by Cicero⁴⁶. Moreover, we can only guess what the “(?)” means by which certain individuals are marked. Philadelphus, for example, appears in the list of “*liberti* mentioned in Cicero’s writings who acted as business agents away from Rome”⁴⁷. Whether the “(?)” expresses uncertainty as to his belonging to Atticus, to his status as freedman, or to yet another identity dimension is not made clear. The result is that freedmen are scattered over many pages in the study rather than being grouped in one list, and that many individuals who are claimed to be freed are only to be considered as such when we accept Park’s (often implicit) assumptions, which in more than a few occasions are manifestly fallacious.

3.1.2.2.2 Wilhelm Drumann & Paul Groebe (1929)

The next attempt to give an exhaustive list of Cicero’s freed personnel came from the German school. Drumann & Groebe wrote some ten years after Park and, in their monumental *Geschichte Roms*⁴⁸, found ten freedmen (Aegypta, Alexio, Chrysippus, Clodius Philhetaurus, Dionysius⁴⁹, Hilarus, M. Tullius Laurea, Metrodorus, Pelops, and Tiro⁵⁰). These individuals occur in a list which Drumann & Groebe claim to contain Cicero’s slaves *and* freedmen. Although the above mentioned individuals are explicitly called freedmen, others are simply listed without any further discussion as to their status (e.g. Anteros, Aristocritus, Demea, Hermia, Menander, Pescennius, Philargyrus, ...). Once again, we can only guess whether Drumann & Groebe considered them actual freedmen rather than slaves, but in most of these cases there exists no conclusive evidence either way. Even the “certain” slaves and freedmen are not always actually to be identified as such. Pelops was most likely a freeborn provincial⁵¹ and M. Tullius was certainly neither slave nor freedman (cf. *infra*). Overall, the rather vague *modus operandi* (including both slaves and freedman, sometimes without clearly distinguishing between them) and the manifest inaccuracies, add to the already problematic nature of the list. A comparison with Park’s list, for example, shows marked differences. Drumann & Groebe included some individuals who did not figure in Park’s list (e.g. Alexio) and vice versa (the two Philotimi). Park, however, *does* identify Alexio as a freedman⁵² but excludes

⁴⁶ Park (1918), 75.

⁴⁷ Park (1918), 68.

⁴⁸ Drumann and Groebe (1929), 353-356.

⁴⁹ Again: not a freedman of Cicero himself but of Atticus.

⁵⁰ Strictly speaking, Tiro is not included, but is discussed in the paragraphs following the list.

⁵¹ Treggiari (1969a), 252.

⁵² He is “undoubtedly *libertus*, though not so designated” (Park (1918), 68). The reason for this identification is his leaving a will in 44 BCE (p. 76).

him from her list since we cannot know whether he was Cicero's freedman or someone else's. Less clear is Drumann & Groebe's decision not to include any Philotimus in their list of Cicero's freedmen. Although Cicero's Philotimus is referred to on occasion⁵³, he seems to have been considered the same individual as Terentia's freedman⁵⁴. Whereas the decision to exclude Terentia's freedman could be accepted as respecting strict selection criteria (he technically did not belong to Cicero since the latter's marriage with Terentia was *sine manu*), not including Cicero's Philotimus is simply erroneous. Besides their failure to make a distinction between two individuals who happen to bear the same name, it also seems inherently illogical to include Clodius Philhetaerus in the list, since he was not a freedman of Cicero's. Treggiari is certainly too harsh when she describes this decision as resulting from "inexplicable inattention to the *nomen*"⁵⁵ but she is of course right in questioning Philhetaerus' inclusion in a list of Cicero's personnel. Like Atticus' freedman Dionysius, he seems to be included because he spent a considerable amount of time in Cicero's service. Even when we accept this criterion, we cannot but conclude that it is not applied very rigorously elsewhere. Indeed, why then not include Murena's famous freedman Tyrannio, who for a long time was not only responsible for Cicero's library (at least between 59 and 46 BCE), but who also educated Cicero's son Marcus and his nephew Quintus⁵⁶?

3.1.2.2.3 Susan Treggiari (1969)

In her influential monograph *Roman Freedmen during the Late Republic*⁵⁷, Treggiari thus already drew attention to the imprecisions of these lists. Writing forty years after Drumann & Groebe, she observed that these earlier lists "suffer either from omissions or from unjustifiable additions" and pointed out some inaccuracies. Most of these come down to a more general critique, i.e. that individuals are included whose status cannot be ascertained with any precision⁵⁸. Her own corrected version of the list is presented as the shortest so far, implying a rigorous selection based on solid evidence and without including *incerti*. These certain *liberti* are Tiro, Laurea, M. Tullius, Chrysippus, Aegyptia, Hilarus, Eros⁵⁹, "probably" Phaetho, an unnamed *operarius*, and an unnamed procurer of

⁵³ E.g. Drumann & Groebe (1929), 56.

⁵⁴ E.g. Drumann & Groebe (1929), 333, 349, 606.

⁵⁵ Treggiari (1969a), 255 note 2. Drumann & Groebe (1929), 354 note 3 actually *do* admit that this individual could not have been Cicero's but belonged to a "nicht näher bekannten Clodius".

⁵⁶ Att. 2.6.1; 4.4a.1; 4.8.2; 12.6.1; Quint. fr. 2.4.2.

⁵⁷ Treggiari (1969a). This list appeared also in article form in the same year, Treggiari (1969b).

⁵⁸ Treggiari (1969a), 252.

⁵⁹ This Eros is mentioned only by Plutarch (Cic. 21) and does not occur in the Correspondence.

statues⁶⁰. To these, she adds another six individuals who were either slaves or freedmen, and another ten who were not Cicero's own freedmen but who were at least temporarily in his service.

Treggiari's critique on the too extensive list of Drumman & Groebe is in part unfair since this list includes slaves as well as freedmen. If one would only count the individuals Drumann & Groebe counted as *certain* freedmen, the number would not be twenty-five but ten: exactly as many as on Treggiari's own "short list"⁶¹. At the same time, the older list *does* include individuals for whom slave or freed status cannot be ascertained (e.g. Alexio, Aristocritus, ...) and is in this sense indeed too long. However, these same individuals are incorporated in Treggiari's list too; similarly under the heading of "slaves or freedmen". The improvement Treggiari's list claims to provide therefore exists in more strictly separating certain from uncertain freedmen. There are, however, some discrepancies between the "certainties" of the list and Treggiari's treatment of these individuals throughout her monograph. Indeed, Eros is counted among the certain *liberti alieni* in the list, but described as "Atticus' freedman or possibly slave" in the discussion of freed *ratiocinatores*⁶². Of this same group of *liberti alieni*, Treggiari later onwards states that they were employees "some or any of whom may have been *libertini*"⁶³. Similarly, the case of Lepidus' Apella is given as an example of the aristocratic practice of handing over freedmen as a pledge of good faith. The same Apella, however, is presented twice in Index II: once as "presumably freedman of Lepidus" and once again as a certain freedman (*?Aemilius? Lepidi l. Apella*)⁶⁴. The same goes for Billienus Demetrius, who is considered a freedman in Appendix 1 but described as "presumably a freedman" in Index II⁶⁵. Once again, there rises considerable doubt about the status of individuals who are elsewhere considered certain freedmen.

Moreover, Treggiari's list, much like Park's and Drumann & Groebe's is not an exhaustive summary of *all* the freedmen occurring in Cicero's correspondence. Many individuals who were beyond any doubt ex-slaves (e.g. Gallus' Apella, Furnius' Dardanus, Lucullus' Diodotus, ...) are not included in the list nor in any discussion throughout the monograph⁶⁶. This is, of course, understandable since many of these individuals occur

⁶⁰ Treggiari (1969b), 195-196.

⁶¹ This is due in part to Treggiari's inclusion of unnamed freedmen whereas both Park and Drumann & Groebe did not. Even without the two unnamed freedmen, however, Treggiari's list would not contain considerably less "certain" freedmen than Drumann & Groebe's list.

⁶² Treggiari (1969a), 150 (italics added).

⁶³ Treggiari (1969a), 255.

⁶⁴ Treggiari (1969a), 187 and 288 respectively.

⁶⁵ Treggiari (1969a), 248 and 288 respectively.

⁶⁶ Especially the absence of some freedmen who occur in the letters of recommendation (e.g. Naso's Antigonus, Balbus' Menander, ...) is noteworthy.

only *en passant* and since it was not the intention of the author to include all freedmen in the first place. But it also goes to show that there are still considerable barriers for anyone who wants to get a grasp on *all* the (passages relating to) freedmen in the correspondences.

3.1.2.2.4 Elisabeth Smadja (1976)

A first attempt to provide such an exhaustive list of dependents occurring in Cicero's correspondence came from a French scholar. In 1976, a collection of essays appeared, which had the ambitious goal to analyse the system of slavery as presented by Cicero's works. One of the promising contributions was Elisabeth Smadja's *Esclaves et affranchis dans la correspondance de Cicéron: les relations esclavagistes*. Its approach was rather positivistic and its analysis of discourse very constructionist. The positivistic influences are clear immediately to any reader who opens the volume: the tables, graphs, schematic representations, causal arrows, visualisations of social relations, etc. are meant to give the whole a more "scientific" outlook. The constructionist approach is more subtle, and manifests itself mostly in the passages where a specific discourse is linked to freedmen, and where an identification of an individual as slave rather than freedman (or vice versa) is based not on explicitly defined criteria but, on the contrary, on the need to "fit" a specific person in either one of the two categories (cf. *infra*).

Preceding the actual essay is a list of slaves and freedmen, subdivided according to the identity of their master or patron (Cicero's correspondents, Cicero himself, Atticus, and Cicero's brother Quintus). There are, however, considerable shortcomings in each of these lists⁶⁷. First of all, no attempt seems to have been made to exhaustively list the references per individual. For example, C. Avianus Hammonius receives only one reference (Fam. 13.21.1) although he is explicitly and meaningfully mentioned in another letter (Fam. 13.27.2), which also stresses his freed status by means of a reference to his patron (*patronus suus*). Theophilus occurs not only in Fam. 4.9.1 but also in Fam. 4.10.1, etc. Passages where freedmen are referred to, but not mentioned *nominatim*, are likewise omitted (e.g. Phantias in Fam. 3.8.5, Philo in Att. 6.1.21, ...). Such an approach not only results in incomplete references per freedman but also, and more importantly, in the complete omission of nameless individuals. This has been a trait of

⁶⁷ We do not include in this limited overview some of the more superficial imperfections such as what appears to have been mere lapses of attention or writing mistakes (e.g. the inclusion of Att. 5.10.8 instead of Att. 5.20.8 for the freedman Philogenes).

all the lists discussed above (although to a slightly lesser degree in that of Treggiari's) and results in at least ten freedmen not being included⁶⁸.

Secondly, Smadja sometimes fails to distinguish between two different freedmen who happen to bear the same name. Demetrius of Gadara, for example, is listed as the freedman of Pompey and is as such accompanied by references to Att. 4.11.1 and Fam. 16.17 and 19. The latter two passages, however, refer not to Pompey's freedman but to another Demetrius (a freedman of, probably, Atticus). The opposite occurs as well. Smadja does not consider Murena's freedman Tyrannio (Att. 12.2.2 and 12.6) the same individual as the Tyrannio mentioned in five other letters (Att. 4.4a.1, 4.8.2, Quint. Fratr. 2.4.2, 3.4.5, 3.5.6) even though we have no reason to doubt their identification⁶⁹.

Finally, the most problematic aspect of the list: it makes no explicit distinction between slaves and freedmen. We can only gauge Smadja's status determination of an individual when it is made explicit by the mention of a *tria nomina* or if the column "mention de la dépendance" happens to include a status indicator. Caesar's freedman Salvius, for example, is not attributed any specific status in the list. Only because he is treated as a freedman in the essay do we know that Smadja actually considered him as such⁷⁰. Other individuals, such as Demetrius (of Gadara), receive no description or discussion in the list nor in the essay. Rufio or Rupa are merely described with the possessive *tuus*, and are not discussed in the essay. Even though Smadja may have believed they were a freedman and two slaves respectively, we cannot deduce that from the way she presented these individuals in the list. The grouping together of slaves and freedmen is an analytical choice deriving from the intention of the author to study relations of dependence in general, and is as such not a priori problematic. Difficulties arise, however, when slaves and freedmen are put on a par conceptually as well throughout the following discussion, and even more so when individuals are attributed a status based on the expediency for the argument such an identification provides, rather than on solid criteria.

Smadja admits that almost forty per cent of the dependents in the correspondence are unavoidably *incerti* when it comes to their social status, and she shows justified caution in attributing a definite status to individuals such as Phamea, Tigellius, Alexis

⁶⁸ Smadja's subsequent list of freedmen in the letters of recommendation (p. 96) also contains all these slips. For example: not all recommended freedmen are included (e.g. Evander, Hilarus, Antigonus, ...) nor are unnamed recommended freedmen (e.g. the *libertus Strabonis* from Fam. 13.14).

⁶⁹ She claims that "il paraît contestable de l'identifier ["Cicero's Tyrannio"] au célèbre grammairien d'Amisos, affranchi de Murena", Smadja (1976), 105 note 60.

⁷⁰ Smadja (1976), 98. The references to this Salvius moreover include Att. 9.7.1 which is more likely a reference to a homonymous servant of Atticus (cf. Att. 13.44.3, 16.2.6).

and Metrodorus, who may well have been freeborn provincials⁷¹. The same forbearance is abandoned in other instances, where the development of the argument forces the classification of certain individuals – whose status is *au fond* uncertain – as either slaves or freedmen. Smadja, for example, divides Cicero's personnel in groups based on the degrees of responsibility implied in their tasks (ranging from mere couriers, over *librarii*, to more trusted assistants)⁷². She then makes the questionable leap of attributing to each of these groups a certain status. Surely, Cicero and his correspondents preferred freedmen over slaves in positions of trust. And surely, they used slaves whenever a more menial job needed to be done which would otherwise take up the much more precious time (and services) of a freedman. But even though it is admitted that more delicate letters were entrusted to freedmen, the rather structuralistic opposition between servile courier and freed confidant is an artificial one, and stems, we believe, in part from the already mentioned positivistic nature of the contribution as a whole.

The uneasiness of these rigid categories is exemplified by the discussion of Aegypta. Smadja considers him – probably correctly – as a slave in a letter from 53 BCE⁷³. At that time, he served as a messenger between Cicero and Tiro and as such fits into Smadja's lower category of dependence. She then states that four years later, the same Aegypta is mentioned (*mentionné*) as a freedman, and that he was entrusted political and delicate letters. When we look at this letter of 49 BCE⁷⁴, however, Aegypta does indeed occur in a position of trust, but aside from this, we have no reason to postulate freed status at this point in time. In fact, the case could very well be made that Aegypta received his freedom only in (or shortly before) 45 BCE. It is only then (in the only other two letters that mention him) that he is explicitly called *libertus*. We can only guess why Cicero includes this status indicator now and not in the letter four years earlier (all of them addressed to Atticus), but a reasonable assumption is that Aegypta simply did not yet qualify for it in 49 BCE. Smadja's claim that he was a freedman already in 49 BCE is thus a result of the fact that he *needs to be* to make her argument work (i.e. that only freedmen could carry confidential letters). Moreover, in one of the letters from 45 BCE⁷⁵, Aegypta merely transfers rather banal familial news, a job which Smadja would consider the domain of slaves rather than freedmen. Smadja thus not only categorises individuals as slaves and freedmen based on her own artificial division rather than on actual internal

⁷¹ Smadja (1976), 87-88. Drumann & Groebe (1929), 356 considers Metrodorus a certain freedman, for example. Especially Phamea and Tigellius have been the subject of scholarly disagreement. Smadja mentions the debate between Treggiari (1969a), Appendix 6 and Syme (1961), 26 on the one hand and the more cautious stance of Shackleton Bailey (1968), IV, n. 176 on the other.

⁷² Smadja (1976), 91-95.

⁷³ Fam. 16.15.1-2.

⁷⁴ Att. 8.15.1.

⁷⁵ Att. 12.37.1.

evidence, but she also misleadingly presents the source material: Aegypta is not at all *mentionné* as a freedman in the letter from 49 BCE.

Finally, we know nothing for sure about the status of Nicanor, except that he was either a slave or a freedman of Atticus, lent out to Cicero who used him as a secretary⁷⁶. In 51 BCE, Cicero planned to send him to Rome with an official dispatch because it would ensure a reliable delivery⁷⁷. Following her own criteria of classification, therefore, Smadja should have considered Nicanor a freedman rather than a slave. She nonetheless identifies him, for reasons not made explicit, as a certain slave⁷⁸. Scholars have disagreed in no small degree as to the status of this individual. Tyrrell and Purser, like Smadja, considered him a certain slave⁷⁹. Shackleton Bailey listed him as a “slave/freedman” in his *Onomasticon to Cicero’s Letters*, but four years later considered him only “probably a slave” in the notes to his Loeb translation⁸⁰. Perez (cf. *infra*) counted him among the many *incerti*, sticking to her very rigid methodology of keeping assumptions and speculation to a bare minimum⁸¹. Mouritsen, in his synthesis of *The Freedman in the Roman World*, however, did not hesitate to identify Nicanor as a freedman⁸². Whatever his status may have been at the time – and there is no way of knowing for sure – the point here is that Smadja’s criteria for classification are not applied very strictly throughout the discussion. The resulting list of “slaves and freedmen” is, for all these reasons, of limited use for the study of (*all of the*) freedmen in Cicero’s correspondence.

3.1.2.2.5 Christine Pérez (1984-1988)

A considerable improvement by the French scholar Christine Pérez was published only eight years later in the *Index Thématique des Références à l’Esclavage et à la Dépendance*⁸³. This impressive collection of fiches containing all the dependents in Cicero’s letters was established in a similar positivistic spirit as mentioned above. What concerns us here is not so much the many (different kinds of) graphs and statistics or the seemingly endless

⁷⁶ Att. 5.3.3.

⁷⁷ Att. 5.20.9.

⁷⁸ Smadja (1976), 94.

⁷⁹ Tyrrell & Purser (1901), s.v.

⁸⁰ Shackleton Bailey (1995), 72. Shackleton Bailey (1999), II, 33 note 2.

⁸¹ Perez (1984), 145.

⁸² Mouritsen (2011), 49, 340. McCutcheon (2013), 199-203 provides an interesting discussion of Nicanor’s role as deliverer of the official dispatches. By using this individual, he argues, Cicero endows his dispatches with some of Atticus’ symbolic capital. He rightly remains cautious about Nicanor’s legal status (“one of Atticus’ slaves or freedmen”).

⁸³ It was published in two parts, the first treating only the letters to Atticus (1984) and the second all the remaining letters (1988).

subdivisions within the relations of dependence, but rather the evaluation of the list itself and its usefulness for our current purpose.

Each fiche contains the status of the individual under consideration (“slave”, “freed”, “other dependent” or “uncertain”), the actual passage with the reference to the individual underlined, a list of numbers referring to virtual lists on which the individual would occur (e.g. 315e being the list of individuals connected to the production and circulation of goods related to artisanal, financial, and commercial activity), and sometimes a note to relevant literature. The fiches are arranged following the classical numbering of the letters (e.g. Att. 1.1.1 to 16.16.1) and do not group individuals per status. Interesting and erudite as the list may be, this ordering strongly impairs its capacity to serve as a useful tool for our purpose.

Moreover, the list in itself is not flawless. Under the heading of Att. 1.12.1, an unnamed freedman is included. The passage, however, most likely does not refer to an actual freedman, but to a proverbial expression (*libertum mitto*), representing the decision to undertake a task. Cicero here presents it in more detail as an excuse (σκῆψις and ἀναβολή) for postponing the settlement of a debt⁸⁴. It is highly doubtful that a particular freedman was meant in this instance and the inclusion of this passage in the list of “dependents” may therefore be misleading. The opposite also occurs. In Att. 6.1.21, *libertum mittere* occurs again, but in this instance it is not used in any figurative or proverbial manner. Indeed, Cicero writes that Caelius had sent him a freedman with an elaborate letter. This passage not only shows that we are dealing with a “real” freedman, but also enables us to identify him as the same individual mentioned in Fam. 8.8.10: Caelius’ own freedman Philo. However, the reference is not included in Pérez’s list.

Besides other similar imprecisions, another important inaccuracy is the status determination of Cicero’s *scriba* M. Tullius. His status is nowhere specified in the correspondence (or elsewhere) but his name and function have unanimously led scholars (including all the authors of the lists mentioned earlier) to identify him as one of Cicero’s freed staff members. Shackleton Bailey has convincingly disproved this identification by raising the strong argument that Cicero could not have described Tullius as his *servus* (as is generally taken from Fam. 5.20.1). His suggestion that M. Tullius was in fact a freeborn *scriba quaestorius* assigned to Cicero during his proconsulate is now generally agreed upon⁸⁵. Whereas the inclusion of M. Tullius amongst Cicero’s freedmen could be pardoned for scholars writing in the pre-Shackleton Bailey era, it now serves as another warning to anyone who tries to establish

⁸⁴ For this expression, see Mouritsen (2011), 48 (note 72), 214.

⁸⁵ Shackleton Bailey (1965-1970), III, 194-195; VII, 96; (1977), I, 466-7; (1976), 70.

an individual's status based on superficial or speculative evidence. Nonetheless, some scholars (like Pérez) stick to the "old view", thereby showing an astounding disregard for Shackleton Bailey's solid arguments. This is even more surprising when we note that Pérez has studied these very arguments (they are listed extensively in a footnote) but chose to "maintenir le statut d'affranchi", a decision apparently based on the then already outdated views of Tyrrell & Purser or Treggiari, and without any supporting arguments of her own⁸⁶. In addition to the difficult-to-handle ordering and structure of the list, then, these imperfections (although considerably fewer in number when compared to those in earlier attempts) not only encumber the accessibility of the list but also tarnish the overall quality of the entries and identifications.

3.1.2.2.6 Shackleton Bailey (1995)

To conclude this overview of attempts to establish a list of freedmen in Cicero's correspondence, we may briefly refer to Shackleton Bailey's *Onomasticon to Cicero's Letters*⁸⁷. The unparalleled expertise of the author makes it the most useful resource for our purpose, especially when combined with his other publications (mentioned in note 85 above). Paradoxically, this reference work did not have the intention to single out freedmen in particular. In a sense, then, it suffers from the same limitation (from our perspective) as Pérez's work, namely that it does not group freedmen under a single heading, although this is in part compensated for by the alphabetical order in which the names occur. Nonetheless, there are once again certain limitations to the work⁸⁸.

First of all, it does not include references to unnamed individuals. This is of course a limitation related to the onomastic genre rather than due to a crack in Shackleton Bailey's erudition, but a limitation none the less. References to freedmen as a group (i.e. a specific or general plurals such as *liberti* or *libertini*) are likewise – and for the same reason – omitted. This is not new: all the previous lists (besides Pérez's) ignored these passages, focussing only on individual (and mostly *nominatim* mentioned) freedmen.

More problematic is the fact that the *onomasticon* does not always take a stance in existing debates. The only information it provides for Alexio, for example, is that he was a doctor⁸⁹. Both Park and Drumann & Groebe considered him a certain freedman because he made a will⁹⁰. Treggiari pointed out that he may as well have been a freeborn

⁸⁶ Pérez (1984), 22 (incl. note 10). For the collections *Ad Familiares*, *Ad Quintum Fratrem*, and *Ad Brutum*, see Pérez (1988).

⁸⁷ Shackleton Bailey (1995).

⁸⁸ We once again glimpse over the superficial imperfections due to a lapse of concentration or a mere writing mistake (e.g. *Araus* occurs not in Att. 5.19.1 but in 5.9.1).

⁸⁹ Shackleton Bailey (1995), 13.

⁹⁰ Park (1918), 68, 76; Drumann & Groebe (1929), 353.

immigrant but does not dismiss the possibility of freed status⁹¹. Shackleton Bailey, at least in his *onomasticon*, avoids the debate entirely. The two individuals whom Cicero praises for arranging his library (Dionysius and Menophilus) in a letter to Atticus⁹² are listed as “clerks of Atticus” without any specification as to their status. In another letter, Cicero tells Atticus to thank his people (*tui*) for painting his library⁹³. The *onomasticon* considers this passage as referring to the same two “clerks”, thus listing two references for them in total. However, in Att. 4.4a.1, Cicero asks Atticus to send two of his library assistants (*librarioli*) to assist Tyrannio. If we take these letters to be closely related in time – and the uncanny similarity of subject matter strongly suggests this⁹⁴ – Dionysius and Menophilus in Att. 4.8.2 (and 4.5.3) are without any doubt to be identified with the two unnamed *librarioli* Cicero asks for in Att. 4.4a.1. The *onomasticon*, in this instance, proves incomplete as to the references per individual.

Moreover, the status determination of individuals is not flawless. Lepidus’ Apella is presented as a certain freedman although there is no evidence for this in the only passage in which he is mentioned⁹⁵. In his Loeb edition, Shackleton Bailey is more cautious: he states that this Apella is “presumably” a freedman of Lepidus⁹⁶. Surely, his acting as hostage to guarantee Lepidus’ good faith and collaboration (*fides et societas*) reveals his value and worth to both Lepidus and Cicero. Indeed, most discussions of this passage overlook the fact that Cicero himself desired (and most likely asked for) this transfer (*Lepidus tamen quod ego desiderabam fecit*). Although the confidential context may be taken as an argument for freed status, we cannot attain complete certainty. The same goes for Rupa, who is likewise listed as a certain freedman of Curio in the *onomasticon*. Nothing, however, points in this direction and the ungrounded easiness with which this identification was made is again rightly corrected in Shackleton Bailey’s Loeb edition of the passage⁹⁷.

⁹¹ Treggiari (1969a), 254.

⁹² Att. 4.8.2.

⁹³ Att. 4.5.3.

⁹⁴ Att. 4.4a addresses Atticus’ visit to Antium, some compliments for Tyrannio, the request for two *librarioli*, and contains references to the Greek for booklabels (*sittybae*) and Atticus’ new gladiators. All these themes are repeated in Att. 4.8, suggesting that these two letters were not separated by a great lapse of time, let alone by more than two decennia as Shackleton Bailey suggests. In his Loeb translation of 1999, he gave as dates for letters 4a, 5 and 8 respectively: June 56, soon after 79 and soon after 78 BCE. The latter two dates are unjustifiable and should be readjusted to about the same period as 4a (i.e. Cicero’s stay in Antium in June or July 56 BCE). Cf. Taylor (1949), 217-8, 221.

⁹⁵ Fam. 10.17.3. Cf. *supra*.

⁹⁶ Mouritsen (2011), 40 takes a similar, careful stance.

⁹⁷ Shackleton Bailey (2001), I, 233 note 1 identifies Rupa as “an agent (not necessarily freedman) of Curio’s”.

Certain freedmen, moreover, are not always specified as such. The only description of Antipho in the *onomasticon* is his profession as an actor. Att. 4.15.6, however, clearly states that he had been given his freedom (*manu missus*). Murena's controversial freedman Tyrannio is only described by his original name Theophrastus of Amisus (i.e. his name before he was enslaved by the Roman general Lucullus in the war with Pontus). Shackleton Bailey naturally knew the story behind these individuals, but the omission of a reference to their freed status makes the *onomasticon* a difficult to wield instrument for anyone who tries to obtain an exhaustive overview of the (certain) freedmen mentioned in Cicero's correspondence.

A final obscurity in the *onomasticon*, is the inconsistent application of the category "slave/freedman". Chrysippus, for example, is given as "slave/freedman of Cicero's". The only explicit status indicators occur in two letters to Atticus from 50 BCE⁹⁸. At this moment, he was clearly a freedman (Cicero tries to annul his manumission). Since Chrysippus was freed during Cicero's proconsulship of Cilicia (51-50 BCE), the two letters that mention him four years earlier were written while he was still a slave. In these two letters to his brother Quintus, Cicero had mentioned Chrysippus in close relation to the freedman Tyrannio and the work he had done arranging the libraries of the Cicerones⁹⁹. Shackleton Bailey thus clearly uses the "slave/freedman" category to denote that an individual is mentioned first as a slave and later as a freedman. However, since the *onomasticon* lists all references to an individual in a fixed order (e.g. first all the letters to Atticus, then to the other *familiares*, then to Quintus, ...) rather than chronologically, it is not specified in which of these passages the individual occurs as a freedman rather than as a slave. Moreover, should we not also, by the same logic, list Aegypta as a "slave/freedman" instead of a "freedman" (cf. supra)? Contrarily, the architect Corumbus (Att. 14.31) and the messenger Menocritus (Fam. 1.9.23) are (like many other entries) listed as "slave/freedman" (of Balbus and Spinther respectively). In these instances, Shackleton Bailey undoubtedly meant that they were either slaves or freedmen (not that they occur as slaves in one instance and as freedmen in a later one). The exact meaning of the category "slave/freedman" therefore remains ambiguous¹⁰⁰.

Although the *onomasticon* is a vital and unsurpassed tool for any scholar engaged with Cicero's correspondence (and the identification of the individuals mentioned within it), both the shortcomings (from our perspective) of the onomastic genre, as well as the

⁹⁸ Att. 7.2.8; 7.5.3.

⁹⁹ Quint. Fratr. 3.4.5; 3.5.6.

¹⁰⁰ Moreover, on a different yet related note: Corumbus and Menocritus may actually not have been either slaves or freed. Since no clues as to their social status are provided, they may as well have been freeborn foreigners.

regular inconsistencies in mentioning (certain) freed status throughout the corpus make it unfit to serve our current purpose.

3.1.2.3 Synthesis of the conclusions: an updated list

Instead of summing up every individual for whom freed status has been claimed in the past (this is done in Appendix 1), the discussion above has focussed primarily on the causes for so great a discrepancy between the many lists of freedmen produced by previous scholarship. We identified the recurrent lack of analytical distinction between slaves and freedmen, an exclusive focus on Cicero's household, the occasional inclusion of freedmen not mentioned in the correspondence, the neglect of freedmen who are not mentioned by name, and – not less regularly – the application of unspecified criteria or ungrounded assumptions. These shortcomings have resulted in considerable divergences between existing lists, as is clear when we take a look, for example, at an individual like Corumbus, who is identified as a certain slave by Treggiari, a certain freedman by Drumann & Groebe, and as either a slave or a freedman by Park and Shackleton Bailey¹⁰¹.

Appendix 1 presents an overview of all the individuals in Cicero's letters who have been considered freedmen in the past (by at least one modern author), as well as the opinion (if any) of the other list makers mentioned in the limited discussion above. It is important to note that this overview is not limited to the freedmen mentioned in these actual lists. It would be a very short list indeed if we included for Treggiari only Cicero's own freedmen. Instead, we have included all the individuals mentioned throughout the works of which the various lists were a part. Caesar's freedman Diochares, for example, is obviously not given in Treggiari's list, but he is explicitly identified as a freedman within the monograph¹⁰².

The Table in Appendix 1 elucidates multiple features of each separate list on the one hand, and of the methods and pitfalls of "list-making" on the other. First of all, it shows how some individuals were included or omitted by certain authors. The omission of a certain freedman by a particular author should not necessarily be taken as a sign of ignorance. Indeed, Treggiari never claims to incorporate in her study all of the freedmen mentioned in Cicero's correspondence. The inattention to, for example, Dardanus is therefore understandable (albeit somewhat ill-advised considering this freedman's undeniable confidential position within the social network of his patron

¹⁰¹ Treggiari (1969a), 134; Drumann & Groebe (1929), 338; Park (1918), 76; Shackleton Bailey (1995), 42.

¹⁰² Treggiari (1969a), 145.

Furnius)¹⁰³. Whereas an omission can be pardoned under such circumstances, an ungrounded addition to the list of freedmen is an issue of graver consequence. Indeed, secondly and most importantly, the Table gives an impression of the sometimes baffling disagreement among scholars when it comes to identifying the status of an individual. It not only serves as a weighty warning to be heeded by scholars today, but it also accentuates the expediency and necessity of an updated, coherent list which takes into account all the caveats that have been touched upon in the paragraphs above.

This seems a good opportunity to stress in more detail the purpose of our own list. It is not to establish an exhaustive list of all (potential) freedmen in Cicero's social, political and economic networks. Instead, since we want to focus in the next two chapters on Cicero's *letters* as a very specific locus and revelatory context for freedman socialisation, we limit ourselves to the freedmen occurring in this specific corpus. Ronald Syme already knew in 1963 that "no work that deals with a plethora of names and facts can be immune from error or omission. (...) It is the common lot". To some extent, then, this serves as a pardon for the slip-ups of scholars mentioned above. It also means, however, that there is still room (and, indeed, need) for an improved list integrating the most recent scholarship on the matter. This is the ambition of our list. The context of Syme's statement was his supplementary article to Taylor's (then recently published) work on *The Voting Districts of the Roman Republic*¹⁰⁴. Syme stresses the constant tension within this work (and similar ones) between rigour and laxity in determining an individual's social status. He himself, he admits, prefers the latter method because "stringent method allows only the items that stand certified [and] produces a shortlist, select but unexciting". A lenient and conjectural approach, on the contrary, is "if lax, (...) generous and beneficial"¹⁰⁵. For our list, we decided to keep the speculation to a bare minimum. It should be clear that this procedure necessarily results in a minimalistic, though certainly no "unexciting" list. Indeed, it is meaningful in its own right that even under these restrictive circumstances one can still identify 61 individual freedmen throughout the correspondence (spread out over 248 different passages). A more inclusive attitude towards *incerti* and the application of more lenient criteria (such as Greek names or the (even less reliable) confidential positions and occupations of an individual) could increase this number to about 77 to 96 freedmen¹⁰⁶.

¹⁰³ He was present during a council of his patron's friends, i.e. M. and Q. Cicero, Caecina, and Calvisius (Fam. 10.25.3).

¹⁰⁴ Taylor (1960).

¹⁰⁵ Syme (1964), 109.

¹⁰⁶ These numbers are the result of adding (respectively) the individuals who were certainly either slave or freed (16 instances) and those whose identification as slave or freed is in itself doubtful although not impossible (another extra 19 instances).

Take Athamas, for example. In 46 BCE, Cicero writes a letter to console Atticus on the occasion of the passing of one of his household members¹⁰⁷. Although he is very sorry for Atticus' loss and understands his pain, Cicero begs him to keep his mourning within reasonable bounds. Atticus' sorrows remind us of similar cases where a master or patron mourns the death of his servant. Cicero himself, for example, admitted that the death of one of his favourite readers affected him more than the death of a slave should, and other letters too betray considerable emotional turmoil every time one of his servants fell ill¹⁰⁸. These parallels, combined with Athamas' Greek name indicate servile descent. Whether he was a slave or a freedman is, however, impossible to ascertain. Immediately after this passage, Cicero refers to a certain Alexis' ill health and proposes to transfer him to a healthier climate. Alexis is clearly another member of Atticus' staff, but his status is again uncertain. Contrary to Athamas, who is mentioned only once in the correspondence, Alexis is referred to five times and always in letters to Atticus¹⁰⁹. Cicero clearly had a special affection for this secretary of Atticus': he was always delighted when Alexis added his wishes at the end of a letter and encouraged him to do this even more so in the future. Even his handwriting was praised abundantly because of the resemblance it bore to that of his master (or patron). In 50 BCE, Cicero characterises him as a *humanissimus puer*¹¹⁰ and as mentioned, some four years later he vigorously looks out for the servant's health and offers him the safety of his house. Noteworthy is the connection that is made (three times) between Alexis and Cicero's favourite freedman Tiro. In 51 BCE, Cicero calls Tiro "his Alexis" (*meus Alexis*)¹¹¹. One year later, he abruptly changes the subject from Alexis to Tiro with the words *cuius quoniam mentio facta est*, again clearly stressing the connection between them¹¹². Finally, in 46 BCE, Alexis is described as Tiro's counterpart (*imago Tironis*)¹¹³. In all these instances, Tiro had been a freedman for some years already. One could therefore argue that this strong link between Tiro and Alexis is an indication for the latter's freed status. However, nowhere do we find explicit confirmation of this assumption. Moreover, it would be presumptuous to assume that Cicero solely or even primarily had these individuals'

¹⁰⁷ Cic. Att. 12.10.

¹⁰⁸ Cic. Att. 1.12.4: "Nam puer festivus, anagnostes noster Sositheus, decesserat meque plus quam servi mors debere videbatur commoverat". Cicero's many worrying letters about Tiro's illness are (not coincidentally) echoed in Pliny's correspondence, e.g. in the cases of his freedman Zosimus and his slave or freedman Encolpius (Plin. Ep. 5.19; 8.1). As a good *pater familias*, Pliny too is worried every time members of his household are afflicted by such fate (see in more general terms also Plin. Ep. 8.16; 8.19.1).

¹⁰⁹ Beside the already mentioned Att. 12.10, these are Att. 5.20.9; 7.2.3; 7.7.7 and 16.15.1.

¹¹⁰ Cic. Att. 7.7.7.

¹¹¹ Cic. Att. 5.20.9.

¹¹² Cic. Att. 7.2.3.

¹¹³ Cic. Att. 12.10.

legal status in mind when putting them on a par with one another. Considering the context of the passages, it is at least as likely – if not more so – that the connection between them was situated on another level entirely, e.g. that of a personal affection and appreciation between master (or patron) and domestic staff member¹¹⁴. Neither Athamus nor even Alexis, then, meet our strict criteria for identification as certain freedmen.

The real number of freedmen in the Correspondence therefore lies somewhere between the most conservative 61 and the most generous 96. We have to bear in mind that (unless we adopt the latter number) a portion of freedmen necessarily eludes us. This is no insurmountable problem since the fraction of Cicero's letters that has survived, as well as the bias towards close and confidential freedmen already precluded any statistical relevance of whatever number one would prefer. For our purpose, and for any analysis that aims at deconstructing the discourse of particular passages on several levels, the assurance that we are dealing only with certain freedmen is, we believe, well worth potentially sacrificing a number of “probable freedmen”.

3.1.3 The data: a quantitative impression

Before embarking on the qualitative analysis of the database, we would like to draw attention to some of its more “quantitative” features. This will allow the reader to get a clearer view on the sheer quantity of the source material, on its spread over the different letter corpora, and on its general content. At the same time, this section will allow us to formulate some provisional hypotheses and key observations that will be incorporated and qualified in the discussions throughout the next chapters. The three subsections below will adopt a strictly quantitative, an evaluative, and a comparative perspective respectively. The inclusion of the latter two under the heading “quantitative impression” is justified by the fact that both the evaluations and the comparisons are based on absolute numbers and relative proportions, and therein markedly differ from the more “qualitatively” inspired analyses of the next chapters.

¹¹⁴ In this regard, Fam. 7.5.1 is illuminating. In a letter addressed to Caesar, Cicero calls him his own alter ego, just like Alexis was Tiro's (*vide quam mihi persuaserim te me esse alterum ...*). In this instance, it is very clear that the comparison referred not to their legal status, but to their shared concern for Cicero's interests and those of his friends and associates (*... non modo in iis rebus quae ad me ipsum sed etiam in iis quae ad meos pertinent*).

3.1.3.1 A quantitative approach

In the following paragraphs we apply a very rudimentary taxonomy to the references to freedmen in Cicero's correspondence. The most basic analytic division is between passages that mention an individual freedman (with or without proper name) and passages that mention freedmen as part of a group. The latter category is further subdivided in what we would call mentions of a "specific plural" (SP) on the one hand, and mentions of a "general plural" (GP) on the other. A SP represents a limited and clearly defined group of freedmen (i.e. a collection of individual freedmen who are still identifiable as belonging to a specific patron). A GP represents freedmen in general (i.e. as a separate "class"). Every mention of one or more freedmen can be classified within this threefold taxonomy. As we will see, there are remarkable differences between these groups in the correspondence, both quantitatively and qualitatively.

In Cicero's correspondence¹¹⁵, 61 different individual freedmen are mentioned in 248 passages¹¹⁶. This gives us an indication of how many times any random freedman is mentioned and/or described *on average* within the corpus (4,1 times). Of course, this figure is severely skewed by the presence of some freedmen who are mentioned extremely often. When Tiro is taken out of the equation, for example, we count only 3,1 mentions per average freedman. If we exclude the four individuals who are mentioned more than ten times (i.e. Tiro, Staius, Terentia's Philotimus and Dionysius), this average even drops to 1,7. These lower figures would be more in line with other literary corpora. Take, for example, Suetonius' *De vita Caesarum*. With a total of 64 individual freedmen spread out over 84 passages, we would reach a number of 1,3 mentions per average freedman. This number is only slightly trumped by Tacitus' *Historiae*: 1,5 (19 freedmen in 29 passages). Tacitus' *Annals*, on the other hand, show a much higher average: 2,6 (32 freedmen in 82 passages), although the number is also reduced to 1,9 if we again exclude the freedmen who occur more than ten times (i.e. Pallas and Narcissus).

Although the exclusion of freedmen who occur more than ten times gives rather similar numbers of passages per average freedman (between 1.3 and 1.9) for these 4 literary corpora, it could be reasonably argued that the remarkable presence of such freedmen in Cicero's letters (and the corresponding high number of 4,1 mentions per average freedman) is precisely what makes the correspondence so different (and

¹¹⁵ Since no freedmen are mentioned in the *Epistulae ad Brutum*, "Cicero's correspondence" refers to the other three corpora (*ad Atticum*, *ad Familiares* and *ad Quintum Fratrem*) throughout this discussion.

¹¹⁶ This latter number excludes Fam. 16.13 (Tiro as a slave), Att. 1.12.1 (*libertus* as part of an expression rather than as a real freedman), and Att. 15.22 (a derivative of Cytheris, *Cytherius*, used to mockingly refer to Mark Antony). It includes, however, the passages (Fam. 16.10.1; 16.14; 16.15) where Tiro is technically still a slave but in which his manumission is explicitly discussed (arguably considering him already a freedman *de facto*).

valuable) as a source for the study of freedmen, or that these freedmen are at least an indication for this distinctiveness. This is a first observation to be kept in mind throughout the discussion.

Besides individual freedmen, groups of freedmen also figure throughout the correspondence. However, it is striking that in Cicero's letters very few SP or GP occur: only 5 and 3 respectively. By comparison, Suetonius contains 18 SP and 9 GP, Tacitus' *Histories* 12 SP and 3 GP, and Tacitus' *Annals* 22 SP and 6 GP. Fronto's correspondence contains only 2 GP (and no SP), but Pliny's 8 to 17 SP (and 1 or 2 GP)¹¹⁷. Pliny's correspondence is an exception to the general impression that letters contain less of these instances than, for example, the works of the historians (or "detached" sources in general, cf. Chapter 6). As we will argue below, this exceptional character is very likely due to a difference in intended readership between Cicero's and Fronto's correspondences (largely intended for private use) on the one hand, and Pliny's correspondence (carefully edited for publication) on the other.

It should be clear from these numbers that when freedmen are mentioned as a group, they are only rarely referred to as a "class" (GP) but much more often as a specific group of identifiable persons (SP). Even the latter numbers, however, pale into relative insignificance when compared to the mentions of individual freedmen. The ratio between attention for individuals on the one hand versus attention for groups and "the class" of freedmen on the other, reveals a profound difference between Cicero's correspondence and the Roman historians. For Suetonius' *De vita Caesarum* and Tacitus' *Histories* and *Annals*, this division results in 3,1; 1,9; 2,9 respectively (i.e. for every mention of freedmen in/as a group, there are this many mentions of individual freedmen). For Cicero's correspondence, this number amounts to an astonishing 31¹¹⁸. Cicero's letters, at least from a quantitative perspective but – as we shall see in a moment – also in qualitative terms, prove to be an exceptional source for the study of freedmen. For the sake of clarity, Table 1 below presents all these numbers in a convenient overview.

¹¹⁷ The range of possibilities is due to the description of many groups of dependents as *mei*. These could be slaves, freedmen, or a mixture of both. For this difficulty, see also below (3.2.1.2).

¹¹⁸ We could again take Tiro out of the equation (obtaining 23,2). But even when we exclude all the freedmen who were mentioned more than 10 times, the number (12,5) is still considerably higher than in the historical works. This very high result is of course a corollary of our previous observation that the correspondence contains a very great number of attestations of individual freedmen against relatively few SP and GP.

Table 1 The amount and spread of freedmen in four literary corpora (Cicero's *Epistulae*, Tacitus' *Annales* and *Historiae*, and Suetonius' *De vita Caesarum*)

	(1)	(2)	(3)	(4)	(2)/(1)	(2)/[(3)+(4)]
Cicero's <i>Epistulae</i>	61	248	5	3	4,1	31
Tacitus' <i>Annals</i>	32	82	22	6	2,6	2,9
Tacitus' <i>Histories</i>	19	29	12	3	1,5	1,9
Suetonius' <i>De vita Caesarum</i>	64	84	18	9	1,3	3,1

- Column (1): # Different freedmen
 Column (2): # Freedman mentions
 Column (3): # Specific plural
 Column (4): # General plural
 Column (2)/(1): Indication of how many times an average freedman is mentioned in the corpus
 Column (2)/[(3)+(4)]: Indication of the ratio between attention for individuals on the one hand versus attention for groups and “the class” of freedmen on the other.

Let us now turn to Cicero's letters in more detail and ask the question whether there is any noteworthy difference between the different letter corpora (*ad Atticum*, *ad Familiares*, and *ad Quintum Fratrem*). Numbers in the following paragraphs will be followed by a number in brackets representing the same variable after excluding the four freedmen who are mentioned more than 10 times throughout the correspondence (Tiro, Statius, Terentia's Philotimus and Dionysius). As mentioned before, it should be clear that excluding these freedmen is to disregard the very uniqueness of the letters as a source for freedman studies. These numbers between brackets therefore serve primarily to compare or contrast the letters with the historical works, which will be done later on.

When we look to the spread of the 248 passages over the three letter collections, it becomes clear in a heartbeat that most of them occur in letters written to Atticus. Indeed, the *Epistulae ad Atticum* contain no less than 159 (49) references, the *Epistulae ad Familiares* 76 (42) and the *Epistulae ad Quintum Fratrem* only 13 (9). However, for the letters *ad Atticum* and *ad Familiares*, the numbers between brackets are remarkably close to one another, suggesting that the fundamental difference between the corpora in terms of freedman mentions derives primarily from the overwhelming presence of Philotimus, Tiro, Dionysius and Statius in the collection *ad Atticum*. Indeed, they are mentioned in 40, 33, 28 and 9 different passages respectively; much higher figures than the corresponding 5, 28, 0 and 1 for the *ad Familiares*. The lower number of attestations in the letters to and from Quintus is of course in no insignificant way due to its much more limited size when compared to the *Epistulae ad Atticum* and the *Epistulae ad*

Familiares (cf. *supra*). Moreover, the number of attestations in the *ad Quintum Fratrem* letters is also not “inflated” by multiple reoccurrences of Tiro, Staius (both mentioned only in 1 letter), Philotimus (mentioned in 2 letters) and Dionysius (not mentioned at all).

We noted earlier that there are 61 different individual freedmen throughout the correspondence. Their spread over the three letter collections is much more even than the spread of the 248 passages in which they are mentioned: 35 (31) in the *ad Atticum*, 35 (32) in the *ad Familiares* and 9 (6) in the *ad Quintum Fratrem*. When added up, this results in 79 freedmen (that is, 18 “too many”), revealing that some freedmen are mentioned in more than one collection of letters¹¹⁹. Indeed, fourteen freedmen occur in more than one collection of letters (four of these even in all three of them), and all of them appear at least once in the collection *ad Atticum*¹²⁰. This was naturally to be expected in the cases of Tiro, Philotimus, Staius, Salvius and other relatively well-known freedmen. However, the spread of freedmen like Apella, Phaetho or Trypho (who are mentioned but twice in the correspondence) is much less obvious. Likewise, it is noteworthy that M. Pomponius Dionysius, who had such a profound influence on Cicero’s emotional state of mind, is only mentioned in the collection *ad Atticum*. These observations are very significant. Indeed, did Cicero consciously or even purposely air his joy and successive dissatisfaction with Dionysius to Atticus alone? What is the implication of the fact that some freedmen are discussed in multiple letters addressed to a variety of correspondents whereas others are not? Can we here see traces of “bonding” versus “bridging” social capital at work? These are issues that will be taken up in the next chapter, but it is important to keep these and similar observations in mind. Table 2 below summarises this second set of quantitative data.

¹¹⁹ These are Apella (EaF and EaA), Chrysippus (EaA and EaQ), Cytheris (EaF and EaA), Trypho (EaF and EaA), Phaetho (EaA and EaQ), Philo (EaF and EaA), Cicero’s Philotimus (EaF; EaQ and EaA), Terentia’s Philotimus (EaA and EaQ), Salvius (EaF; EaQ and EaA), Syrus (EaF and EaA), Tyrannio (EaA and EaQ), Vettius Chrysippus (EaF and EaA), Staius (EaF; EaQ and EaA) and Tiro (EaF; EaQ and EaA).

¹²⁰ It is only logical that much less freedmen are mentioned in both of Tacitus’ works which comprise two clearly demarcated historical periods. Only two freedmen occur both in the *Annals* and in the *Histories* (Polyclitus and Antonius Felix), a testimony to their renown at the time.

Table 2 The amount and spread of freedmen per Ciceronian letter collection

	(1)	(2)	(3)
<i>Ad Atticum</i>	35 (31)	159 (49)	14
<i>Ad Familiares</i>	35 (32)	76 (42)	10
<i>Ad Quintum Fratrem</i>	9 (6)	13 (9)	8

Column (1): # Different freedmen

Column (2): # Freedman mentions

Column (3): # Freedmen mentioned also in another letter corpus

3.1.3.2 An evaluative approach

Up till now, we have only looked at the numbers and relative spread of freedman references. We compared the letters in this regard to the historical works of Tacitus and Suetonius, but we also looked in more detail at these variables within the letter corpora themselves. We now turn to a slightly more qualitative analysis of these passages and address the way they “evaluated” both the ex-slaves themselves and the contexts in which they appeared. For every passage, we have added a field for such an evaluation in our Table (cf. Appendix 2). A freedman can be mentioned in a positive context (POS) or in a negative one (NEG). Of course, the social reality of which Cicero’s letters are in many ways a reflection is more complex than this. Although a binary, Levi-Straussian classification might facilitate general comprehension, it risks oversimplification and necessarily implies reduction. Many of the passages simply cannot be categorised adequately (and exclusively) as either positive or negative. The spectrum of evaluations (both ancient and modern) is essentially more multifaceted and requires more nuance. To compensate for this deficiency, we added two more categorisations: neutral (NEU) and nuanced (NUA). Many nuances within these categories (especially POS and NEG) remain unappreciated when dividing and “branding” the many different passages in this way. Nevertheless, we refrain from introducing more categories or criteria in order not to lose ourselves in a whirlpool of specification. Our goal for the time being is not to assess individual passages in their own right (this will be done mainly in the next chapters), but rather to situate them on a (limited) scale of evaluations (e.g. leaning *more* to a positive than to a negative categorisation).

A passage is considered POS when the freedman in it is explicitly described in positive terms (e.g. Philotimus’ *fides*, *honestas* and *sedulitas*¹²¹) or when he occurs in a clear positive context (e.g. a letter of recommendation). In many instances these

¹²¹ Fam. 8.3.2.

conditions overlap. NEG is used to mark the passages that present the freedman in explicitly negative wordings (e.g. Chrysippus' *furta, fuga* and *scelus*¹²²) or those that mention him in a general negative context (e.g. embezzling his patron's *patrimonium*¹²³). In cases where a freedman is presented neither explicitly positive nor explicitly negative, the categorisation NEU was used. This is, for example, the case for many of the freedmen who are mentioned as couriers and messengers or of freedmen who are mentioned only *en passant*¹²⁴. Finally, the most delicate category (NUA) is reserved for freedmen whose evaluation does not adequately fit into any of the other three categories. For Cicero's letters, we only used this category three times, all of them pertaining to Atticus' freedman Dionysius. In one letter, for example, Cicero refers on the one hand to earlier letters in which he sang the freedman's praise, but expresses on the other his surprise that Dionysius had not told Atticus he was grateful to him (Cicero): a lack of consideration which would turn out to be the first sign of an enduring indignation and resentment between Cicero and Dionysius¹²⁵. Not wanting his previous appraisals to seem naïve and premature, Cicero does not really condemn the freedman, but instead coldly concludes that he is in fact a good person even though he did not live up to his expectation. The same cold and distant description of Dionysius in other letters (indulgent gestures towards his friendship with Atticus more than actual tokens of respect for his freedman) results in these passages being a twilight zone in our evaluative spectrum. They are therefore categorised under NUA¹²⁶.

In the following paragraphs, we discuss 1) how many of the “freedman passages” could be termed POS, NEG, NEU and NUA respectively; 2) how many different individual freedmen were presented as such; 3) the spread of these categories over the three collections of letters; and 4) another comparison with the works of Tacitus and Suetonius.

Of the 248 passages that contain references to individual freedmen, 61 are POS (20 different freedmen), 43 are NEG (14 different freedmen), 141 are NEU (44 different freedmen) and 3 are NUA (1 freedman). These mentions are quite unevenly spread out over the three collections (see Table 3). Of the 61 POS passages, 20 (3) occur in the *ad*

¹²² Att. 7.2.8.

¹²³ Fam. 12.26.2.

¹²⁴ E.g. Att. 3.8.3 (Trypho); 6.1.21 (Philo); Fam. 2.7.3 (Thraso); Quint. Fratr. 3.4.5 (Chrysippus); ...

¹²⁵ Att. 7.7.1. See also Chapter 7.

¹²⁶ The other two instances of this nuanced evaluation of Dionysius occur in Att. 7.8.1 (Cicero cannot blatantly ignore Atticus' attempts to reconcile him with Dionysius and therefore grudgingly accepts Atticus' positive evaluation of the freedman) and in 7.26.3 (Cicero tries to avoid talking about Dionysius in letters to Atticus and explains this wish as a concern with not wanting to disturb the freedman; an excuse again inspired Atticus' positive evaluation of Dionysius).

Atticum and 41 (15) in the *ad Familiares*¹²⁷. None are found in the *ad Quintum Fratrem*. Of the 43 NEG passages, 34 (8) occur in the *ad Atticum*, 7 (6) in the *ad Familiares* and 2 (1) in the *ad Quintum Fratrem*. Of the 141 NEU passages, 102 (38) occur in the *ad Atticum*, 28 (21) in the *ad Familiares* and 11 (8) in the *ad Quintum Fratrem*. Finally, as mentioned before, the NUA passages all relate to Dionysius and are therefore to be found solely in the letters *ad Atticum*.

Table 3 The evaluative assessment of freedmen passages per Ciceronian letter collection

	POS	NEG	NEU	NUA
<i>Ad Atticum</i>	20 (3)	34 (8)	102 (38)	3 (0)
<i>Ad Familiares</i>	41 (15)	7 (6)	28 (21)	0 (0)
<i>Ad Quintum Fratrem</i>	0 (0)	2 (1)	11 (8)	0 (0)
Total	61	43	141	3

The results – especially the great difference between the first number and that between brackets – clearly reveal that it are in particular the four frequently mentioned freedmen who receive explicit positive or negative evaluations in both *ad Atticum* and *ad Familiares*. Overall, the former corpus contains more negative than positive attestations, whereas the situation is the exact opposite for the *ad Familiares* (regardless of whether we include the “big four”). On a general level, it may therefore be safe to say that Cicero reserved his doubts (and rants) about certain freedmen for the confidential context of his relation with Atticus (and his brother Quintus). In letters addressed to the rest of his correspondents, he but rarely wrote or acted hostile towards freedmen. This was due, to no insignificant degree, to the role freedmen played in elite networks, and to the freedman’s identity as an extension of his patron’s (cf. Chapter 4). The same rationale may explain the large amount of neutral attestations in the *ad Atticum*, which dramatically outnumber the specifically positive or negative ones (especially when compared to those in the *ad Familiares*, and again regardless of whether or not we include the “big four”). The close relation with Atticus did not require or compel Cicero to praise freedmen as a gesture towards their patron, nor did he write any letters of recommendation on behalf of freedmen to his intimate friend (cf. Chapter 5).

The same method of evaluative quantification can be applied to the 61 different individual freedmen mentioned. The results are given in Table 4 below.

¹²⁷ The number between brackets is, again, the representation of a hypothetical situation in which Tiro, Dionysius, Philotimus and Statius are not included.

Table 4 The evaluative assessment of individual freedmen per Ciceronian letter collection

	POS	NEG	NEU	NUA	Total
<i>Ad Atticum</i>	4 (2)	10 (7)	29 (25)	1 (0)	44 (34)
<i>Ad Familiares</i>	17 (14)	5 (4)	19 (17)	0 (0)	41 (35)
<i>Ad Quintum Fratrem</i>	0 (0)	2 (1)	8 (6)	0 (0)	10 (7)
Total	20¹²⁸	14¹²⁹	44¹³⁰	1	79

As becomes clear immediately, the totals per collection of letters (the last column) do not match – and always exceed – the totals presented in Table 2 (first column), indicating that there is a considerable amount of freedmen in each corpus that is evaluated differently throughout the letters¹³¹. This is an important observation, since it warns us against seeing any freedman in a monolithic way as having a static *persona*, and since it nuances absolute categories such as the “good” or the “bad” freedman. It shows us the great flexibility and the dynamic nature of the relations freedmen in Cicero’s letters maintained with both their patrons and the correspondents of these patrons. Not only could the relation between a freedman and a letter-writer change over time, the same freedman could be evaluated differently at any point in time depending on the person evaluating. The evolution of a relation, the divergence in simultaneous evaluations, and the implications for our purpose are issues that are considered in the next chapter.

If we want to obtain an impression of how often the letter writers elaborated on a positive or negative situation respectively, we could divide the data in Table 3 by those of Table 4. This operation gives us an indication of, for example, how many POS references an average POS freedman receives (these figures are shown in Table 5).

¹²⁸ Tiro appears POS in both EaA and EaF.

¹²⁹ Cytheris and Philotimus appear NEG in both EaA and EaF; Statius in EaA and EaQ.

¹³⁰ Apella, Philo, Syrus and Chrysippus appear NEU in both EaA and EaF; Phaetho, Philotimus (2) and Tyrannio in EaA and EaQ; Philotimus and Tiro in EaQ, EaA and EaF; Salvius in EaF and EaQ.

¹³¹ For the *ad Atticum* collection, these individuals are Eutyichides (NEU and POS); Chrysippus (NEU and NEG); Philotimus (NEU and NEG); Tyrannio (NEU and POS); Dionysius (NEU, POS, NEG and NUA); Statius (NEG and NEU) and Tiro (NEU and POS). For the *ad Familiares* collection, these are Evander (NEU and POS); Phania (NEU and POS); Philotimus (NEU, NEG and POS); Theophilus (NEU and POS); Tiro (NEU and POS). Finally, for the *ad Quintum Fratrem* collection, this is Tyrannio (NEG and NEU).

Table 5 The discursive elaboration of evaluative assessments of freedmen per Ciceronian letter collection

	POS	NEG	NEU	NUA	Total
<i>Ad Atticum</i>	5 (1,5)	3,4 (1,1)	3,5 (1,5)	3 (0)	3,6 (1,4)
<i>Ad Familiares</i>	2,4 (1,1)	1,4 (1,5)	1,5 (1,2)	0 (0)	1,8 (1,2)
<i>Ad Quintum Fratrem</i>	0 (0)	1 (1)	1,4 (1,3)	0 (0)	1,3 (1,3)

The results of this exercise are once more very interesting. They show us unambiguously that in the *ad Atticum* collection, the writer *on average* elaborates more often on (i.e. dedicates more passages to) positive and negative freedmen than in the *ad Familiares* or the *ad Quintum Fratrem*. Moreover, in both the *ad Atticum* and the *ad Familiares*, the letter writers elaborate on “positive” freedmen more than on “negative” ones. In both instances, however, the differences are all but completely effaced when excluding the four extraordinarily often mentioned freedmen. This tells us that these insights may apply above all to these four freedmen in particular, rather than to any average freedmen. This will once more be confirmed in our qualitative analysis.

Similar conclusions can be reached by a different method (henceforth referred to as “method 2”). We can plot out all the words (verbs, nouns, adverbs and adjectives) that are directly attributed to freedmen and that imply some kind of qualitative assessment of these persons¹³². This results in a list of 94 different entries, together occurring 234 times in total throughout the letters. Some of these, it can be argued, are not necessarily “qualitative assessments”. *Adulescens*, for example, is not really meant to have a particularly positive or negative connotation, even though it appears only in the context of the very cordial relationship between Cicero and Tiro¹³³. Likewise, terms like *coniunctio*, *familiaris*, *necessitudo*, *officium*, and *opera* may be naturally associated with freedmen and the relation of dependence with their patron (and as such be instrumental in presenting to the outside world the latter’s social capital) but the words in themselves do not add a (moral) evaluation. Freedmen who were *necessarii* of Cicero or who carried out *operae* tend of course to be described positively¹³⁴. The point here is

¹³² The data underlying this analysis are included in Appendix 8.

¹³³ Att. 6.7.2; 7.2.3.

¹³⁴ *Necessarii* included both *cognati* and *adfines* (Paulus in Festus, s.v.: “necessarii sunt, ut Gallus Aelius ait, qui aut cognati aut adfines sunt, in quo necessaria officia conferuntur praetor ceteros” and Gell. Noct. Att. 13.3: “...qui ob hoc ipsum ius adfinitatis familiaritatisve coniuncti sunt, necessarii dicuntur”). Freedmen could act as *necessarii* as well, e.g. Dig. 42.4.5 where during the defence of a minor, *liberti* could take up the role of defender if no tutor, cognate, or *adfinis* was available or willing to do so (... *alii forte sunt, quos verisimile est defensionem pupilli pupillae non omissuros vel propter necessitudinem vel propter caritatem vel qua alia ratione liberti etiam si qui sunt idonei, evocandi*

that the wish to positively present a freedman evoked other, more explicitly positive, terms. Our list contains 58 of those, occurring 174 times in total. The letter writers were more reluctant in their use of negative characterisations, but (on average) repeated the same words on fewer occasions (when compared to the positive terms). Our list only contains 30 of such negative descriptions, occurring but 37 times in total. This might indicate that there existed a “specific set of virtues” or a “fairly well established format for the praise of freedmen”¹³⁵. Indeed, the positive characterisations are used roughly three times each (on average), whereas the negative ones barely once. However, the first category is highly distorted because of the many attestations of words like *fides*, *amare*, *diligere*, and the like¹³⁶. These are of course not at all specific “freedman virtues” but occur throughout the correspondence as descriptions of various kinds of persons and relations. The issue of a “freedman vocabulary” will be taken up in detail in Chapter 7.

Rather than being proof for the existence of “common stereotypes used to praise freedmen”, this spread unmistakably shows us that Cicero and his correspondents were generally well disposed towards freedmen. Indeed, 74% of the total amount of references (and 62% of the different words used) served to *praise* freedmen or at least to present them in a positive light. We have to take into account, however, that the neutral mentions are not accounted for by this second method. As we saw earlier, most of the passages mentioning freedmen did so in a value-free, neutral way. This second method does not render these neutral attestations adequately since it only quantifies positive and negative mentions, ignoring the fields where no qualitative assessments were made at all. Although the distribution of positive and negative assessments is illuminating, we should always keep in mind that they pale in comparison with the neutral passages.

The differences between the three corpora of letters discussed above are also confirmed by this second method. First of all, in the *ad Familiares*, each passage contains – on average – two descriptions, whereas a characterisation occurs only every two passages in the *ad Atticum*¹³⁷. The distribution of positive and negative characterisations is even more indicative. Of the 174 positive terms, 128 (74%) occur in the *ad Familiares*

exquirendaque defensio). In Cicero’s correspondence, the freedman Mithres is described as *homo intimus ac pernecessarius* (Fam. 13.69) and Hammonius as being connected to Cicero by *summa necessitudo* (Fam. 13.27), cf. *infra*.

¹³⁵ Mouritsen (2011), 61.

¹³⁶ Together, the mentions of *fides*, *amare*, *diligere* and their derivatives already amount to 55 of the 179 positive references.

¹³⁷ The number for the *ad Quintum Fratrem* is negligible: 0,2 or one evaluative characterisation every five passages.

and only 44 (25%) in the *ad Atticum*¹³⁸. These proportions are completely reversed when we look at the negative mentions: 3 out of 37 (8%) occur in the *ad Familiares* but 33 (89%) are mentioned in the *ad Atticum*¹³⁹. This seems a clear confirmation of the conclusions drawn previously. Table 6 below shows the spread of the positive or negative “spirit” of a whole passage (“method 1”) on the one hand, and the spread of individual positive and negative words (“method 2”) on the other.

Table 6 Two methods for quantifying evaluative assessments of freedmen in Cicero’s correspondence

	POS		NEG	
	Method 1	Method 2	Method 1	Method 2
<i>Ad Atticum</i>	20	44	34	33
<i>Ad Familiares</i>	41	128	7	3

Method 2 therefore confirms the previous observation, viz. that Cicero was much less inclined to speak ill of freedmen in his correspondence with *familiares* with whom he did not quite have the same intimate relationship as with Atticus. We suggested earlier that this can be explained primarily by the “bridging” role of these freedmen, by the social capital (of their patron) they represented, and by the implicit denunciation of this patron a manifest sneer towards one of his freedmen would amount to (explaining the very limited amount of *pejorative* references to freedmen in the *ad Familiares*). Praising a freedman, in other words, was tantamount to consolidating and enhancing relations with his patron as well, and was therefore particularly deemed needed in those contexts where a close connection and good understanding was not already implied by years of friendship. These points will be taken up in further detail in Chapter 4.

3.1.3.3 A comparative approach

So far, we have considered the amounts and spread of “freedman passages” in mere quantitative (3.1.3.1) and evaluative (3.1.3.2) terms. A third and final approach, briefly touched upon earlier already, exists in comparing the attestations (and evaluations) of freedmen with other literary works. Since this will be done more comprehensively in Chapters 6 and 7, we here limit ourselves again to the works of Tacitus and Suetonius. A

¹³⁸ With only 2 positive mentions (1%), the letters *ad Quintum Fratrem* are again rather insignificant in this respect.

¹³⁹ One negative attestation (2,5%) occurs in the *ad Quintum Fratrem*.

comparison with the correspondences of Pliny and Fronto is less illuminating, as these contain but very few certain individual freedmen (25 and 9 respectively¹⁴⁰).

When compared to the 61 different freedmen (spread out over 248 passages) in Cicero's letters, the number of 49 freedmen¹⁴¹ (in 111 passages) in Tacitus' combined works is remarkably similar in relative terms (i.e. when accounting for the fact that Cicero's correspondence is considerably larger than Tacitus' combined extant works). Suetonius, on the other hand, mentions 64 different freedmen, but spread out over only 84 passages. Suetonius, in short, mentions more different freedmen than both Cicero and Tacitus (especially when considering that his *Lives* are much shorter than both of the other corpora), but he mentions each of these freedmen less often than the other two writers (see column 5 in Table 1).

The three authors differ the most, however, on the evaluation and qualitative assessment of freedmen. Table 7 gives the total amount of attestations per qualitative category, with the number of different individual freedmen they were attributed to between brackets.

Table 7 Evaluative assessment of freedmen in the works of Tacitus and Suetonius

	POS	NEG	NEU	NUA
<i>Annales</i>	4 (4)	55 (22)	9 (8)	14 (8)
<i>Historiae</i>	2 (2)	21 (14)	1 (1)	5 (4)
<i>De vita Caesarum</i>	11 (10)	35 (27)	26 (24)	12 (12)

Parallel to the case of Cicero's letters, the numbers between brackets add up to 42, 21, and 73 for the three works respectively and thus exceed the number of individual freedmen we presented earlier. This again indicates that there were freedmen who were throughout the same work presented in different ways (i.e. attributed a different qualitative assessment): 9 individuals in the *Annals*, 1 in the *Histories*, and 8 in Suetonius¹⁴². Similar to what we saw in Cicero's letters, these double (or triple) qualifications include a "neutral" one in most cases. Freedmen who were considered positive in one instance and negative in another, however, are attested as well (e.g.

¹⁴⁰ See below (section 3.2) and the prosopographical Tables in Appendices 3 and 4.

¹⁴¹ 32 in the *Annals* and 19 in the *Histories*. Polyclitus and Antonius Felix are mentioned in both works.

¹⁴² For the *Annals*, these are Callistus (NEG, NEU and NUA); Narcissus (NEG and NUA); Pallas (NEG and NUA); Acte (NEG and NUA); Atimetus (NEG and NUA); Paris (NEG and NUA); Agermus (NEU and "NEG"); Epicharis (NEG and POS); Milichus (NEG and NEU). For the *Histories*: Hormus (NEG, NEU and NUA). For the *De vita Caesarum*: Antonius Musa (NEU and POS); Mnester (NEG and NEU); Narcissus (NEG and NEU); Acte (NUA and NEU); Phaon (NEU and POS); Epaphroditus (POS and NEG); Icelus (NUA, NEU and NEG); Caenis (NUA and NEU).

Epicharis in the *Annals*, Epaphroditus in the *Lives*, Dionysius in the *ad Atticum*, or Philotimus in the *ad Familiares*).

The operation we used for Cicero’s letters to assess how often the writers elaborated on either one of the qualitative categories, does not yield particularly interesting results for either Tacitus or Suetonius since – as mentioned before – the total amount of mentions is relatively small when compared to the amount of different freedmen mentioned. The result is that most values are situated around 1 [category] mention per average [category] freedman, as is shown in Table 8. The “negative” column, however, escapes this pattern in all three cases (albeit slightly less obvious in Suetonius’ case). Where the previous Table showed that both Suetonius and Tacitus were rather negatively disposed towards freedmen in their works, these figures confirm this image by indicating that, on average, more space and references were committed to negatively perceived freedmen. This stands in stark contrast with the practice in Cicero’s letters (both *ad Atticum* and *ad Familiares*) where we found the exact opposite situation (see Table 5).

Table 8 The discursive elaboration of evaluative assessments of freedmen in the works of Tacitus and Suetonius

	POS	NEG	NEU	NUA
<i>Annales</i>	1	2,5	1,1	1,8
<i>Historiae</i>	1	1,5	1	1,3
<i>De vita Caesarum</i>	1,1	1,3	1,1	1

Another fundamental difference between Cicero’s correspondence on the one hand, and the historical works of Tacitus and Suetonius on the other is the relative importance of the two groups we have barely touched upon so far: SP and GP. In the correspondence they figure very rarely (5 and 3 times respectively), amounting to no more than 3% of the total fields in our database (the rest being occupied by individual freedmen). The *Annals* and *Histories*, however, contain 22 and 12 SP and 6 and 3 GP respectively, together covering 25% and 34% of the respective databases. Similarly, roughly a quarter (24%) of the fields in the database of Suetonius’ *Lives* contains SP (18) and GP (9). Whereas the limited amount of SP and GP precluded any relevant quantification (or qualification) for Cicero’s letters, the considerable amount in the “historical” works lends itself to such an effort. The last Table (Table 9) presents the results.

Table 9 Specific and general plurals in the works of Tacitus and Suetonius

	POS		NEG		NEU		NUA	
	SP	GP	SP	GP	SP	GP	SP	GP
<i>Annales</i>	2	0	9	5	7	0	4	1
<i>Historiae</i>	0	0	6	3	3	0	3	0
<i>De vita Caesarum</i>	1	0	11	4	5	3	1	2

Although neutral SP occur quite regularly, the spread between the positive and negative categories is telling for both SP and GP. Very notable is the general negative tone when both Tacitus and Suetonius mention groups of freedmen. These observations are in line with our findings regarding individual freedmen, and are therefore a reflection of the general attitude and intent of the authors rather than a specific trait of *groups* of freedmen in these works (cf. Chapter 6). Nonetheless, the complete absence of positively mentioned GP (and the very scarce amount of ditto SP) is striking. Without stressing the point too hard (the sample is *very* limited), we can suggest that negativity prevails in all three works, but that it seems to be even more deeply felt when freedmen as a group are treated. This may point to a fundamental difference between the evaluation of *liberti* on the one hand, and *libertini* on the other, a distinction that will be given its due attention throughout the next chapters (esp. Chapter 6).

3.1.4 Conclusion

Previous attempts to compile a list of freedmen mentioned in Cicero's correspondence are tainted by both methodological obscurities or imprecisions, and by ungrounded (and often implicit) assumptions and speculation. With a few exceptions, most of these lists have moreover focused in particular on Cicero's own freedmen in an effort to reconstruct his social networks. An exhaustive list of freedmen within the correspondence, i.e. as a useful and necessary tool for studying *freedmen* rather than Cicero, has not been the objective of any scholar so far. The aim of our list is to fill up this gap and serves as a basis for the analysis undertaken in the next two chapters.

Before embarking on this analysis, we have found it relevant to analyse the list in its own right by a more or less quantitative approach. Due to the relative limited amount of entries, the observations obtained in this manner are admittedly tentative at times. We must therefore first and foremost keep in mind that the suggestions made in the previous paragraphs are useful only when we account for, and respect, their preliminary nature. No final, representative "truth" can be obtained through such quantitative operations on a limited sample that is, in the end, our list. The next chapters provide us with ample occasions to show, however, that many of the observations and suggestions touched upon above are indeed qualifiable trends.

The total number of freedmen we know of in Cicero's correspondence is the result of (at least) a four-layered selection. A first choice was made by the ancient writers themselves, namely whom to mention and whom not to mention. Indeed, there is the well-known issue of the a priori unrepresentative amount, and the very one-sided nature of the selection of freedmen mentioned in the letters (e.g. as members of a *familia urbana* and as trusted personnel). A second sifting occurred when the letters were edited and "published". The fact that we have not one letter written by a freedman – even though these must have existed in considerable numbers – is telling. Thirdly, the vicissitudes of time have eliminated even more individuals from the written record. Indeed, we can only guess how many more relevant passages the lost corpora of letters to and from Caesar, Pompey, and the like would have yielded. A final selection occurred as a result of our own imposed criteria, which are – as mentioned before – rather strict and conservative. All of the numbers mentioned so far should therefore be seen as mere indicators rather than statistical data reflecting ancient reality. However, the observations we drew from these simple calculations are based on internal evidence of the letters alone. Whereas these quantitative data cannot be taken as representative for ancient reality, they are very much so for trends and peculiarities in Cicero's correspondence, provided that we bear in mind the four layers mentioned just now.

Finally, let us briefly summarise the conclusions from the preliminary quantitative approach.

- (1) A first important point was that Cicero's correspondence has a very high average of references to, or mentions per, individual freedman, especially when compared to the works of Tacitus and Suetonius. This is probably one of the most significant features that make the corpus so attractive for freedman studies, even though it is in large part due to the presence of a few often mentioned individuals.
- (2) On the other hand, the references to freedmen in general (as SP or GP) are very scarce, especially when compared to the works of the historians.
- (3) The spread of freedmen over the *ad Atticum* and *ad Familiares* (as well as the spread of positive and negative qualifications) is revealing for Cicero's (and his correspondents') willingness to show discontent or anger with freedmen. For reasons inherently related to the unique character of letters as network embedded documents (cf. Chapter 4), Cicero and his correspondents were reluctant to negatively describe freedmen in their letters, unless they were addressed to very intimate confidants (the letters *ad Atticum*). Nor did Cicero feel the need to explicitly glorify freedmen in such a context (cf. the many neutral attestations in the *ad Atticum*). A clear difference in Cicero's public *persona* on the one hand, and his intimate exchanges with Atticus (and his brother) on the other thus becomes manifest. Since Tacitus and Suetonius were not writing about freedmen of their own social network – the most vital distinction between these works and Cicero's correspondence – and since they, as a consequence, did not share Cicero's preoccupation with strengthening their bridging and bonding social capital, their works reveal a much less careful (or "positive") attitude towards freedmen (cf. Chapter 6).
- (4) No less than fifteen individual freedmen occur both in the many letters to Atticus and in letters to many different *familiares*. This too is a significant observation because it illuminates Cicero's networking strategy as well as his activation of social capital in a variety of ways (cf. Chapter 4).

- (5) The spread of positive and negative mentions and especially the fact that freedmen could be presented both positively and negatively at the same moment (or over time) reminded us that a static view of certain freedmen as either good or bad is inadequate. This observation serves as a very important nuance to many attestations in other literary genres, which precisely portray freedmen in such a binary and mutually exclusive way¹⁴³.
- (6) Attributing a qualification to each passage based on the context in which the freedman is mentioned (method 1) and plotting out the individual terms by which freedmen are characterised (method 2) yielded very similar results. Indeed, the second method confirmed and more specifically qualified the results of the first one. Compared to Tacitus and Suetonius, Cicero is overall more positively inclined towards freedmen in his letters. A “positive” freedman, moreover, receives on average more descriptions than a “negative” one, a tendency which is reversed in Tacitus and Suetonius.
- (7) The treatment of freedmen mentioned in Tacitus and Suetonius as part of a group, either as a collection of specific individuals (SP) or as part of a “class” (GP), revealed the propensity of these authors to evaluate both groups as even more categorically negative. We have no way of comparing this observation with Cicero’s attitude since very few SP or GP occur in the letters (which is in itself significant). It may indicate a different attitude towards “freedmen as a group” (*libertini*) as opposed to individual freedmen belonging to a specific patron (*liberti*). Perhaps even more than any other preliminary observation made so far, this one is in need of further qualification (cf. Chapter 6).

3.2 Other epistolographic corpora

We have treated Cicero’s correspondence and the occurrence of freedmen in it in particular detail because it constitutes the single most important epistolographic corpus for our purposes. Two other famous collections of letters should be taken into consideration, both in their own right, and for the comparative perspective on Cicero’s they provide us with. These are the collections of Pliny the Younger and Marcus Cornelius Fronto who wrote much later than Cicero (ca. 150 and 200 years respectively). To round up this chapter, we briefly contextualise both these corpora and their value for our purpose in the next chapters.

¹⁴³ Only Epicharis in Tacitus’ *Annals* and Epaphroditus in Suetonius’ *Lives* receive a similar nuance by the respective authors.

3.2.1 Pliny the Younger (61 – c. 112 CE)

3.2.1.1 The correspondence of Pliny

Pliny's correspondence consists of 9 books that contain a total of 247 letters, written to a wide range of correspondents. Contrary to Cicero's correspondence, the letters in each separate book are not arranged per correspondent or per theme, and were addressed not only to fellow senators, but also to (as of yet) relatively undistinguished men, like municipal officials. In addition, a tenth book comprises 121 letters written to or by the emperor Trajan, while Pliny was holding the office of *legatus Augusti* in Bithynia and Pontus in 110 CE. Like in the case of Cicero's correspondence, the date of publication of the letters is uncertain. It is generally assumed that Pliny did not start to gradually publish them before 104 CE, but any further narrowing down of publication dates is impossible, as only *termini post quem* can be deduced from internal evidence of individual letters¹⁴⁴.

In any case, books 1 to 9 were selected, edited, and polished by Pliny himself, as he lets his readers know in the first letter of the collection (addressed to Septicius Clarus, on whose request he had started to collect his letters): "I have now made a collection, not keeping to the original order as I was not writing history, but taking them as they came to my hand"¹⁴⁵. Book 10, on the contrary, is generally believed to have been published posthumously without meaningful revision¹⁴⁶. However, Woolf has recently argued that at least the first part of this book has been as profoundly "edited" as the other 9 books. One of his many convincing arguments is that all of the letters are comprehensible even to an audience entirely disconnected from their context of genesis. He compares this situation with Cicero's letters, the contents of which are often much more elusive, and require considerable inside knowledge of historical persons and events¹⁴⁷.

In his unsurpassed commentary on Pliny's correspondence, Sherwin-White argued – in a section called "The authenticity of the letters as correspondence" – that the letters we have today were greatly revised and polished by Pliny himself, but that they nonetheless originate from, and resemble, "genuine correspondence"¹⁴⁸. In her introduction to the Loeb translation of the letters, Radice made very similar claims:

¹⁴⁴ See the extensive treatment in Sherwin-White (1966), 54-62.

¹⁴⁵ Plin. Ep. 1.1: "collegi non servato temporis ordine (neque enim historiam componebam), sed ut quaeque in manus venerat".

¹⁴⁶ Radice (1969), xvi; Williams (1990), 2-5.

¹⁴⁷ Woolf (2006), 97. Other arguments include the fact that each letter in book 10 has a carefully delineated subject, and that as a whole, the correspondence constitutes a coherent narrative.

¹⁴⁸ Sherwin-White (1966), 11-20.

“[t]he personal letters, carefully revised and selected though they are, must also be regarded as genuine first-hand documentation (...). They provide the normal, if more humdrum pattern of life (...)”¹⁴⁹. This view, however, was immediately challenged after the appearance of these works, by scholars who rightly criticised them for underestimating the well-crafted and literary nature of both individual letters and their arrangement in the correspondence¹⁵⁰. They argued, from different perspectives, that the correspondence is a consciously constructed literary document, in which moralising thoughts and an idealising representation of Pliny, Trajan, and other historical actors and events, feature far too prominently to warrant a consideration of this historical document as an authentic correspondence.

Although Trapp has warned us that too rigid a conceptual separation between “real” and “fictional” letters treacherously absolutises and exalts the nature of the former ones – ignoring that they too were not “direct transcripts of reality” –, it is now generally accepted that Pliny’s correspondence differs from both Cicero’s and Fronto’s in the much more manifest editorial interventions it underwent prior to publication¹⁵¹. Mayer even argued that the books were designed merely as corollaries to Pliny’s speeches (for example, as an introduction or “teaser”)¹⁵². As we will see below, this much more “artificial” nature of the correspondence has great repercussions for the study of (the representation of) freedmen in it.

3.2.1.2 The freedmen in Pliny’s Letters

Pliny’s correspondence is permeated by references to his household staff or that of his correspondents. In the majority of cases, however, the letter writer groups them together under the headings *mei* or *tui*. Pliny thus individualises his personnel much less frequently than Cicero did. As a consequence, a status determination of these groups of people becomes difficult. In most cases, Pliny and his correspondents denote their entire household, so we can confidently state that both slaves and freedmen are meant. When Pliny writes that some of his *mei* are educated (*eruditi*) or when he tells about the prosecution of the household of the murdered Afranius Dexter, it is clear that the *mei* cover both status groups¹⁵³. In other cases, the *mei* or *sui* are undoubtedly only (or

¹⁴⁹ Radice (1969), xvi. She also considered the letters as an unproblematic reflection of “the sort of man Pliny was himself” (xvii).

¹⁵⁰ See most recently, Ludolph (1997); Riggsby (1998); Henderson (2002). Woolf (2006) dismantles the notion that book 10 was any different in this regard (p. 94-7 contains a comprehensible overview of the evolution in scholarly opinion on the nature and historical value of Pliny’s correspondence).

¹⁵¹ Trapp (2003), 3-5.

¹⁵² Mayer (2003).

¹⁵³ Plin. Ep. 9.36.4; 8.14.12; 7.27.12.

primarily) slaves¹⁵⁴. What these passages have in common, however, is that the status of these individuals does nowhere really matter. In fact, these groups of people are rarely seen as a collective of *individual* persons, but are instead clustered as such only because they share with each other their relation to Pliny (or his correspondent), who is the main theme of these passages.

As we will argue, this lack of individualisation and status indicators is due indeed to the context in which the dependents are mentioned, but also to the fact that Pliny's correspondence was much less "embedded" in social reality than Cicero's. The trust context that is so fundamentally intertwined with mentions of libertination (cf. Chapter 4) is lacking almost entirely in Pliny's passages that refer to *mei* or *tui*. When Pliny mentions that his own personnel is lazy but that he was courteously received by his mother-in-law's servants, or that his friend Allifanus' household had offered him many delicacies, these men are not acting as trusted agents¹⁵⁵. Similarly, no embeddedness in a trust network is implied when Pliny repeatedly tells about the health of his household members or the kind treatment of Valerius' dependents by their master/patron¹⁵⁶. In all these cases, the specific status of these persons is subordinated to the presentation of Pliny and his correspondents as loving *patres familias* whose *humanitas* ensured a friendly and respectful treatment of their subordinates not only in theory but also in practice. The lack of a trust context and the focus on the letter writer and his correspondents made explicit status markers obsolete (cf. *infra*).

The contrast with the freedmen who are mentioned with libertination is very clear. 33 references to freedmen are spread out over 36 different letters¹⁵⁷. Besides a general plural and seven specific plurals, 35 individual freedmen are mentioned. These are secretaries, recently manumitted slaves, intimate readers, imperial procurators, heirs to a deceased patron, financial agents, individuals who had proved important services to Pliny in the past, ...¹⁵⁸. But even in many of *these* cases is the focus of the letter more on Pliny's rhetorical skills, his success in the courts, or his domestic *humanitas*. In a letter to Caecilius Macrinus, Pliny has his correspondent relive one of his greatest victories as a lawyer. Two freedmen had been accused of murdering their deceased patron and forging his will. After a very brief introduction of this case (barely 2 lines), Pliny's focus

¹⁵⁴ E.g. Plin. Ep. 1.4.2-3; 6.25.4; 7.1.3; 8.16.

¹⁵⁵ Plin. Ep. 1.4.2; 6.28.2.

¹⁵⁶ Plin. Ep. 5.6.46; 5.19; 8.1; 8.16.

¹⁵⁷ The most recent *onomasticon* to Pliny's letters – Birley (2000) – does not contain, by its very nature, unnamed freedpersons. The fugitive freedwoman of the convicted Vestal Virgin Cornelia or the freedman who was asked by Trajan to support Pliny during one of his exhaustive speeches are, for example, not included (Plin. Ep. 2.11.15; 4.11.11). They are all included in our own list (see Appendix 3).

¹⁵⁸ E.g. Plin. Ep. 2.11.15; 4.10; 5.19; 6.31.8-12; 7.4.3-6; 7.8.8-9; 7.11.1,6; 7.14; 10.5; 10.6; ...

shifts to the way he had successfully handled the defence (18 lines)¹⁵⁹. Similarly, the account of his defence of Afranius Dexter's freedmen centres entirely around his arguments and forensic prowess, rather than on the specifics of the case itself, let alone the freedmen¹⁶⁰. Pliny's allowing some of his slaves to die as free men or at least giving them a chance to leave their *peculium* to whom they wished (as long as it stayed in the *familia* of course) is yet another example of his showcasing his *humanitas*¹⁶¹.

A quantitative analysis like the one conducted above for Cicero's letters would be neither representative nor meaningful due to the rather limited amount of attestations, but a general impression can be presented. The references to freedmen (both individual and as a group) are mostly positive throughout the correspondence. A glaring exception is Pliny's very uncharacteristic vituperation against the imperial freedman Pallas who had received rewards and – more importantly – honours by a senatorial decree, which Pliny deemed as despicable as the conferment itself¹⁶². Similarly, the imperial freedman Eurythmus was put on trial (together with the knight Sempronius Senecio) for forging the will of the rich Julius Tiro, but the accusers, Pliny writes, were too faint of heart to push through the prosecution in the face of Eurythmus' influence. Trajan, always worried about the public opinion about his freedmen's position, personally made sure that the trial was conducted nonetheless by exclaiming that “he was not a Nero, nor Eurythmus a Polyclitus”, referring of course to the infamous influence of this freedman of Nero's¹⁶³. It is no coincidence at all that these two cases implicate *imperial* freedmen (cf. Chapter 6).

The other “negative” mentions are much more nuanced: freedmen accused of murder or embezzlement are either acquitted entirely, or convicted with Pliny implying that even such a mild punishment was unjustified¹⁶⁴. Similarly, a freedman that had fallen from grace with his patron was subsequently reconciled, and one of Pliny's own freedmen who was accused of prematurely selling his patron's inherited estates was vigorously defended by his patron on account of his acting on his specific orders¹⁶⁵. Very interesting, finally, are the nine freedmen Pliny recommends to Trajan in book 10 of the correspondence. They were either freedmen of *peregrini* (who would not receive Roman citizenship on manumission due to the non-Roman status of their patrons), or

¹⁵⁹ Plin. Ep. 7.6.7-13. The “lines” refer to the rendering of the text by B. Radice in the 1969 Loeb edition. For the legal details of the case, see Sherwin-White (1966), 409-10.

¹⁶⁰ Plin. Ep. 8.14.12-26.

¹⁶¹ Plin. Ep. 8.16.

¹⁶² Plin. Ep. 7.29; 8.6.

¹⁶³ Plin. Ep. 6.31.8-12. For Trajan's preoccupation with the position and influence of his freedmen, see e.g. Plin. Pan. 88.1-3.

¹⁶⁴ Plin. Ep. 7.6.8-9; 8.14.12-26;

¹⁶⁵ Plin. Ep. 7.11.1,6; 7.14; 9.21; 9.24;

Latini Iuniani. These letters are fascinating for any scholar interested in the spread and conveyance of Roman citizenship, but the freedmen (and -women!) are unfortunately only mentioned by name, without any further individualising description¹⁶⁶. The reason for Pliny's requests was either an appropriate reciprocating of past services (as in the case of his doctor Arpocras¹⁶⁷), a request by the freedpersons' patron(ess)¹⁶⁸, or Pliny's own preoccupation with being (or seeming to be) a generous *pater familias*¹⁶⁹.

All in all, Pliny's correspondence provides much less (and much less differentiated) information about freedmen and their role in their patron's social network when compared to Cicero's collection. The fact that he had at least books 1 to 9 published during his life, implies an editing process that has in many cases effaced the clear signs of network embeddedness that make a correspondence like Cicero's so unique as a historical source (cf. Chapter 4). To be sure, Cicero's correspondence too was the result of an editing process, but the fact that Pliny's letters were disseminated by the author himself suggests that the intended readership of the letters was altered in a way most of Cicero's were not¹⁷⁰. Both this observation and the (relative) scarcity of freedman mentions limits the value of the correspondence for our purposes. However, it does remain a valuable corpus for comparison, and will be drawn on extensively to highlight the Ciceronian features throughout the next chapters.

3.2.2 Marcus Cornelius Fronto (c.95 – c.167 CE)

3.2.2.1 The correspondence of Fronto

When compared to Cicero's or Pliny's correspondences, our knowledge about Fronto's is very limited. We barely have any information about its date of publication, or about the

¹⁶⁶ They differ in this regard from many of the "real" recommendation letters composed for freedmen in Cicero's correspondence (cf. *infra*). The requests in book 10 of Pliny's always ask for citizenship for multiple persons at the same time (three times three persons are thus "recommended"). The individuals are summed up because Trajan would need their full names to actually confer the citizenship, but remain "anonymous" in every other respect.

¹⁶⁷ Plin. Ep. 10.5; 10.6; 10.7; 10.10.1. This is the only case where some details are given of the freedperson, although the description does not extend further than a short mention of past service. The sequence of letters focusses foremost on the technical procedure of the case (which, given Arpocras' Egyptian identity, was rather complicated. See Sherwin-White (1966), 566-71 for the legal details.

¹⁶⁸ Plin. Ep. 10.5.2; 10.6.1; 10.11.2.

¹⁶⁹ Plin. Ep. 10.104; 10.105.

¹⁷⁰ As noted above, neither of the Ciceronian corpora can be safely labelled as "spontaneous" writings, but we would nonetheless maintain that they are more "authentic" than Pliny's because of the reasons stated.

circumstances under which it eventually came into circulation. The only thing that can be stated with relative certainty is that Fronto's letters were not edited before the 4th century CE, and that he himself had never wanted or tried to publish them¹⁷¹. The obscure passages, and the many references to matters only the correspondent would be familiar with, indicate that – perhaps even more so than Cicero's – Fronto's letters clearly resemble their original form (although mild polishing by editors cannot be excluded). The modest amount of scholarship on Fronto's correspondence generally reiterates the few details we *do* know about it, although van den Hout's recent commentary is likely to remain the standard reference work for quite some time¹⁷². Unfortunately, our understanding of both individual letters, and of the correspondence as a literary work, is greatly impeded by the many lacunae and erasures that occur throughout it.

Most of the letters in Fronto's correspondence were exchanged between Fronto himself and his pupils at the imperial court (the later emperors Marcus Aurelius and Lucius Verus), although a considerable amount was addressed to several "friends" (similar to Cicero's *ad Familiares*). The books were established by collecting all letters per correspondent, amounting to 5 different collections (apart from some isolated – sometimes Greek – letters): *ad Marcum Caesarem* (5 books), *ad Antoninum Imperatorem* (4 books), *ad Verum Imperatorem* (2 books), *ad Pium* (1 book), and *ad Amicos* (2 books); good for a total of some 220 letters. Within a single book, the letters were roughly placed in chronological order, but subsequent books did not continue the chronology of a previous one. The content of the letters is, at any rate, much less varied than Cicero's or Pliny's correspondences, and usually relates to Fronto's tasks and duties as a rhetorics teacher of the young emperors.

Fronto's correspondence can arguably be labelled as the most authentic of the three letter collections discussed in this chapter. Edited several decades after his death, very little – if any – concern was felt to enhance the image of either writer or correspondents (as is clear also from the rather gloomy impression we get from Fronto as a person). Unfortunately, however, for our current purpose, these documents have very limited value, since freedpersons feature but very rarely throughout them.

3.2.2.2 The freedmen in Fronto's Letters

Like in the previous two collections, many members of household staff and other dependents are referred to in Fronto's letters. He often mentions the *librarii* who write

¹⁷¹ Champlin (1980), 3; Goodyear (1987), 676-7; van den Hout (1999), x; Trapp (2003), 15. Pace Mommsen (1874), 198ff; Russel (1990), 13. For the general debate, see Freisenbruch (2004), 23-30.

¹⁷² van den Hout (1999).

his letters for him because he is in too much pain to do so himself, the servants who come to call him to his bath, the many literary assistants, the deliverers of letters, etc.¹⁷³ None of these, however, are accompanied by a status indicator, and most of them even remain unnamed. In most cases, these assistants would have been either slaves or freedmen, but we cannot confidently identify them either way. And even if we could, this would not yield much information since these men are typically referred to only *en passant*. Some slaves occur in the correspondence, but the number is negligible when compared to Cicero's (or even Pliny's). Certain slaves include a few cooks, the men who dashed Fronto's sedan-chair into a wall (scraping their master's knee), those whom Appianus sent as a gift to Fronto, etc.¹⁷⁴

Similarly, very few certain freedmen are mentioned in Fronto's correspondence, but none are represented in a negative way. Only 10 certain freedmen occur in 8 different letters. Moreover, 6 of these are referred to but superficially. In a letter to Marcus Aurelius, for example, Fronto is elated that his speech will survive in the handwriting of the emperor. Fronto considered himself a lucky man because he knew that the literary works of Cato, Ennius, Cicero, and others were valued more highly (*pretiosior*) and had the greatest renown (*summa gloria*) because they were written by Octavius Lampadio, Staberius Eros, Tullius Tiro, and others¹⁷⁵. The men in the first group are famous authors and mostly nobles, whereas the men in the second group are known to be editors or secretaries and mostly of lower rank¹⁷⁶. Staberius Eros, Tullius Tiro, Aurelius Opilius, and probably also Octavius Lampadio were actually freedmen. They are, however, not elaborated upon and figure only in their capacity as publishers or literary assistants of the writers in the first group. The passage is significant because prominent aristocrats like Aelius Stilo and Pomponius Atticus are indiscriminately included in the second group. In fact, Fronto places himself in the first category, but the emperor in the second when he writes that his fame will endure thanks to M. Aurelius' handwriting¹⁷⁷. Legal or social status takes second place (if any at all) to literary aptitude, which is clearly considered all these persons' most salient feature throughout the passage. Not only,

¹⁷³ E.g. Fronto Ad Amicos 2.3; De Eloq. 2 (letter writing *librarii*); ad M. Caes. 2.12 (a "bath" *nuntius*); ad M. Caes. 2.10.2; 5.26; De Fer. Als. 3 (assisting *librarii*); Ad M. Caes. 1.3.2; 1.3.9; 4.7 (*tabelarii*).

¹⁷⁴ Fronto De Bello Parthico 5; ad M. Caes. 5.44; Epist. Graec. 5.6, 8 respectively.

¹⁷⁵ Fronto ad M. Caes. 1.7.4.

¹⁷⁶ L. Aelius Stilo and M. Pomponius Atticus being obvious exceptions. The connections Fronto makes are: M. Porcius Cato (linked with Staberius Eros); Q. Ennius (linked with C. Octavius Lampadio); Gaius Gracchus (linked with "Plautius", perhaps L. Plotius Gallus); Titius *poeta* (linked with D. Aurelius Opilius); Scipio (linked with an unknown Autrico); Numidicus (linked with L. Aelius Stilo); and Cicero (linked with M. Tullius Tiro and M. Pomponius Atticus). See Richlin (2006), 121.

¹⁷⁷ Richlin (2006), 122.

then, are the freedmen mentioned only by name (and implied function), but the passage does not draw attention to their status.

The same holds true for two (maybe three) other freedmen who are only briefly referred to as pantomime dancers in a humorous passage by Lucius Verus to Fronto¹⁷⁸. The freed Stoic philosopher Epictetus is briefly mentioned once but only in the context of an *exemplum* invented by Fronto to convince Verus (or Marcus Aurelius) that it is allowed to use inventive words and elaborate phrases when these come naturally to the writer¹⁷⁹. Finally, the imperial freedman Egatheus – *Imperatoris Antonini Augusti libertus a codicillis* – is referenced very briefly as the personification and *pars pro toto* of the imperial administration in a letter treating a complex legal case¹⁸⁰.

The few remaining cases are more interesting. They include two general plurals: the reverence of freedmen to their patrons is compared to that of freeborn clients to theirs¹⁸¹, and the role of freedmen manumitted *ex testamento* in the lamentation of their patron is contrasted to that of other family members, friends, and clients¹⁸². The other two mentions are of individual persons, both of whom are imperial freedmen. The recommendation of Aridelus to the emperor Marcus Aurelius will be discussed in more detail in Chapter 5¹⁸³. In yet another letter, Fronto quotes a message he had sent to the imperial freedman Charilas in which he had asked him if he could (and should) visit the emperors Lucius Verus and Marcus Aurelius after the death of their father Pius. Fronto reproduces the original message as truthfully as possible (*si recte meministi verbis*) and it starts out promisingly by describing Charilas as a “sensible man and friend of mine” (... *σύ μοι δήλωσον ὡσανεὶ ἔμφρων κάμοι φίλος κάμοι σε ...*)¹⁸⁴. It is a very rare case of a letter actually addressed to a freedman and would as such have been extremely interesting in many respects, if only the manuscript had not broken off shortly afterwards. Charilas’ answer, which would undoubtedly have followed the quote, is lost as well. Despite the unfortunate coincidence, the letter gives a good impression of the role of imperial freedmen as intermediaries between their patron(s) and potential petitioners – even

¹⁷⁸ Fronto ad Verum Imp. 1.2: L. Aurelius Pylades; P. Aelius Pylades (his magister); and probably another imperial freedman named Apolaustus.

¹⁷⁹ Fronto ad Verum Imp. 1.1.5. See Haines (1929), II, 47 (note 2) and 53 (note 1) for the addressee of this letter. Epictetus is mentioned again in De Eloq. 1.16 but the text is too fragmented to make sense of.

¹⁸⁰ Fronto ad M. Caes. 2.16. Egatheus is attested epigraphically as well in CIL 6, 8440 (= ILS 1529).

¹⁸¹ Fronto ad Verum Imp. 2.7.2.

¹⁸² Fronto ad M. Caes. 1.6.6. This is technically not an “epistolographic reference” to freedmen since the passage in which it occurs is a quote from one of Fronto’s speeches.

¹⁸³ Fronto ad M. Caes. 5.37.

¹⁸⁴ Fronto ad Verum Imp. 1.4.2. Fronto gives the Greek version instead of a Latin summary to stress the authenticity of the message’s content. As his name suggests, Charilas was of Greek origin.

though Fronto would surely have been welcome in the palace regardless of Charilas' answer¹⁸⁵.

All in all, the correspondence of Fronto contains even less information regarding freedmen than that of Pliny. A structural analysis is simply impossible. The few relevant references will therefore be treated as complementary to the other two letter collections and as providing a comparative perspective.

¹⁸⁵ The whole letter, in fact, constitutes Fronto's explanation why he had not yet visited the emperors. Apparently, Lucius Verus had (amiably) reprimanded him for not coming over any sooner.

Chapter 4 *Tabellarii*, libertination, and social capital in Cicero's correspondence

4.1 “Network embedded” versus “detached” sources

4.1.1 The network embeddedness of letters

One of the unique features of letters as a historical source, is their embeddedness in “real life” and their performativity in the important social practice of networking. By “letters”, we here mean those that were actually delivered, or that were at least written with that intent. These may have been edited later on (in various degrees), but are at any rate to be distinguished from letters that were written as a rhetorical exercise, as poetry, as *exemplum*, etc.¹ “Embeddedness” is a widely proliferated term and has several meanings when used in relation to epistolography. On a very basic level, it can heuristically refer to a letter's transference through partial or entire citation in either another letter or in another literary document. Examples include a passage in a letter to Atticus where Cicero quotes a message he had written earlier to Caesar, or the letter Verres' freedman Timarchides wrote to one of his patron's henchmen, and that was cited (and commented on) in Cicero's second *oratio* against Verres (cf. Chapter 6)².

Embeddedness in social theory, on the other hand, refers to the fact that “behaviours and institutions (...) [are] constrained by ongoing social relations”. It denotes that agency cannot be considered outside of the contextual factors that necessarily shape it

¹ See Trapp (2003), 6-33 for the extensive spectrum in which letters can thus be subdivided.

² Cic. Att. 11.12.2; Ver. 2.3.154-7. For embeddedness in this sense, see Trapp (2003), 33-4; White (2010), 172-3.

(and that are in turn shaped by it)³. As a contextualised expression of such agency, letters are addressed to (or talk about) real people whom the writer had (in most cases) already met in person, whom he might expect to meet again in the future, but who at any rate were firmly situated within his own social network. When composing a letter, a writer is at all times aware of his historical and network embeddedness, in the sense that potential repercussions (positive or negative) of what is entrusted to paper will affect this network in a much more direct and pervasive way than is the case for any type of public discourse⁴. Wilcox sublimely grasps this unique feature of letter writing in her study that analyses it as a particular form of gift exchange. She notes that there are “important differences between the instrumentality of correspondence fully embedded in ordinary social practice and the more attenuated (or at least differently misrecognised) social instrumentality of literary works produced qua literature”⁵. Writers of the latter type of works (and Cicero-the-orator as opposed to Cicero-the-letter writer is, for example, one of these) are much more “detached” from concerns related to trust, social capital, “learning”, or “control”, and feel the need to adhere to the social conventions of “acting in a social network” – so consistently respected in epistolary documents – much less profoundly.

Cicero wrote his letters *in real life* (i.e. *in the reality* in which he and his social network were at the time “embedded”), whereas authors of fiction, poetry, satire, ... wrote mainly *about real life*. Rather than a *product*, the writing, sending, and answering of a letter was an embedded and performative social *practice*. Roman historians are arguably the most “detached” from their subject matter because in addition to the fact that they wrote about individuals who were never entrenched in their own social networks, they were also separated from them temporally. Surely, Tacitus would not have obtained the praetorship under Domitian if he had at that time and in that context disclosed his condemnation of the emperor (if any existed at all before Domitian’s fall). It is only after Domitian’s assassination in 96 CE that he could (and would) publish his *Agricola*, in which the protagonist is presented as the ultimate example of how “great men could exist even under bad emperors” and of how “obedience and submission in

³ Granovetter (1985), 481-2. Embeddedness in this sense is closely related to the Bourdieusian notion of *habitus* and to NIE’s concept of path dependency.

⁴ This is why the standardised formulae at the beginning and ending of a letter typically (but implicitly) direct the reader to read the text *as a letter*. Cf. Cugusi (1983), 47-64 and Violi (1985) discuss these formulae and their “directive” function. Cf. McCutcheon (2013), 179.

⁵ Wilcox (2012), 12. The term “misrecognised” in this quote is implicitly derived from the Bourdieusian notion of “*méconnaissance*”. It does, however, in no way denote the meaning attributed to it by Bourdieu in his symbolic violence theory (i.e. misrecognition by the dominated of the structures and ideologies that constitute their subordination).

combination with industry and vigour could still lead to glory”⁶. Similarly, Pliny could safely publish a letter, harshly condemning the influence of the imperial freedman Pallas, because neither the latter nor his patron were still alive to take offense. When referring to the freedmen of his own emperor Trajan, however, the same Pliny politely stressed their modest role in state affairs and the emperor’s strong control over them⁷. Likewise, Seneca’s *Consolatio ad Polybium* was written to comfort the imperial freedman Polybius after the death of his brother. This *consolatio* – like those “addressed to” Seneca’s mother or the influential Marcia – were literary and philosophical essays rather than personal letters. They were written during Seneca’s exile in Corsica, and especially the *ad Polybium* and the *ad Marciam* are generally identified as attempts to regain favour in important circles, in order to facilitate Seneca’s reinstatement⁸. The same Polybius is mentioned by Suetonius in his *De vita Caesarum* – many years post mortem – as highly influential, as usurping positions he should not hold, and even as often walking in between the two consuls⁹. While both accounts insinuate the influence of Polybius, Seneca’s work was highly embedded since he was not only Polybius’ contemporary, but also needed to gain favour with him and his patron in order to return from exile. Because the works of the historians provide some of the clearest instances of “detached narratives” (as defined above), they will be treated as a point of comparison in Chapter 6 (i.e. after having focussed on the network embedded letters in this and the next chapter).

One of the many indications of the difference between “network embedded” and “detached” documents was already hinted at in the previous chapter. Cicero’s letters barely contain any reference to freedmen as a group or class (the specific or general plurals as defined earlier). They almost consistently feature individual, concrete, and identifiable *liberti*, rather than *libertini*. The latter occur much more often in the historical works, whose writers are typically conditioned by thematic *topoi* and genre-related attention to recurrent stereotypes. This is not to say, of course, that the epistolary genre did not impose similar restraints. Standardisation, formulae, and recurrent themes and subjects unambiguously betray conventional straightjacketing of

⁶ Tac. Agr. 42.5: “Sciant (...) posse etiam sub malis principibus magnos viros esse, obsequiumque ac modestiam, si industria ac vigor adsint, eo laudis excedere”. It is well known that the entire work is, besides a *laudatio* of his father-in-law, an apologetic account of Tacitus’ own behaviour under (and lack of resistance against) Domitian’s reign. See Syme (1958), 25-6; Turner (1997); Devillers (2007). See Birley (2009), 49 (esp. note 5) for further references.

⁷ Plin. Ep. 7.29; 8.6; Pan. 88.1-3. Trajan was very well aware that the degree of *potentia libertorum* was a sure sign of a ruler’s qualities. He did not, for example, want his own court to be considered filled with *Polycliti* (Plin. Ep. 6.31.9). Cf. Mouritsen (2011), 93.

⁸ Cf. Abel (1985), 718; Sauer (2014), 168.

⁹ Suet. Claud. 28.

both form and content in these documents as well. However, as network embedded sources, letters were much less likely to reproduce the same kind of stereotypes that permeated satire, historiography, etc. This point will be taken up extensively throughout this chapter. In any case, Cicero (and his correspondents) felt much more intensely the potential ramifications of insulting, harassing, or negatively describing freedmen in a letter. The quintessential role of freedmen as nodes in various (trust) networks, but also the reflection onto the reputation of a patron as a consequence of any disparagement directed at his freedman, at least partially explains the difference with the more “detached” genres of literature. It is certainly no coincidence that a great majority of the negative mentions of freedmen in Cicero’s letters concern his own freedmen or those of his closest connections (e.g. Hilarus, Philotimus, Dionysius, Staius), and that these usually occur in letters to his intimate friend Atticus or his brother Quintus. For the same reason it comes as no surprise that Pliny’s and Fronto’s correspondences barely contain any negative references at all.

Letter writing as an embedded social practice does not only *position* the writer in his social network, but it also activates, reproduces, and occasionally extends it. The many dangers to which a writer thereby exposes himself (misunderstanding, rejection, but also detection and undesired proliferation of intimate thoughts) explain the many linguistic and rhetorical strategies that are used in epistolography¹⁰, but at the same time constitute the inherent value of this type of sources for the ancient historian. Through these letters, we can detect strategies of social and political networking, of conflict mediation, or of dealing with the more menial requirements of “real life” that remain hidden by the more formal – detached – genres of literature.

4.1.2 Couriers and letters of recommendation

Cicero’s letters allow us a unique and fascinating glimpse into how freedmen and their role in the elite’s networks were perceived. This chapter is closely linked to the next one, which similarly analyses the representation and function of freedmen in these documents, but which does so from a different perspective. The current chapter focusses on the many freedmen that were used as couriers or messengers. These men – unsurprisingly, no women are attested – were vital constituting components of their patron’s and his correspondents’ social capital. The focus throughout this chapter is directed toward the use of libertination in these cases. It will be argued that

¹⁰ See, for example, Hall (2009) on the strategies of linguistic politeness in Cicero’s correspondence. Cf. Hutchinson (1998), *passim* (for Cicero’s letters specifically); Trapp (2003), 3 (for the epistolary genre as a whole); Wilcox (2012), 90, 96 (for recommendation letters in particular).

libertination was not a neutral or random way of describing freedmen. Instead of employing one standardised formula when mentioning freedmen, the range of different denominations that discursively rendered *liberti* is large. This variety reveals a set of *subtextual* assumptions or beliefs of which the different kinds of libertination (or lack thereof) are *textual* expressions. Whereas deliberate calculation or choices on the one hand, and unconscious habit or routine on the other, are often difficult to discern, very specific and highly significant patterns emerge that preclude dismissing these different ways of referencing freedmen as merely coincidental.

John D’Arms already noted that “descriptions of freedman/patron relationships in modern works tend to be ‘patron-oriented’”. He rightly questioned a view that sees freedmen as either continuing to perform the services they had rendered as slaves, or as “performing more responsible tasks” unilaterally imposed by their ex-masters¹¹. Service as confidential couriers could be seen as an example of the latter option: freedmen serve as trusted agents, but derive this (and other) praiseworthy qualities only by and through patronal approval that is therefore a *conditio sine qua non* for their validation¹². Whereas this chapter analyses the recurrent discursive construction of a typical triad of elements that linked together libertination, trustworthiness, and the connection to a patron, the next one questions the assumption that this was (perceived as) a deliberate stratifying strategy to stress social inferiority, thus infringing on the public transcript of principled equality. In order to do so, this next chapter focusses on letters that *recommended* freedmen to an influential correspondent. It will be argued that previous attempts to trace fundamental differences between freedman and freeborn recommendations make sense only when we accept the implied *macula* vision of the respective analyses. In-depth inquiry into both lexical and structural patterns in these documents does not only contradict the alleged existence of a “special” freedman recommendation, but it also suggests that patterns hitherto identified as emanations of the claim that freedmen received their virtues only through their patrons, served another purpose entirely. Rather than perceiving freed status as a “liability” (a typical consequence of transposing the reading of “detached” sources on “embedded” ones), these two chapters suggest that it was rather an “asset” that – not unlike the accentuation of the networks of *freeborn* couriers and *commendati* – instilled and guaranteed trustworthiness through processes of network embedded “learning” and “control” (cf. Chapter 1).

Finally, in both these chapters, the correspondences of Pliny and Fronto will be used – whenever possible or useful – to complement Cicero’s, or to compare the latter with a

¹¹ D’Arms (1981), 142. The observation introduced his discussion of the “independent freedmen”.

¹² Smadja (1976), 97-8; Mouritsen (2011), 64.

somewhat less authentic collection (especially Pliny's) in terms of freedman representation. The almost complete lack of any certain freed messengers and freedman recommendations in these collections will, however, necessitate a more lenient definition of both categories.

4.2 Libertination in epigraphic sources: a liability?

The fact that there existed a separate word to denote an ex-slave – two even, if we count *libertus* and *libertinus* separately –, and especially the fact that it was as common a denominator as *servus*, *liber*, or *ingenuus*, is in itself a noteworthy observation. Not all slave-holding societies were as willing to make explicit the legal status of subaltern (and often highly discriminated) marginal groups. When determining the “kinds” of people that made up the legitimate population of a State, for example, the original US Constitution, contrasted “free persons” with the euphemising “other persons” rather than “slaves”¹³. The manifest unwillingness to use the everyday language of slavery in 19th century American law texts is generally considered highly significant¹⁴. As is well known, the average Roman author (or jurist) did not struggle with similar concerns. Both the deliberation of whether or not to draw attention to a freedman's status, and the subsequent choice of words to do so, are always a contextual reflection of ideology and beliefs. Embedded sources, however, feature these deliberations and choices in a relational context, reflecting not only ideology, but also the awareness that utterances of assumptions and beliefs affect and impact one's social network.

By “libertination”, we mean throughout this chapter the mention of a freedman by (at least) his legal status (*libertus*). This interpretation of the term should be stressed, since it deviates slightly from the standard notion of “libertination” in epigraphy. In epigraphic sources, libertination – sometimes called “pseudo-filiation” because of the obvious similarities with filiation¹⁵ – is traditionally conceived as the standardised

¹³ US Constitution, Article 1, Section 2. In the aftermath of the abolition of slavery, this passage was modified by the 14th Amendment (Section 2).

¹⁴ Cf. Lee (2012), 7.

¹⁵ Duff (1958), 52 calls the patron a freedman's “legal father” and Fabre (1981), 114 wrote that libertination “souligne la place du *patronus* par rapport à l'affranchi, au même titre que celle du *pater* par rapport au *filius*”. Corbier (2008), 319-20, Mouritsen (2011), 38-9, and Perry (2014), 109-10 are more nuanced by equating filiation and libertination only functionally, pointing to the analogy between father and patron as providing children and freedpersons with a social identity. The word “pseudo-filiation” may well capture the structural similarities between filiation and libertination in

identification of an individual by a reference not only to his or her legal status (*libertus/-a*), but also to the relation to his or her patron (by a genitive of the latter's proper name, usually preceding *libertus/-a*)¹⁶. Libertination in this sense was often part of a *prae-* or *postscriptum* to a more elaborate text (e.g. a *carmen epigraphicum*) or of a couple of lines containing only a few highly standardised aspects of identity (e.g. profession, age, a description as *bene merens*, etc.). In both epigraphic and epistolary sources, this constitutes but one way of using the word *libertus*. Others include a generalised and isolated *libertus*, a *libertus* as appositional to a proper name, or a set of variations to the juxtaposition of *libertus* and a possessive pronoun in the genitive case (cf. *infra*). “Libertination” throughout this chapter refers to all mentions that include legal status, and not only those that take the “standard epigraphic form”.

The motives for formally publicising one's freed status were numerous and highly contextual. In this regard too, network embedded sources (like letters) provide another image entirely when compared to “detached” sources¹⁷. They do not seem to “fit” within a *macula servitutis* framework, and attempts at analysing them in these terms have led to rather problematic or ungrounded hypotheses. As noted earlier, Lily Ross Taylor has famously claimed that the decline in use of libertination in Roman epitaphs at the end of the first century CE must be explained by ex-slaves no longer wanting to publicise the stain on their identity (cf. Chapter 2). She argued that it was “the freedman's unwillingness to declare his inferior status” that led to a general omission of explicit status markers among freedmen¹⁸. Similarly, Andraeu assumed that freedmen strove “to merge anonymously into the throng of the *ingenui*, the true Quirites” (i.e. by omitting status indicators), and that they vainly tried to “fool people about [their] true social rank”, thus likewise considering legal status a primary identity dimension in freedpersons' self-appraisal and “a constant constraint in their daily life”¹⁹.

This view has had repercussions on, for example, the debate about the adoption of freedmen, which we will briefly address here as an example of the extent to which the

epigraphic sources, but it risks – as an analytical term – to obscure or misrepresent its content, cf. Crook (2004), 230-1; Bruun (2015), 608.

¹⁶ Perry (2014), 101 notices a “more flexible use of libertination” (i.e. deviating from the formulaic “(praenomen)-nomen – genitive – *libertus/-a* – cognomen”) and also includes, for example, “nomen + *libertus/-a*”. A connection to the patron usually remains obvious, but the rendering is less standardised. Huttunen (1974), 178 noted that, on average, rather few people (ca. 8%) chose to explicitly publicise their status (cf. *infra*).

¹⁷ The reasons and occasions for libertination in “detached” sources (i.e. the writings of the Roman historians) will be discussed comparatively in Chapter 6.

¹⁸ Taylor (1961), 122-3. See also Huttunen (1974), 129f. One of the obvious problems with this suggestion is that it lacks any explanatory power as to why libertination declined precisely the moment it did.

¹⁹ Andraeu (1993), 197.

macula framework has permeated different branches of scholarship²⁰. Gardner took a remark of the famous jurist Masurius Sabinus – preserved in Gellius’ *Noctes Atticae* – to mean that adopted freedmen (technically “adrogated” since ex-slaves were *sui iuris*²¹) habitually used filiation instead of libertination after they had legally become *fili*, and that they did so because they wanted to “disguise” their true status²². Gellius’ actual comment reads: “But he [Sabinus] says that it is not, and should not be, allowed that men of the order of freedmen should through adoption usurp the legal rights of the freeborn” (*sed id neque permitti dicit neque permittendum esse umquam putat, ut homines libertini ordinis per adoptiones in iura ingenuorum invadant*)²³. However, the assumption that this usurpation would take the form of omitting libertination (and even replacing it with filiation) is entirely speculative, and the assumption that freedmen did so *en masse* is perhaps a reflection of the influence of Taylor’s opinion – and that of the *macula servitutis* framework in general – rather than of the mind-set of ancient freedmen. Neither the passage itself nor the context in which it appears suggests that this is what Sabinus had in mind when referring to freedmen who “invaded” the *iura ingenuorum*. The closest our sources come to Gardner’s reading is a passage from Ulpian²⁴:

“Patronum autem accipimus etiam si capite minutus sit; vel si libertus capite minutus, dum adrogetur per obreptionem. Cum enim hoc ipso, quo adrogatur, celat condicionem, non id actum videtur, ut fieret ingenuum”.

“We consider even him a patron who has undergone change of status, or whose freedman has undergone change of status as a result of illegal adrogation [i.e. without permission of the patron]. Because by this act, namely that he is adrogated, he conceals his condition, it should not be regarded as having made him freeborn”.

It seems to be too literal an interpretation to consider *celare* as referring to the freedman’s epigraphic habit. More likely, it refers to the private *ingenuitas* of adopted

²⁰ For the adoption of freedmen in general, see especially Lavaggi (1946); Watson (1967), 90ff; Gardner (1989); (1998), 179-90; Lindsay (2009), 130-7.

²¹ *Adrogatio* was the term for the adoption of someone who was *sui iuris*. When a *pater familias*, for example, was adrogated – consensus was obviously required – he, his possessions, and his children in *potestas* would follow him into the family of the person adopting. Since it meant the legal extinction of an entire family line, Roman law carefully circumscribed the procedure. Cf. Dig. 1.7.15pr; Gaius Inst. 1.98-107. On manumission, freedmen became *sui iuris*, so their adoption would necessarily happen via an *adrogatio* procedure.

²² Gardner (1989), 256-7, followed by Bernstein (2005), 268 note 57.

²³ Gell. NA 5.19.12.

²⁴ Dig. 2.4.10.2. *Capite minutus* refers to the least pervasive form of *capitis diminutio* (i.e. *minima*), which does not take away either freedom or citizenship, but merely refers to a change of status as a consequence of adoption (Gaius, Inst. 1.162).

freedmen in a general sense, and to the temptation felt by at least some of them to aspire the (public) privileges of *ingenui* that had never before been so closely within their reach, but that nonetheless remained strictly off limits for *libertini*. It is this potential usurpation of *libertini* in the public sphere rather than in the private sphere (e.g. when expressing their status on their epitaphs in conjunction with their patron or “father” in the genitive) which is also hinted at in Gellius’ passage. Furthermore, it is very likely that in the second mention of *adrogare*, the *per obreptionem* is still insinuated (which is also implied by the strong connection made by *hoc ipso*). The “concealing” of the freedman’s condition would then refer to his patron not having given explicit permission for the adrogation, and perhaps even to the freedman not having informed his *adrogator* of his legal status. In that case, it was important for the law to stress that the original patron would not lose his rights over the freedman, even though interestingly enough, the adrogation in itself would remain valid²⁵.

As a remarkable counterpart of the *ius anulorum*, the adoption of a freedman by a freeborn citizen granted the former *ingenuitas* in the private relation with his new “father”, but would not abolish his public status (and resulting restrictions) as a freedman²⁶. Even if we account for the possibility that some adopted freedmen preferred to present themselves as *filii* rather than as *liberti* – there is no possible way of determining this –, no evidence exists for the assumption that this desire stemmed from concerns about legal status or about the “shame” that it supposedly publicised. It is equally plausible that expectations of *pietas* and *reverentia* towards a *pater* inspired the self-presentation as *filii*. In more than a few cases – for example when a biological father adrogated his *filius libertinus* – such feelings would be greatly enhanced²⁷. Thus Tiberius Claudius Strenuus was *libertus et filius* of the imperial freedman Diomedes²⁸. The *libertus* indicates that Strenuus had originally been a slave of his mother’s owner, that Diomedes had subsequently bought him, and that he had finally manumitted him, thus becoming

²⁵ Dig. 38.2.49. Cf. Gardner (1989), 248.

²⁶ In addition to Gell. NA 5.19.12, see also Dig. 1.5.27: “Eum, qui se libertinum esse fatetur, nec adoptando patronus ingenuum facere potuit”; 23.2.32: “Sciendum est libertinum, qui se ingenuo dedit adrogandum, quamvis in eius familia ingenui iura sit consecutus, ut libertinum tamen a senatoriis nuptiis repellendum esse”. For a more detailed discussion, including an account of the chronological evolution in the adoption of freedmen, see Gardner (1989), 238-42. If the *adrogator* was not the freedman’s patron, but, for example, the freedman’s biological father, the patron would retain his patronal rights over him, regardless of his new private status as *ingenuus* in another *familia* (245-8).

²⁷ E.g. Dig. 1.7.46: “In servitute mea quaesitus mihi filius in potestatem meam redigi beneficio principis potest: libertinum tamen eum manere non dubitatur.

²⁸ CIL 6, 22423: “Meroe Felix / una / viximus ann(os) XXXVI / s<i>ne stomacho / Ti(berius) Claudius Aug(usti) l(ibertus) / Diomedes / coniugi bene merenti / et sibi et / Ti(berio) Claudio Strenuo / l(iberto) et f(ilio) et / Ti(berio) Claudio Soterico / l(iberto) et fratri et / Cratino suo / merentibus”.

his natural son's legal *patronus*. Whether he also adrogated him cannot be definitely concluded as *filius* may merely signify a biological relation rather than a legal one²⁹. The same goes for the freedman Lucius Iulius Narcissus, who commemorated (among others) his *filius et libertus* Lucius Iulius Cerialis³⁰. In the first example, Diomedes also commemorates his *libertus et frater* Sotericus, the latter designation clearly referring only to a biological relationship, as sibling relations rooted in slavery were not legally recognised after manumission. When a woman refers to her *filia et liberta*, the former term similarly did not indicate a legal relationship since women were under normal circumstances not allowed to adrogate (indeed, not even their own children were under their *potestas*)³¹.

The inscription Sextus Calvenus Clemens and his wife Calvena Silvina made for their son Fortunatus is particularly interesting. Fortunatus is initially presented with formal libertination, followed by the description *filius piissimus*. One could tentatively argue that the superlative is an indication of an emotional rather than a formal, legal bond, although further on in the inscription, Fortunatus is similarly described as *filius et libertus pientissimus*³². Considering the fact that he had died at the age of 24, the inclusion of *filius* may reflect a desire to accentuate the *iusta causa* of the manumission (before 30), rather than a formal adrogation³³. The latter possibility seems unlikely also in light of the fact that libertination had trumped filiation when formally presenting the deceased in a personal, familial context like this. By comparison, a certain Passienius Sabinus had received no “formal” libertination or filiation, but was instead only described as *filius et libertus sanctissimus* by his father Saturninus³⁴. In this case too, a justification of the manumission as *iusta* may have been the primary purpose of *filius*. Although Sabinus' age is not given in the epitaph, the two reliefs that depict him seem to imply a rather

²⁹ For a similar caveat, see Gardner (1989), 254.

³⁰ CIL 3, 2371: “L(ucius) Iulius L(uci) lib(ertus) / Narcissus / v(ivus) f(ecit) sibi et Iuliae / Helpidi coniug(i) / et l(ibertae) et L(ucio) Iulio Ceri/ali f(ilio) et l(iberto) et L(ucio) Iulio libert(is) / libertabusq(ue) suis / posterisq(ue) eorum / ex [---] p(?) d(?)”.

³¹ Cod. Iust. 8.47.5; Dig. 5.2.29.3. For adoption by women, see Lindsay (2009), 71–73. For a woman who calls her daughter *filia et liberta*, see CIL 6, 22555: “Di{i}s Manib(us) / Minucia Hesperis / vixit annis XX mensibus II / Minucia Damalis filiae / et libert(ae/is) suae / fecit”.

³² CIL 9, 3538: “Sex(to) Calveno Sex(ti) / lib(erto) Fortunato fil(io) / piissimo vixit an(nis) / XXIII mensib(us) VII / Sex(tus) Calvenus Cl[e]/mens et Calvena / Silvina f(ilio) e[t] lib(erto) pient(issimo) / fecerunt sibi et pos/teris suis in f(ronte) p(edes) XX / in [a]lg[r(o)] p(edes) XX”

³³ This has been suggested (for the next inscription in particular) by Gardner (1989), 254 note 44, and may also be applicable to the case of Minucia Hesperis – only 20 years old (cf. note 31 above).

³⁴ CIL 6, 23848: “D(is) M(anibus) / Passieniae Gemel/lae co(n)iugi et lib(ertae) / suae carissimae / obsequentissi/mae et L(ucio) Passie/nio Doryphoro / filio et Passienio / Sabino filio et lib(erto) / sanctissimis // L(ucius) Passienus Saturninus fecit”.

young age (at any rate below 30)³⁵. Importantly, his younger brother Doryphorus was merely *filius sanctissimus*. This contrast between the two brothers suggests that the latter was freeborn (i.e. born after his father had freed his mother, who was his *coniunx et liberta*). If a careful parallel could be drawn with the inscription of Fortunatus, it would suggest that if the Passienii brothers had similarly received full nomenclature, Doryphorus would be *L(uci) filius*, but Sabinus *L(uci) libertus*.

This did not necessarily mean that the latter description was considered more “derogative”³⁶. For example, when patrons erected a monument to commemorate their freedwomen-spouses (or vice versa), they occasionally omitted any explicit reference to the nuptial bond, and preferred to define the relationship primarily (and often even solely) as a patronage relation. Thus Marcus Iulius Successus had an epitaph made for his freedwoman Agrippina, but the only reason we know for sure that Successus and Agrippina were a couple – though perhaps not formally – is the additional reference to Iulius Callistus, who is meaningfully described as *libertus et filius eorum*³⁷. This not only suggests that the connection between Successus and Agrippina was no source of shame for the freedwoman, but it also shows that the relation between freedwoman and patron could in itself express an emotional bond similar to marriage³⁸. It is likewise plausible that the same held true for the bond between freed sons and patron-fathers, especially when taking into account both the additional references to the *pietas* or *sanctitas* of these sons, and the clear signs of affection on the monument’s reliefs.

In short, it is not possible to ascertain whether these and similar references – and they are at any rate very scarce – put in evidence the adrogation of freedmen. Either way, it is meaningful that, at least in some cases, libertination was retained and a description as *filius* merely considered as an additional feature (especially in Fortunatus’ case). In all of these cases, the sons could have easily been presented by their *tria nomina* (without formal libertination), and in a further line been called *filii* (covering either a biological or a legal relation, or both). The fact that at least some inscriptions explicitly retained *libertus* (either in formal libertination or as an informal reference) points to a desire to fully describe the family’s history, even at the “cost” – if any such notion or

³⁵ The front of the altar depicts Passienia Gemella, flanked by Doryphorus on her left and Sabinus on her right. Both sons are individually depicted on both sides of the altar (both embracing their mother). Although Sabinus is clearly older than Doryphorus and is wearing the toga of a Roman citizen, he still needs a low step to be able to reach his mother. For pictures of the altar, see Davies (2010), 187-8.

³⁶ For example, a certain freedman Anthus chose to describe himself as *Anthus l(ibertus)* instead of *Anthus l(ibertus) et f(ilius)*” in an inscription mentioning the statues he had set up for his *patronus et pater*, CIL 6, 27137.

³⁷ CIL 6, 20283: “D(is) M(anibus) / M(arcus) Iulius Suc(c)es/sus fecit Iuliae / Agrippinae lib(ertae) / et Iulio Callis/to lib(erto) et filio / eorum et lib(ertis) li/bertab(us)q(ue) posterisq(ue) eor(um)”.

³⁸ This has been convincingly argued by Perry (2014), 110-4, who also cites further examples.

feeling was entertained by the family members themselves³⁹ – of publicising the legal status of ex-slave.

The influence of the assumption that freedmen remained tainted and therefore ashamed is thus clearly detectable in the scholarship on the adoption of freedmen (e.g. Gardner’s ungrounded assumption that adrogated freedmen preferred filiation over libertination). But the ramifications of this framework extend far beyond freedman studies, as we have shown in Chapter 2 (and briefly touched on in the Introduction). We noted that it led to the untenable assumption that the majority of epigraphically attested *incerti* were ashamed freedmen, and that scholars like Demaille thought that the freed *duumvir* of Dion (P. Anthestius Amphio) omitted libertination because he did not want to highlight this “tâche indigne”⁴⁰. Very similarly, Galvao-Sobrinho suggested that the decline of libertination “may have been linked to [a] desire to construct an identity apart from servility”⁴¹.

The a priori assumption that freedmen were tainted and ashamed because of their servile past thus steered the analysis of scholars like Taylor, Gardner, or Demaille (and many others) into a self-fulfilling and circular argument: freedmen are tainted so they omit libertination, and the decline of libertination is subsequently proof of ashamed freedmen. Joshel – drawing on the work of Richlin – has rightly noted that the idea of “[e]x-slaves seeking to hide their origin [approximates] the freedman of satire who always tries to cover the stain of slavery, whether by beauty patches or the accoutrements of wealth”⁴². Putting on the glasses of a Roman satirist, poet, or historian to look at network embedded sources (be it epigraphic or epistolary) not only steers attention in certain directions, but it also produces biased arguments and conclusions by ignoring and distorting the unique character of these sources.

The debate has not yet been extended to literary sources, let alone “network embedded” ones such as letters. As we will argue in the first part of this chapter, the fundamental mismatch between the assumptions of the *macula servitutis* framework on the one hand and ancient reality that is reflected by this “embedded” material on the other, manifests itself equally profound (if not more so) as in the debate on epigraphic libertination. The following paragraphs argue that libertination was anything but a

³⁹ Aulus Memmius Urbanus, for one, seems not to have had too many scruples about his past when he explicitly mentioned the fact that he had met his *collibertus* Clarus (to whom the epitaph is dedicated) while both were still *venalicii* (CIL 6.22355a). Similarly, freedpersons occasionally chose to present themselves as *conservi/-ae* rather than *colliberti/-ae*, or their marital bond as *contubernium* instead of *conubium* (e.g. CIL 10, 695; 7685 respectively). For the “rhetorical significance of replacing *colliberti* with *conservi*”, see MacLean (2012), 128-35.

⁴⁰ Taylor (1961), 122; Perry (2014), 100. For Amphio, see Demaille (2008), 3. Cf. Chapter 2.

⁴¹ Galvao-Sobrinho (2012), 158 note 95.

⁴² Joshel (1992), 185; Richlin (1984), 67.

“liability” in a network embedded context, and that it rather was – quite on the contrary – a valuable “asset”. The next section (4.3) focusses on the “reasons” (without necessarily insinuating rigid strategies or deliberation) why Cicero and his correspondents chose (not) to include libertination in their letters. The section after that (4.4) analyses in detail how the representation of freed couriers elucidates the notion that libertination was an asset, and expounds its vital role in constructing and consolidating trust networks and (thus) social capital.

4.3 Libertination in Cicero’s letters

4.3.1 An identifying function?

Whether or not to include libertination when referring to a freedman may at first sight seem a deliberation not particularly important to Cicero and his correspondents. Many of the individuals who are labelled *liberti* in one letter occur without this identification in others. The status of Theophilus, a freedman of M. Marcellus, for example, is omitted in one letter but explicitly invoked in another⁴³. Both letters were addressed to Marcellus himself, and are temporally separated from each other by no more than a few months. The same goes for the descriptions of Appius Claudius’ freedman Phania, Caesar’s freedman Diochares, M. Fabius’ freedman Apella, etc.⁴⁴ Vettius Chrysippus was presented as *Cyri architecti libertus* in a letter to Trebatius, but merely as Vettius or Chrysippus in the letters to Atticus⁴⁵. Conversely, Caesar’s freedman is referred to merely as Salvius in letters to Dolabella and Quintus Cicero, but as *Salvius libertus* in a letter to Atticus⁴⁶. These observations beg the question when and why the writers of letters decided to apply this label, and it suggests that the context and content of a letter, rather than a fixed “epistolary habit” moved Cicero and his correspondents to either include or omit status indicators⁴⁷. Moreover, when *libertus* is explicitly mentioned, it is regularly accompanied by a possessive genitive or pronoun to stress the freedman’s connection with his patron. We will henceforth refer to this construction as

⁴³ Cic. Fam. 4.9.1; 4.10.1.

⁴⁴ For Phania, see Cic. Fam. 3.1.1-2; 3.5.3; 3.6.1-2; 3.8.5 (same writer and same addressee). For Diochares, see Att. 11.6.6; 13.45.1 (*idem*). For Apella, see Fam. 7.25.2; Att. 5.19.1..

⁴⁵ Cic. Fam. 7.14.1 (to Trebatius); Att. 2.4.7; 11.2.3; 13.29.1; 14.9.1 (to Atticus).

⁴⁶ Cic. Fam. 9.10.1 (to Dolabella); Quint. Frat. 3.1.21; 3.2.1 (to Quintus); Att. 10.18.1 (to Atticus).

⁴⁷ The same holds true, of course, for epigraphic texts, cf. Perry (2014), 99-106.

a “relational identification”. When *libertus* occurs without a genitive or possessive pronoun, we use “classification” to denote its function. Both terms are borrowed from CDA, where they are used in social actor analysis⁴⁸. The presentation of actors is, as we will see, always revealing for how a writer thinks of them, although specific “choices” may be both unconscious, and are at any rate always contextual.

In a few instances, *libertus* is mentioned without even an accompanying proper name. The intention of the writer in these cases, was to very generally define an individual without drawing particular attention to his personal identity. When Servius Sulpicius reported to Cicero that he had visited their common friend M. Marcellus’ deathbed at Piraeus, he wrote that he had encountered only two of his freedmen and a few slaves (*duo liberti et pauculi servi*) because the rest had fled due to the violent nature of their *dominus*’ passing (he was stabbed to death by a “friend”)⁴⁹. The narrative immediately continues with an elaborate account of Marcellus’ burial without paying any further attention to the freedmen, to their virtue in staying at their deceased patron’s side, or to the fate of the dependents who had chosen to flee instead. In light of the grave news Sulpicius was reporting, such details were considered unimportant and banal.

Another reason for the use of *libertus* (be it as relational identification or classification) is its explanatory and clarifying function. On occasion, the writer of a letter had reason to suspect that an individual he wrote about was not known to his addressee, and that some context should be provided. In some cases, this preoccupation is made explicit. When in June 45 BCE Cicero complains to Atticus about the carelessness of his personnel in securing an official document of transaction (*professio*), he tells his friend that in the end, his freedman Philotimus was entrusted with the job. This individual should not be mistaken for Terentia’s freedman of the same name, but apparently Cicero feared that Atticus might do precisely this. For this reason, he presented him as “the freedman Philotimus, you know him, I think: the copyist” (*Philotimus libertus: nosti, credo, librarium*)⁵⁰.

Especially when recommending freedmen, Cicero typically wrote with the assumption that his correspondents were not as familiar with them as he was. Introduction was after all the entire purpose of most of these letters. The recommendation of P. Crassus’ freedman Apollonius to Caesar, for example, prompted the inclusion of *libertus* to situate the man in Cicero’s extensive networks, to clarify his

⁴⁸ Machin & Mayr (2008), 102-3, referring to the method developed in van Leeuwen (1996). Note that in strict grammatical terms, *libertus* is already in itself a relational noun because it implies a relationship with another entity, cf. Devine & Stephens (2006), 352ff.

⁴⁹ Cic. Fam. 4.12.3.

⁵⁰ Cic. Att. 13.33.1.

status, but also to stress the excellent relation with his patron (cf. Chapter 5)⁵¹. All this information was deemed necessary for Caesar to be able to correctly evaluate the request. The same goes for Menander, freedman of T. Balbus, who was introduced in a letter of recommendation to Servilius Isauricus in the exact same way a modern study would present him to unfamiliar readers today (*eius libertus, T. Ampius Menander*)⁵².

Finally, when Cicero informed Atticus about the state of affairs in Rome at the end of October 54 BCE, a large part of the letter was dedicated to his indignation at the acquittal of Pompey's henchman Gabinius on the charge of *maiestas*⁵³. In earlier letters to his brother, Cicero had already expressed his doubts about the way the trial would be conducted. On 11 October, he had been reassured that a competent prosecutor would be appointed and that Gabinius was under very real pressure (*probe premitur*). In the same letter, however, he also realised that Pompey could exert his influence to steer the course of events, and that the entire affair might turn out to be a mock-trial (*Ἀπότευγμα formido*)⁵⁴. Ten days later, Cicero repeated these concerns. Gabinius, he admitted, had both his unpopularity with all classes and the accounts of the witnesses playing against him, but the corruption of the jury, the incompetence of the prosecutors, as well as Pompey's meddling were public knowledge by now⁵⁵. On 24 October, Cicero's fears turned out to be justified. Gabinius was acquitted against popular (and senatorial) sentiment. Nevertheless, despite the influence exerted in favour of Gabinius, it had been a close call as merely 38 out of 70 judges had voted against conviction.

The widespread resentment found a scapegoat in Antiochus, a freedman and *accensus* of Gabinius. "Within an hour of Gabinius' acquittal", Cicero writes, "a freedman, his orderly, one Gabinius Antiochus, a pupil of Sopolis the painter, was found guilty by another jury under the *lex Papia*, in sheer irritation at the result [i.e. Gabinius' acquittal]"⁵⁶. Gabinius may have gotten away with lese majesty by virtue of his abundant wealth and his powerful friends, but his freedman would end up paying the

⁵¹ Cic. Fam. 13.16.1.

⁵² Cic. Fam. 13.70.

⁵³ Cic. Att. 4.18.1. Gabinius had been *tribunus plebis* in 67 BCE and had in that capacity proposed the *lex Gabinia*, conferring and unseen command (and ditto powers) on Pompey against the Mediterranean pirates (Dio 36.23-24; Plut. Pomp. 25). He kept advancing through the *cursus honorum* until he received the consulship in 58 BCE (App. Bell. Civ. 14). After his proconsulship in Syria (57 BCE), he was put to trial on the charges of *maiestas*, *repetundae*, and *ambitus*. He was acquitted on the first charge (cf. infra) but convicted on the second (rendering the last one redundant). Gabinius was subsequently exiled, and recalled only in 49 BCE by Caesar. For his life and career, see especially Sanford (1939); Badian (1959); Williams (1973).

⁵⁴ Cic. Quint. Fratr. 3.2.1-2.

⁵⁵ Cic. Quint. Fratr. 3.3.3. Dio 39.55.4, too, blames Pompey's influence for the acquittal. 39.62 gives an indication of the widespread hatred for Gabinius.

⁵⁶ Cic. Att. 4.18.4: "Absoluto Gabinio stomachantes alii iudices hora post Antiochum Gabinium nescio quem <de> Sopolidis pictoribus libertum, accensum Gabini, lege Papia condemnarunt".

price. It would be very unwise (if possible at all) for Gabinius or his associates to secure the acquittal of this freedman in addition to his own. Indeed, the populace – already blaming the extraordinary floods in Rome at the time on the blatant instance of injustice⁵⁷ – needed some form of satisfaction.

In his letter informing Atticus about the event, Cicero was clearly telling a story he assumed his friend – in Asia at the time – had not yet heard from other contacts. He therefore considered it likely that Atticus would not be familiar with this Gabinius Antiochus, and that a more detailed identification would be appropriate. Indeed, Antiochus being a *libertus* and *accensus* of Gabinius seemed particularly relevant and worthy of mention, since it were precisely these identity dimensions that had made him the target of popular resentment in the first place. The reference to the freedman's occupation as a painter, on the other hand, contributes in no way to the story and comes across as rather odd to the modern reader. Its inclusion in the letter, however, is a clear indication that the description of Antiochus was meant to elucidate his identity to an addressee who would potentially not have realised it otherwise.

That libertination was often included to clarify a freedman's identity is illustrated also by the fact that it was regularly omitted in letters to correspondents of whom it was known that they already knew the freedman. When Cicero heard about a meeting between Pompey and Crassus in 55 BCE, he was eager to know what it was about and asked Atticus to find out more details: "I am dying to know everything that goes on. Would you find out what this means? – you can, from Demetrius"⁵⁸. Although Demetrius was a very common name among slaves and freedmen, the context in which the phrase appears renders further specification redundant. Atticus would have known that Cicero meant Pompey's freedman Demetrius of Gadara, not least because the consul and his colleague were themselves the subjects of the next passages. Similarly, when referring to Atticus' freedman Eutyichides in letters addressed to Atticus himself, Cicero did not deem it worthwhile or necessary to include libertination, but instead described him as *meus amicus Eutyichides*⁵⁹. In a letter to another good friend, M. Fabius Gallus, Cicero repeatedly mentioned a sculptor who had provided Cicero with many expensive statues⁶⁰. The man is only referred to as "Avianius" but his profession clearly identifies him as the beneficiary of one of Cicero's recommendations written in the same year (Avianius Evander)⁶¹. Because Fabius Gallus had only very recently negotiated with

⁵⁷ Cic. Quint. Fratr. 3.5.8.

⁵⁸ Cic. Att. 4.11.1: "Gestio scire ista omnia. Etiam illud cuius modi sit velim perspicias; potes a Demetrio".

⁵⁹ Cic. Att. 5.9.1.

⁶⁰ Cic. Fam. 7.23.1-3. Avianius is mentioned once in each of the first three sections of the letter.

⁶¹ Cic. Fam. 13.2.

Evander to procure these statues on Cicero's behalf, he would have undoubtedly known which person Cicero was referring to, especially since the entire letter is dedicated to the acquisition and assessment of said statues. Libertination thus simply seemed unnecessary. A final illuminating example is the mention of C. Fadius in a letter to Atticus (briefly referred to in the previous chapter)⁶². In it, Cicero scorns Antony for having children by the daughter of a certain – and not further identified – C. Fadius. We only learn from one of Cicero's speeches that this Fadius was a freedman, and that Antony's union with his daughter was disreputable for that very reason⁶³. It is likely that this union was public knowledge already, but Atticus would at any rate have known Fadius' legal status since he was at the time reviewing the speech in which the affair was disapprovingly publicised⁶⁴. The status of Fadius was therefore already considered known to Atticus and it would come across as superfluous or even pedantic to repeat it in the letter. The same goes for the most frequently mentioned freedmen in the correspondence (e.g. Dionysius, Tiro, Statius, Philotimus, ...), whose legal status is rarely explicitly included in the letters⁶⁵.

4.3.2 Limitations of the identification-explanation

Although an identification purpose may well have been a factor in “deciding” whether or not to include libertination, many instances cannot be accounted for by this seemingly straightforward explanation. A first problem with the conception of libertination merely as an identifying and specifying “tool” comes to the fore when we consider the letters that were written to a person who already knew the freedman, but that nonetheless contained a specific status marker. In both letters Cicero wrote to Atticus in the Spring of 45 BCE, for example, he mentions his freedman Aegypta. In one of them, Cicero writes that “the freedman Aegypta” had brought him good news about Atticus' wife and daughter (*accepi ab Aegypta liberto eodem die Piliam et Atticam plane belle se habere*)⁶⁶. Less than a month later, he does exactly the same when he ends a letter with the news that “the freedman Aegypta” had delivered a letter, this time from Brutus

⁶² Cic. Att. 16.11.1.

⁶³ Cic. Phil. 2.3. He is named Q. Fadius instead of C. Fadius in the Second Philippic.

⁶⁴ Cic. Att. 15.13.1.

⁶⁵ Dionysius is only once (and rather indirectly) referred to as a *libertinus* (Att. 7.4.1); Philotimus two or three times as *libertus* (Fam. 3.9.1; 8.3.2; maybe Att. 10.7.2) and twice with a Greek equivalent (Att. 6.4.3; 6.5.1); Statius once receives a reference to his status (Att. 6.2.1-2) although he is elsewhere indirectly referred to as *libertus aut servus* (Quint. Fratr. 1.2.3) and his manumission is explicitly stated on two occasions (Att. 2.18.4; 2.19.1); Tiro is nowhere described with his legal status, although the references to his manumission are well-known (Fam. 16.10.1; 16.14; 16.15; 16.16.1).

⁶⁶ Cic. Att. 12.37.1.

(*attulerat ab eo [Bruto] Aegypta libertus litteras*)⁶⁷. In the first instance, the inclusion of *libertus* seems “superfluous” because Aegypta had recently had contact with Atticus and his family who doubtlessly knew him to be Cicero’s freedman. Even in the unlikely event that Atticus had forgotten about Aegypta the first time, he would certainly not have done so a few weeks later when Cicero again presented Aegypta as *libertus*. Similarly, in another letter to Atticus a year later, Cicero notes that he had received the letter his friend had entrusted for delivery to *Demetrius libertus*⁶⁸. Demetrius may have been a freedman of Cicero or Atticus, but we cannot know this for sure since his characterisation is generalised instead of relational. In any case, we have once again a very precise indication of the temporal spread between the sending of the letter and its reception by Cicero. Atticus had sent the letter on 29 April and Cicero had received it on 3 May. It would again amount to an insult to either Atticus’ intelligence or to his networking abilities if Cicero included libertination simply to identify Demetrius. Atticus would surely have remembered entrusting the freedman with a letter only a few days earlier, especially since it contained a delicate account of Atticus’ views on the present political situation.

Moreover, the idea that libertination was primarily meant to specify an individual (e.g. to differentiate him from a namesake) or to elucidate his status, is contradicted also by the many instances in which it is used to describe a freedman in a letter to his own patron, who would of course know the *libertus* very well. Examples include Cilix (freedman of Ap. Claudius), Apella (freedman of M. Fabius), and Dardanus (freedman of C. Furnius)⁶⁹. Finally, the libertination included in letters such as the one recommending Mithres (cf. Chapter 5) clearly suggests that it was not meant to introduce him as a freedman. *Mithres est, ut scit, libertus Postumi* indicates that Isauricus already knew Mithres, and that he knew him to be a freedman of Postumus⁷⁰.

These and similar observations point to a “function” of libertination not merely aimed at clarifying the identity of specific individuals. The fact that Cicero mentions the freedmen at all (instead of omitting them as the deliverers of letters, or instead of simply calling them *tabellarii*), should therefore be accounted for and respected in its own right. For this reason, and because many of the freedmen in Cicero’s correspondence function at least once as courier or messenger, this group constitutes a good basis for a case study on the use of libertination.

⁶⁷ Cic. Att. 13.3.2.

⁶⁸ Cic. Att. 14.17.1: “Ibi mihi cenanti litterae tuae sunt redditae quas dederas Demetrio liberto prid. Kal.”

⁶⁹ Cic. Fam. 3.1.2; 7.25.2; 10.25.3.

⁷⁰ Cic. Fam. 13.69.1.

4.4 Couriers in Cicero's correspondence

4.4.1 Couriers and letter delivery in ancient Rome

In 1962, the Canadian communication theorist Marshall McLuhan coined the term “global village” to describe the world as people perceived it at the time⁷¹. McLuhan thereby captured how technological developments would eventually make every place on Earth immediately accessible in both time and space. In a world like that, it is very hard to imagine a situation where quick and smooth exchange of messages is much more difficult, if not nigh impossible. This has been a problem all historical societies have struggled with, and to which various different solutions were devised, depending on as many contextual factors. One of the most common ones was the development of some form of postal system.

Although “[d]ie Universalform der Nachrichtenbeförderung im Altertum war und blieb der Brief”, Romans in Republican times did not yet have a formal postal service at their disposal⁷². It was only during the Principate that the emperor Augustus would install the *cursus publicus*⁷³. This did not mean, however, that delivering a letter in the Republic was necessarily a difficult thing to do. Indeed, one could rely on the *lictors* of provincial governors, on the extensive networks of the tax farmers (*publicani*), on household personnel, and on travelling friends⁷⁴. One of the most frequently employed means to send a letter, were the *tabellarii domestici*. These were members of the household personnel of an aristocrat or his correspondents, usually slaves or freedmen⁷⁵.

The rather informal systems of letter transport did not always ensure a safe or timely delivery. When Cicero was anxiously awaiting news about the condition of his ill slave Tiro in April 53 BCE, the one-day delay of the expected letter resulted in a restless and

⁷¹ McLuhan (1962).

⁷² Riepl (1913), 124. The absence of a formal postal service is somewhat surprising, especially considering the famous quality of the Roman road system as well as the existence of such services in earlier or contemporary cultures like the Persian Empire or the territories controlled by Alexander the Great. It has baffled scholars to the extent that some have nonetheless tried to prove some kind of Republican postal infrastructure. E.g. Ramsey (1920). For a critique on the arguments, see Nicholson (1994), 33.

⁷³ Suet. Aug. 49; Plin. Ep. 10.120. For the *cursus publicus*, see Kolb (2000).

⁷⁴ For the means available to Cicero and his contemporaries, see esp. Nicholson (1994), 33-4; Nikitinski (2001), 230-3; White (2010), 11-5; McCutcheon (2013), 180-1. It goes without saying that most of these were reserved only for those who possessed the required economic and social capital.

⁷⁵ See most recently White (2010), 15-8 for the “involvement of the household” in delivering letters.

fearful night (*noxa plena timoris ac miseriae*)⁷⁶. The possible reasons for the delay or loss of a letter were legion: bandits, official control posts, the remoteness of a region, interception by political adversaries, or bad weather conditions⁷⁷. No wonder Cicero always felt relieved when a response to his letter arrived, signalling that the initial one had been delivered successfully⁷⁸. Because of the many dangers along the way, Cicero often refrained from confiding delicate information to paper⁷⁹. When clarifying to Cassius why he would not write about political matters in late December 46 BCE, he explains that writing about serious matters (*σπουδάζειν*) is no longer possible without considerable risk, and that the only communication allowed those days was silly nonsense (*φλύαροι*)⁸⁰. Cicero repeats the same concern in many another letters, like the one written only days later – and again addressed to Cassius – where he bitterly states that what he thinks was not pleasant or allowed to write down⁸¹. A possible solution was to give an oral message to a courier as annex or clarification to the letter, instead of conveying all the information directly via the written text. This would require not only a very loyal courier, but also one with something of a memory⁸². An oral message would have the added benefit of preventing misunderstanding – a danger inherent in unilateral written communication – as it allows for the clarification of potential ambiguities, thus partly dismissing Isocrates’ famous critique on letter writing (... *ἀπόντος γὰρ τοῦ γράψαντος ἔρημα τοῦ βοηθήσοντός ἐστιν*)⁸³. Of course, if a courier was unwilling or unable to deliver the message entrusted to him, and instead relegated the task to yet someone else, the entire purpose of selecting trustworthy messengers would be defeated. When Cicero received a letter from Sulpicius Rufus without much supplementary information, he regretted that his freedman Philotimus – who had

⁷⁶ Cic. Fam. 16.14.

⁷⁷ E.g. Cic. Fam. 10.31.1; 10.33.1; 2.9.1; 12.12.1; Att. 3.8.2.

⁷⁸ Cic. Fam. 12.19.1: “Libentissime legi tuas litteras, in quibus iucundissimum mihi fuit quod cognovi meas tibi redditas esse. Non enim dubitabam quin eas libenter lecturus esses; verebar ut redderentur”.

⁷⁹ E.g. Cic. Fam. 13.68.2: “Ego ad te de re publica summa quid sentiam non saepe scribam propter periculum eius modi litterarum (...)”.

⁸⁰ Cic. Fam. 15.18.1.

⁸¹ Cic. Fam. 15.16.3: “Nec enim quod sentio libet scribere”. Note how the nuanced meanings of *nec libet* (the subjective “it is not pleasing” and the more prohibitive “it is not allowed”) could be interpreted in multiple ways. Cicero could not be writing about politics because he – quite suddenly – found no more pleasure in it, or because what he had to say about it was not allowed to be spoken out loud. Cf. also Cic. Att. 1.17.10; 10.7.1; 10.18.1; Quint. Fratr. 3.7.3; ...

⁸² Cic. Fam. 9.2.1: “(...) sed cum eo ut cum homine docto et amantissimo tui locutus ea sum quae pertulisse illum ad te existimo” (talking about Caninius, the common friend of Cicero and Varro). Other examples include Fam. 1.7.1; 1.9.23; 6.2.3; 10.8.5; 10.24.4; 11.10.2; Att. 11.3.1; 11.4a; ... Cf. Nicholson (1994), 42 note 16; Nikitinski (2001), 239–44.

⁸³ Isocr. Ep. 1.3. The conviction is one of the few Isocrates shared with Plato, who condemned “writing” in general in his *Phaedrus*.

originally been entrusted with the delivery of both the letter and an accompanying oral message – had not come in person, but had instead forwarded the letter⁸⁴.

Because they did not trust certain messengers, correspondents would even send more than one version of the same letter, or repeat the central theme of a letter in several subsequent ones⁸⁵. Or as Cicero put it himself in numerous letters to Atticus: “Of family worries with all their pricks and pains I shall say nothing. I won’t commit them to this letter and an unknown courier” or “My letters to you being of the kind they generally are [i.e. confidential], I don’t like giving them to anybody unless I can be sure that he will deliver them to you”⁸⁶. Indeed, Cicero realised that his prominent position in the state was so vulnerable that his letters could not miss their destination without causing serious damage. Because of the many secrets (*mysteria*) contained within them, he often did not even entrust them to his *librarii* for fear something might leak out (*excidare*)⁸⁷.

Slaves were generally considered not trustworthy enough to carry important or sensitive news⁸⁸. At least one instance reveals that this prejudice may not always have been mere elite snobbery. When Cicero was eagerly awaiting a letter from Atticus in April 59 BCE, the arrival of a few slaves made him temporarily elated. When they told him they were not carrying any letters, however, Cicero’s tone and face, when uttering his surprise, scared the slaves so much that they immediately started confessing. They

⁸⁴ Cic. Fam. 4.2.1: “accepi tuas litteras; quibus lectis cognovi non satis prudenter fecisse Philotimum, qui, cum abs te mandata haberet, ut scribis, de omnibus rebus, ipse ad me non venisset, litteras tuas misisset, quas intellexi breviores fuisse quod eum perlaturum putasses”. Cf. also the case of Phania discussed below.

⁸⁵ Cic. Fam. 4.4.1: “Accipio excusationem tuam qua usus es cur saepius ad me litteras uno exemplo dedisses, sed accipio ex ea parte quatenus aut neglegentia aut improbitate eorum qui epistulas accipiant fieri scribis ne ad nos perferantur (...)”. See also Fam. 10.5.1; 11.11.1; 12.30.7; Att. 6.1.9; 13.29.3. For repetition of the same theme in multiple letters, see e.g. Fam. 14.14 and 18 or Att. 6.9 and 7.1.

⁸⁶ Cic. Att. 1.18.2: “Ac domesticarum quidem sollicitudinum aculeos omnis et scrupulos occultabo neque ego huic epistulae atque ignoto tabellario committam”; Att. 4.15.3: “Genus autem mearum ad te quidem litterarum eius modi fere est ut non libeat cuiquam dare nisi de quo exploratum sit tibi eum redditurum”. Cf. Att. 1.13.1; 15.4.4. See Nicholson (1994), 39 note 12 for many further examples of fear for unsafe delivery of letters.

⁸⁷ Cic. Att. 4.17.1: “Neque enim <eae> sunt epistulae nostrae quae si perlatae non sint nihil ea res nos offensura sit; quae tantum habent mysteriorum ut eas ne librariis quidem fere committamus ne quid quo excidat”. Cicero is no doubt exaggerating in this instance, because he stresses the confidentiality of his own staff on multiple occasions, e.g. Fam. 11.21.5 (*si quid erit occultius et, ut scribis, reconditum, meorum aliquem mittam, quo fidelius ad te litterae perferantur*); Att. 8.1.2 (*hominemque certum misi de comitibus meis*); 11.17 (*properantibus tabellariis alienis hanc epistulam dedi. Eo brevior est, et quod eram missurus nostros*); 15.4.4 (*hanc epistulam si illius tabellario dedissem, veritus sum ne solveret; itaque misi dedita*); ...

⁸⁸ Treggiari (1969a), 145; Smadja (1976), 92; McCutcheon (2013), 204-5.

had in fact been given a letter, but had lost it along the way⁸⁹. The fact that Cicero and his correspondents sealed some of the letters they entrusted to slaves may be another indicator of this lack of trust in servile dependents⁹⁰. The practice of sealing letters was of course well established, and it was often a safeguard against manipulation of the letter by third parties in general rather than by the couriers in particular⁹¹. Indeed, in May 49 BCE Cicero decided not to send a letter – even though it was sealed – because he did not trust the courier⁹². This decision signifies that Cicero and his correspondents did not assume (and quite rightly so) that a seal would prevent a perfidious courier from opening and reading the letter. However, the reason for the distrust in this case was the fact that the courier did not belong to Cicero’s or Atticus’ staff, but was instead an *alienus*. This in turn suggests that the seal *would* have been enough (or at least more) insurance if the courier had been Cicero’s own dependent, and that at least to a certain extent, seals were used also to prevent intrusion by one’s own slaves. In 48 BCE, for instance, Atticus used the slave Anteros to deliver a sealed letter to Cicero, even though it contained no important or sensitive news whatsoever, as Cicero already remarked in his reply: “I have received your sealed communication, conveyed by Anteros, from which I could learn nothing about my private affairs”⁹³.

Although the source material is too scarce to positively conclude the correlation between the use of slaves and the practice of sealing letters, it is certain that couriers needed to be trustworthy and that the expected *fides* of a freedman made him a reasonable candidate to transfer particularly sensitive messages. As various scholars already noted: “(...) für wichtigere Meldungen entsandte man lieber die Freigelassenen”, “Il vaut mieux confier certaines lettres à d’autres membres du personnel dont on a pu apprécier la fidélité, des affranchis surtout (...)”, and “[f]reedmen, not slaves, were generally used for confidential secretarial duties or for carrying important letters”⁹⁴. In

⁸⁹ Cic. Att. 2.8.1: “Perterriti voce et vultu confessi sunt se accepisse sed excidisse in via”.

⁹⁰ Surely they sealed letters entrusted to freedmen from time to time too. The fact that none of such instances is recorded, however, might be an indication (but nothing more than that) for the difference in relative occurrence, or at least for the sensibilities related to freedmen’s *fides*, cf. *infra*.

⁹¹ For the regularity of sealing letters, see e.g. Cic. Att. 5.19.1; 8.6.1; 10.11.1; 12.11.1; 15.6.4; ... Ad Brut. 2.5.4 shows that the lack of a seal may be interpreted as the letter being a forgery (*falsa*). Cf. Att. 11.2.4. For the sealing of letters in Cicero’s time, see Nicholson (1994), esp. 42-43.

⁹² Cic. Att. 10.11.1: “Obsignata iam epistula superiore non placuit ei dari cui constitueram quod erat alienus”.

⁹³ Cic. Att. 11.1.1: “Accepi a te signatum libellum quem Anteros attulerat; ex quo nihil scire potui de nostris domesticis rebus”.

⁹⁴ Blänsdorf (2001), 448; Smadja (1976), 92-3; Treggiari (1969b), 197. We should nonetheless avoid an artificial and binary distinction between “slaves as untrustworthy” and “freedmen as trustworthy”, pace the rigid opinion of Smadja (1976) as discussed earlier. A focus on the case of Tiro, for example, clearly suggests that his confidential responsibilities well preceded his manumission. In fact, Tiro’s confidential position may well have been the cause rather than a consequence of his social

fact, many freedmen in Cicero's correspondence are only known to us *because* they occur once as letter carriers: Libo's Hilarus, Pompeius' Philo, Curio's Thraso, Q. Cicero's Philogonus, etc.⁹⁵ Moreover, Cicero exhorted his correspondents to answer his letters only if reliable couriers were at hand⁹⁶. Because it is unlikely that these correspondents did not have any slaves available to entrust their letters to, it seems plausible to conclude once more that close friends and freedmen rather than slaves were considered the trustworthy couriers *par excellence* – at least in the case of delicate letters⁹⁷.

The difference between slaves and freedmen can be linked to the contrast between confidence and trust (cf. Chapter 1). Or to slightly modify Seneca's words: *post manumissionem credendum est, ante manumissionem iudicandum*⁹⁸. Confidence ensues from the knowledge that there exist institutions and rules that ensure the respecting of trust, or that can be resorted to if it is damaged. *Confiding* letters to slaves would therefore be based on the realisation that slaves themselves knew that their chances of manumission would be forfeited, should they blatantly betray their master's confidence, or that such misconduct could be severely punished. After Cicero's slave Dionysius had stolen some books from his master's library, for example, he thought the best course of action was to run away in order to evade such punishments⁹⁹. That his reaction may not have been entirely ungrounded is clear from a later letter in which Cicero threatens to parade the slave during the triumph of the Illyrian governor Vatinius if he resisted arrest any further¹⁰⁰. Licinus, another runaway slave, even pretended to be a free man (*pro libero fuit*) in Athens. We can only guess which punishments his master Aesopus had in mind, but the tone of the letter in which Cicero mentions Licinus' recapture does not bode very well for the slave¹⁰¹. Similarly, when the emperor Augustus found out that one of

promotion. See for example Cic. Fam. 16.16.2: "De Tirone (...) mihi gratissimum fecisti cum eum indignum illa fortuna ac nobis amicum quam servum esse maluisti".

⁹⁵ Cic. Att. 16.4.1; Fam. 2.7.3; Quint. Fratr. 1.3.4; ... This is true also for slaves although in a lesser degree and usually in contexts where trust was not a priority: Att. 5.21.4 (Canuleius' Hermo); 9.14.2; 11.1.1 (Q. Cicero's Anteros); Fam. 16.13-14.1 (M. Cicero's Menander); ...

⁹⁶ Roesch (2000), 105-6. E.g. Cic. Fam. 1.9.23; 11.20.4; Att. 5.17.1; 16.2.6; ...

⁹⁷ All the letters mentioned in the previous note were highly confidential. Cic. Fam. 1.9.23 reveals Cicero's willingness to entrust the valuable drafts of his *De Oratore* en *De temporibus meis* only to a reliable (*rectus*) courier; Fam. 11.20.4 features Brutus exhorting Cicero to use only his own people (*tui*) to convey confidential news in the dangerous year 43 BCE (11.21.5 is Cicero's similar sounding answer); in Att. 5.17.1 Cicero tells Atticus he is waiting for reliable couriers (*certi homines*) to entrust his letters to; ...

⁹⁸ Sen. Ep. 3.1. Seneca was of course writing about *amicitia*, not *manumissio*.

⁹⁹ Cic. Fam. 13.77.3: "Dionysius, servus meus, qui meam bibliothecen multorum nummorum tractavit, cum multos libros surripisset nec se impune laturum putaret, aufugit"

¹⁰⁰ Cic. Fam. 5.11.3: "Si vero improbus fuerit, ut est, duces eum captivum in triumpho".

¹⁰¹ Cic. Quint. Fratr. 1.2.14: "(...) hominem comprehendit et in custodiam Ephesi tradidit; sed in publicamne an in pistrinum, non satis ex litteris eius intellegere potuimus. (...) Noli spectare quanti

his slaves – an *a manu* named Thallus – had accepted 500 denarii to expose the content of one of his letters, he had the man’s legs broken¹⁰². The anecdote appears in a discussion where Suetonius highlights both the strictness (*severitas*) and the mercifulness (*clementia*) of Augustus as a master and patron. Another imperial slave who had spoken ill of his patron, for example, was “merely” put in shackles (*non ultra quam compedibus coercuit*¹⁰³). The fact that the emperor’s clemency could not save Thallus, reveals the gravity of his offense, which was not coincidentally juxtaposed to other heinous crimes such as the adultery of a freedman with multiple Roman matrons, or the arrogance (*superbia*) and greed (*avaritia*) of servants and tutors of the emperor’s son Gaius (all of whom were consequently condemned to death). The confidence in slaves thus resulted at least as much from repressive tools as from preventive assurances. Because slaves were at least theoretically incapable of virtues like gratitude, trust, or loyalty, external factors (be it the “stick” or the “carrot”) had to be relied on when confiding letters to them. Or in Propertius’ words: “[although] every messenger should be free from deceit, one who is also a slave should be even more reliable out of fear” and “there exist punishments for slave witnesses who damage trust”¹⁰⁴.

Freedmen, on the other hand, could not be punished as easily. Especially since patrons during the Republic did not yet have the more extensive powers their imperial successors eventually obtained, the hold on their freedmen was of an entirely different nature. Indeed, Cicero’s powerlessness and the lack of controlling mechanisms would become painfully clear in the cases of Hilarus and Chrysippus, two *ingrati liberti* whom Cicero desperately tried (but essentially failed) to punish on his own terms (cf. *infra*). The ideology of manumission was based on the release from servitude of only the most worthy slaves, and freedmen were expected to have internalised the above mentioned virtues of *gratia*, *obsequium*, and *fides*. Patrons could therefore, at least in theory, *trust* (instead of merely *confide in*) these dependents. Moreover, freedmen – especially after formal manumission – could not be subjected to corporal punishment, and their respectability as citizens in the public transcript of equality would have to be acknowledged at all times. The trust in freedmen therefore leaned on prevention – dyadic and network embedded “learning” and “control” – rather than repression, and

homo sit. Parvi enim preti est qui tam nihil-*i* sit. Sed tanto dolore Aesopus est adfectus propter servi scelus et audaciam ut nihil ei gratius facere possis quam si illum per te reciperit”.

¹⁰² Suet. Aug. 67.2. Boulvert (1974), 87 rightly considered Thallus a slave rather than a freedman, based on the cruel castigation he received. Moreover, the epigraphic record similarly suggests that Augustus relied on his slaves to fulfil this particular post (CIL 6, 8885; 33754).

¹⁰³ Suet. Aug. 67.1.

¹⁰⁴ Prop. 3.6.3-4: “Omnis enim debet sine vano nuntius esse, maioremque metu servus habere fidem”; 20: “Est poena et servo rumpere teste fidem”.

was therefore of a nature completely opposite to that of the *confidence* in slaves. A bond of trust was not only considered more solid than conditional confidence, but repression in the case of slaves could also be resorted to only after any damage was already done¹⁰⁵. In other words, only with freedmen could patrons maintain a real *trust* network¹⁰⁶.

Freeborn clients and friends were obvious candidates too. In his study on how material and paratextual aspects influence the content, reception, and effect of Cicero's letters, Robert McCutcheon has convincingly shown how the choice of couriers was often well reflected on because it would steer the reading of the letter by the addressee, due to the "horizon of expectation" these messengers created. Having one courier for financial matters and another for familial ones, for example, would thus create a specific atmosphere for the lecture even before any reading actually took place¹⁰⁷. The role of *amicitia* in letter-carrying (and, conversely, the role of letter-carrying in consolidating bonds of *amicitia*) as well as the importance of *fides* therein, features prominently throughout McCutcheon's work¹⁰⁸. However, he does not particularly focus on the differences in legal status of Cicero's couriers, nor to their discursive rendering¹⁰⁹. Where such attention does occur, the focus is on unnamed *pueri* and the

¹⁰⁵ Theoretically, the prospect of punishment or diminished reputation would withhold a slave from betraying his master (and therefore served as a kind of "prevention"), but reality did not always correspond to this ideal situation, as examples like that of Dionysius make abundantly clear. At any rate, the repressive foundation of the confidentiality would cause significant tension and suspicion, cf. Zelnick-Abramovitz (2005), 54.

¹⁰⁶ Cf. Granovetter (1985), 490: "The widespread preference for transacting with individuals of known reputation implies that few are actually content to rely on either generalised morality or institutional arrangements to guard against trouble". Granovetter implicitly refers to dyadic and network embedded learning and control when he sums up four advantages of trusting individuals whom one knows very well personally: "(1) it is cheap; (2) one trusts one's own information best – it is richer, more detailed, and known to be accurate; (3) individuals with whom one has a continuing relation have an economic motivation to be trustworthy, so as not to discourage future transactions; and (4) departing from pure economic motives, continuing economic relations often become overlaid with social content that carries strong expectations of trust and abstention from opportunism" (ibid).

¹⁰⁷ McCutcheon (2013), 175-217. He draws on Jauss' (1982), esp. 22-8 literary reception theory. Both scholars are in my view greatly indebted to Koselleck's insights (cf. supra; especially his notion of *Erwartungshorizont*) but do not explicitly acknowledge this. For the use of a particular dependant for a specific kind of letter, see especially 188-90.

¹⁰⁸ See especially McCutcheon (2013), 206-17.

¹⁰⁹ Functionality (e.g. financial subjects versus political ones) and contextuality (e.g. specific attention to the addressee and his relation to Cicero) predominate as analytical focus. The cases of Phania and (to a slightly lesser degree) Cilix are discussed, but attention to their status remains mostly peripheral (192-5) insofar as they are not really distinguished from freeborn couriers. Cf. our discussion of these two couriers below. Pages 209-14 suggest that employing someone as a courier is also a statement of trust in the person, but the two examples concern freeborn individuals (and do not differentiate these in terms of status from slaves or freedmen).

examination is at times rather dubious¹¹⁰. Part of our analysis will therefore constitute a qualification of his (or rather Jauss') notion of "horizon of expectation" by suggesting that sending a freedman (rather than a slave or even a friend) created not only a climate of mutual trust, but also accentuated the respect of the writer for the addressee in committing valuable social capital.

4.4.2 Couriers, libertination, and trustworthiness in Cicero's letters

Of the 100 different passages referring to a freedman in Cicero's correspondence¹¹¹, 52 include libertination. Roughly one in two freedmen thus receives the identification *libertus* (either in the generalising or the relational sense)¹¹². The same 100 passages contain 33 instances in which the freedman mentioned fulfils the purpose of messenger or courier. By the latter function, we mean that he is explicitly sent to deliver a message or that his relation to the writer and addressee of the letter is primarily that of an intermediate regularly passing information. If libertination were a randomly applied description, occurring arbitrarily throughout the correspondence, we would expect the rate of couriers-with-libertination to couriers-without-libertination to broadly reflect or at least somehow resemble the general libertination-rate of 52%. However, of the 33 messengers, no less than 28 (85%) are explicitly called *libertus*. As always, any quantitative or statistical impression is a priori flawed because of the various "selection" processes the correspondence has historically gone through (cf. Chapter 3), but the general trend in this case is unmistakably clear. The strong correlation between the function of courier and an explicit mention of libertination suggests that these person's legal status was a feature particularly worth stressing in these cases.

By explicitly including libertination when mentioning his *own* freedmen as couriers, Cicero stressed the extensiveness and total reach of his (and his correspondent's) trust

¹¹⁰ McCutcheon (2013), 204-5 argues that not mentioning a courier (i.c. a *puer*) by name is an explicit strategy to imply closeness, informality, and intimacy with the correspondent. Although some exceptions are fairly listed (note 534), the discussion greatly underestimates the many named *pueri* used to deliver messages to close intimates on the one hand, and the many unnamed *pueri* referred to in letters to less familiar correspondents on the other. The contrast (p. 205) between named *tabellarii* (freed or about to be) and unnamed *pueri* (slaves) also seems too artificial to be convincing. In addition to the "exceptions" listed by McCutcheon's, see e.g. Cic. Fam. 3.7.4; 4.12.2; 6.20.1; 13.41.2 (unnamed *pueri* to less intimate connections); 2.7.3; 3.3.1; 9.9.3; 10.33.3; 15.18.2 (unnamed *tabellarii*); Att. 5.21.4; 9.14.2; 11.1.1 (named slaves to intimates). Cf. the critique on Smadja (1976), 91-2 in Chapter 3. The argument, finally, also implicitly takes for granted that Cicero could at all times be picky in choosing which dependent to send out as letter bearer.

¹¹¹ We exclude, for the time being, the "big four" (Dionysius, Philotimus, Staius, and Tiro).

¹¹² This number includes the Greek variant in Cic. Att. 6.5.2 and the derogatively used *verna* in Fam. 8.15.2.

network. In the above mentioned example of Aegypta, Cicero accentuated that it was his own freedman that constituted the “bridging social capital” between himself on the one hand, and both Brutus and Atticus’ wife and daughter on the other. Likewise, in a reply message to Appius Pulcher, Cicero refers to Appius’ original letter by stressing that it was the one “you gave to my freedman (*libertus meus*) Philotimus”¹¹³. A few months later, Cicero sent the same Philotimus with a letter to Servius Sulpicius in order to obtain a reconciliation¹¹⁴. The letter is dated to late April 49 BCE and addressed to Atticus, who at the time knew Philotimus very well through repeated interactions. Indeed, the many preceding letters to Atticus that mention Philotimus, had *not* included libertination. Their tone implies that Cicero and Atticus had been continuously relying on Philotimus on many different occasions¹¹⁵. Nonetheless, Cicero suddenly decides to write *mihi Philotimum libertum* in the letter reporting about Philotimus’ reconciliation mission. Clearly, the stakes were high and Cicero not only meant to advertise the extent of his own network, but he also wanted to express that he had chosen a very valuable freedman for the important job. Besides accentuating the nodal role of his own freedmen as couriers and thereby publicising his own bridging social capital, the explicit use of libertination also served to convince a correspondent of the efforts and seriousness with which Cicero undertook certain communications.

In another letter to Appius Pulcher at the end of 53 BCE, Cicero praised Appius’ freedman Cilix (*Cilix libertus tuus*), whom he had started to respect as a kind and considerate agent of his patron. Surely, the relational clause would have been redundant if we consider it to serve only a clarifying function. The inclusion of explicit libertination becomes clear only once we realise that by portraying Cilix’s many qualities, Cicero was at the same time praising Appius. He would not even have noticed Cilix’s commendable character (*antea mihi minus fuit notus ...*) if he had not first delivered his patron’s affectionate and friendly letter (*... sed ut mihi reddidit a te litteras plenas et amoris et officii*) which the freedman followed up with his own kind words (*mirifice ipse quo sermone subsecutus humanitatem litterarum tuarum*)¹¹⁶. The link between Cilix and Appius is moreover accentuated by presenting the former as the mouthpiece of his patron. Indeed, his most commendable feature was that he could express the feelings of his patron towards Cicero like no other (*iucunda mihi eius oratio fuit cum de animo tuo, de*

¹¹³ Cic. Fam. 3.9.1. It was of course Terentia’s freedman, but Cicero – for all means and purposes – considered him his own on many occasions.

¹¹⁴ Cic. Att. 10.7.2.

¹¹⁵ On the sixteenth of the same month, Cicero had mentioned Philotimus as a financial agent without any reference to his status (Att. 10.5.3). A month earlier, he had described Philotimus – again without libertination – as the deliverer of a book (Att. 9.9.2). Another few days earlier, he had referred to his capacity as an accountant (Att. 9.7.6); ...

¹¹⁶ Cic. Fam. 3.1.1.

sermonibus quos de me haberes cottidie, mihi narraret). By explicitly referring to Cilix as *libertus tuus* – and, moreover, by stressing the clause by placing it at the very beginning of a new paragraph – Cicero set the stage for the main theme of the passage. Both the position of the libertination and the shrewdness with which Cicero composed all his letters to Appius¹¹⁷, suggest that this letter is one of the instances in which libertination is used more “deliberately”.

Finally, in a very long letter to Atticus, Cicero writes about his rejection of a request made by Caelius Rufus. A couple of months earlier, Caelius had sent a freedman with a letter and a message to Cicero – proconsul in Cilicia at the time –, asking him to send over some wild animals; a request Cicero could not reconcile with his standing and reputation¹¹⁸. Whereas Caelius had mentioned the freedman by name (*libertum Philonem istoc misi et Diogenem Graecum*), Cicero in his letter to Atticus stuck to a general classification (*libertus*) without further identifying him (*Caelius libertum ad me misit*)¹¹⁹. Caelius of course wanted Cicero to know that he was exhausting his own resources when making the request, thus trying to increase the chances of its being received more positively. Philo was accompanied by Diogenes, a free Greek who would perhaps be more familiar with the region than his travel companion. *Libertus Philo* may therefore also have served to distinguish both messengers (at least in terms of their status). At any rate, it is significant that Philo precedes Diogenes in Caelius’ description, and that focus is directed toward his freed status. This is done not only by having *libertum* precede *Philonem*, but also by again placing it at the very beginning of the sentence. Moreover, *libertum Philonem* forms a noteworthy chiasmus with *Diogenem Graecum*, which all the more persistently brings out the accentuation of *libertum*.

All these concerns were of less importance to Cicero in the letter that relates the story to Atticus, although the fact that he retained at least *libertus* suggests that he acknowledged and respected Caelius’ effort and commitment, and that he deemed it equally important that Atticus should also be aware of it. Furthermore, Cicero leaves Philo’s companion Diogenes entirely out of the picture and presents Philo (or rather the unnamed *libertus*) as sole conveyer of the message. Philo is mentioned only one more time in the correspondence a few months later. Both he and Diogenes, so Cicero writes in another letter to Caelius, had been staying with him for a while in Cilicia but were by

¹¹⁷ Hall (2009), 46, 58-9, 139ff. McCutcheon (2013), 195-6 very rightly notes that Appius may not have had the intention of declaring his great affection for Cicero, but that Cicero uses the freedman (as reflection of Appius) to “read” this sentiment in the letter to lubricate his relationship with Appius.

¹¹⁸ Cic. Fam. 8.8.10: “*Libertum Philonem istoc misi et Diogenem Graecum, quibus mandata et litteras ad te dedi*”.

¹¹⁹ Cic. Att. 6.1.21: “*Nam Caelius libertum ad me misit et litteras accurate scriptas et de pantheris et [lacuna] a civitatibus*”.

now leaving again for Pessinus¹²⁰. Interestingly, it is Diogenes this time who takes pride of place. Not only is he now situated at the very beginning of the sentence, but he is also described as *Diogenes tuus*. He even receives a short description (*homo modestus*) and it is the Greek who is the grammatical subject of the verb *discessit* (*Diogenes tuus, homo modestus, a me cum Philone Pessinunte<m> discessit*). Philo is attributed less (discursive) agency and only seems to accompany Diogenes. Whereas Caelius had placed Philo before the Greek to stress the resources he was stretching by sending his own dependent all the way to Cilicia, Cicero half a year later reverses the order. In the latter letter, however, neither Diogenes nor Philo occur in a context of trust relations between Caelius and Cicero: they are just said to be leaving Cicero. It is no coincidence that this is the only letter in which Philo's status is not made explicit through libertination. Instead, Diogenes takes first place, receives a possessive pronoun, and is further commended for his modest character.

Mentioning the freed status of a letter carrier also served to guarantee that the information obtained was trustworthy and correct. Not only the freed status of the courier – a token of his being deemed “worthy” and “capable” in his patron's eyes – but also the connection to his patron as a guarantee for this trustworthiness was explicitly included. In these instances, literary “libertination” often approximated epigraphic libertination. In a carefully composed letter, Cicero apologises to his brother for an angry letter he had sent him earlier in a whirl of agitation: “I was annoyed by what Lucullus' freedman Diodotus said, and wrote in some irritation immediately after hearing about the agreement”¹²¹. Cicero had clearly written impulsively and now regretted his outburst. One of the disadvantages of communicating via written letters instead of oral messages, is that any such impulse was much more difficult to make up for since the receiver would at all times be reminded of it when going through his previous correspondence with his contact¹²². Cicero therefore wanted to (perhaps quite literally) revoke (*revocare*) the letter. The fact that the angry letter has not made it into the published correspondence suggests that not only Cicero himself, but also the later editor deemed it better to erase it from memory altogether. In it, Cicero had undoubtedly included the conveyer of the information that had infuriated him (Diodotus), like he usually does. Repeating rather formally his full identity (*Diodotus Luculli libertus*) in the second letter is therefore unlikely to have originated from a

¹²⁰ Cic. Fam. 2.12.2.

¹²¹ Cic. Quint. Fratr. 1.2.12: “Litteras ad te parum fraterne scripseram, quas oratione Diodoti, Luculli liberti, commotus, de pactione statim quod audieram, iracundius scripseram et revocare cupiebam”. We are neither told the nature of the news nor provided with information about the *pactio* it must have related to.

¹²² McCutcheon (2013), 187.

sorrow that Quintus would not remember the man. Instead, both his status marker and the specific relation to his patron stress the trustworthiness of the initial news Diodotus had delivered, and somehow legitimated Cicero's severe reaction to it – even though he admitted it was wrong to take it out on Quintus. It were no mere rumours that had inflamed Cicero, it was reliable news from a reliable bearer.

Similarly, in a letter to Atticus, Cicero wrote that Libo intruded on a conversation between himself and Brutus by announcing that “Pompey’s freedman Philo and his own freedman Hilarus had arrived from Sextus [Pompeius] with letters to the Consuls, or whatever else they are called”¹²³. Although this is how Cicero reports the events to Atticus, it is difficult to imagine that Libo’s words on entrance were actually *Philo Pompei libertus et Hilarus meus libertus venerunt* (or a similar extensive formulation hardly befitting conversational parlance). Cicero thus transformed the announcement in his letter to identify both individuals in detail to his correspondent. Like in the case of Diodotus, Cicero could (and Libo perhaps did) just refer to the bearers of the news as *tabularii* – like so many individuals who for that very reason remain *incerti* – instead of the much more elaborate *Philo Pompei libertus et Hilarus suus libertus*. The emphasis on their trustworthiness and the “proximity” of their “vouching” patron (Libo was not only discursively but also physically present) was, however, important considering the function of these men in the narrative. Not only were they en route to deliver sensitive reports to the consuls, but they also reported important and detailed political news from Sextus Pompeius (still in Africa at the time) in the immediate aftermath of Caesar’s assassination¹²⁴.

The focus on the trustworthiness of the freed courier often prompted the exclusion of any identifying proper name. Instead, the focus was directed to his status and to his patron. In a letter to Atticus from 58 BCE, for instance, Cicero writes that he had received consistently sad reports about his brother (*de Quinto fratre nuntii nobis tristes nec varii venerant*). However (*autem*), L. Regulus had sent his freedman Livineius to reassure Cicero that nothing damaging had been said in public (*Livineius, L. Reguli libertus, ad me a Regulo missus venit*)¹²⁵. The initial unidentified *nuntii* thus contrast sharply with what Cicero conceived (and hoped) to be more reliable information. The freedman in question is very likely the Livineius Trypho, whom Cicero would recommend to C.

¹²³ Cic. Att. 16.4.1: “Is Philonem Pompei libertum et Hilarum suum libertum venisse a Sexto cum litteris ad consules sive quo alio nomine sunt”. As usual, Cicero made use of the opportunity to subtly air his discontent about the election of Antony as consul (and Dolabella as *suffectus*). In his eyes, they were not “real” consuls.

¹²⁴ Cic. Att. 16.4.2.

¹²⁵ Cic. Att. 3.17.1.

Munatius the next year¹²⁶. Whether he was or not, however, seems not to have been of great importance: his *cognomen* is not mentioned. By referring to him only by his *nomen* (Livineius) he could have been any one of Regulus' freedmen, and this was precisely the point Cicero wanted to make. The attention is drawn away from the actual individual and is instead centred on his identity dimension as a trusted agent. The fact that Regulus had sent him in person (*a Regulo missus*) further enhances the impression (or hope) that this message rather than that of the many *nuntii* was accurate¹²⁷. Cicero surely wanted this news to be truthful, and by closely connecting the trusted agent to his patron, the latter's symbolic presence is invoked to vouch for the authenticity of the news.

The stress on the trustworthiness of the "agent as freedman" rather than the "agent as specific individual" is a recurrent phenomenon, especially among couriers. In March 47, Cicero complained that he had not yet received any letter from Murena's unnamed freedman (*a Murenae liberto*)¹²⁸; an anonymous freedman of C. Trebonius (*C. Treboni libertus*) carried vital news about Q. Cicero's activities in the East in August 47¹²⁹; and Cicero received important political information from Atticus through the letters delivered by Vestorius' otherwise unknown freedman (*a Vestori liberto*) in April 44¹³⁰. Likewise, in August 58, Cicero summarised the content of four letters he had simultaneously received from Atticus, but none of which are preserved today. In one of them, he refers to a freedman of Crassus who apparently had told Atticus about Cicero's anxiety and frail condition. Cicero reassures Atticus later on in the letter that the freedman was mistaken: "Crassus' freedman (*Crassi libertus*) must have spoken not very sincerely"¹³¹. It mattered less who this freedman was, and at any rate Atticus would probably remember which freedman had told him this "false" information anyway. The most important objective of the letter was to refute the claims made by this freedman, which Atticus had apparently readily believed. No named freedmen of Murena, Trebonius, Vestorius, or Crassus are mentioned elsewhere in the correspondence around this time¹³² so we cannot even make an educated guess about their name. Unlike

¹²⁶ Cic. Fam. 13.60. For Trypho, see also the section on recommendation letters.

¹²⁷ A few days later, however, Atticus would send a message that seems to validate the various *nuntii* rather than Regulus' information. Cicero consequently resorts to Atticus and asks his friend to send him all he knows about the matter of his brother, even if the truth was painful (*tuas litteras semper maxime exspecto; in quibus cave vereare ne aut diligentia tua mihi molesta aut veritas acerba sit*), Att. 3.17.3.

¹²⁸ Cic. Att. 11.13.1.

¹²⁹ Cic. Att. 11.20.1.

¹³⁰ Cic. Att. 14.9.1.

¹³¹ Cic. Att. 3.15.1, 3: "(...) alteram [epistulam] qua Crassi libertum ais tibi de mea sollicitudine macieque narraſſe (...)"; "Crassi libertum nihil puto ſincere locutum".

¹³² The only freedman of Crassus mentioned by name is Apollonius (Fam. 13.16). However, this letter is dated at least 12 years later and there is no reason to assume that Apollonius should be identified

Livineius – whom we could quite safely identify as Trypho – these freedmen therefore remain anonymous. It is their explicit status mention, the stress on the connection with their patron, and the thereby implied trustworthiness that is their most salient identity dimension in the letters that refer to them.

Similarly, in the aftermath of a strong disagreement Cicero had had with Ap. Claudius Pulcher¹³³, he wrote him a letter, explaining why he had counteracted Appius' endeavours in Cilicia, and how this should not be perceived as an attack on Appius personally: "Had I ever had it in mind to derogate from your good name in the province, I should not have [*lacuna*] your son-in-law, nor should I have consulted your freedman at Brundisium or your Prefect of Engineers at Corcyra as to where you wished me to go"¹³⁴. Cicero mentions no names, but instead describes these individuals by their relation to Appius (*gener tuus, libertus, praefectus fabrum*). He wanted to make sure that Appius knew he had consulted the most trustworthy people in his circle in order to convince his predecessor that any accusations of deliberate malice were unjustified¹³⁵.

The case of Atticus' freedman Philogenes is particularly illuminating. The freedman occurs 6 times in the correspondence, and every time in letters written by Cicero to Atticus himself. He is mentioned as a business representative of his patron in July 51 and twice as a financial agent in December 50¹³⁶. In none of these letters, Cicero used libertination to describe Philogenes. It could be argued that the recurrent mentions of the freedman made consistent libertination redundant, and that Atticus knew Philogenes very well (as his own trusted freedman) either way. However, like in Philotimus' case touched on above, this does not explain why in the other three letters Philogenes *does* receive explicit libertination. These letters are all dated to somewhere in between July 51 and December 50, and thus form part of the same continuous exchange of correspondence between Cicero (in Cilicia) and Atticus. Moreover, the libertination is in all three cases accompanied by the possessive pronoun *tuus* (*Philogenes libertus tuus*). Cicero thus deemed it particularly worthwhile in these instances to not

with the unnamed *Crassi libertus*. Tyrannio appears as Murena's freedman in several of Cicero's letters (cf. Appendix 2). It is equally unlikely, however, that the *Murenae libertus* of Att. 11.13 is to be identified with Tyrannio. Not only would this be the only passage (out of 9) that describes him with libertination, but the widespread dismay at the demotion of the eminent freeborn prisoner of war to freed status moreover implies a more general reluctance to call Tyrannio a *libertus*, Plut. Luc. 19.7. Cf. Treggiari (1969a), 116; Yarrow (2006), 39-40.

¹³³ See below for these tensions and for the role of the freedman Phania in them.

¹³⁴ Cic. Fam. 3.8.5: "Ego, si in provincia de tua fama detrahere umquam cogitasset, non generum tuum [*lacuna*] libertum Brundisi neque ad praefectum fabrum Corcyrae quem in locum me venire velles rettulisset".

¹³⁵ We know this *libertus* to have been Phania (see the discussion below).

¹³⁶ Cic. Att. 5.13.2; 7.5.3; 7.7.2 respectively.

only specifically stress Philogenes' status, but also his connection to Atticus. When we look closer at these letters and to Philogenes' function in them, we begin to understand why.

Indeed, in all three of them, he functions as a courier¹³⁷. In the earliest letter, Cicero heartily thanks Atticus for the important political news he had sent him via Philogenes, who had gone through considerable trouble to “ensure its safe delivery over a very long and not too safe route” (*eas [litteras] diligentissime Philogenes, libertus tuus, curavit perlonga et non satis tuta via perferendas*). In fact, another letter Atticus had at the same time entrusted for delivery to some slaves had *not* reached Cicero (*nam quas Laeni pueris scribis datas non acceperam*)¹³⁸. Cicero does not explicitly blame the slaves for non-delivery – the road was long and difficult indeed – but the contrast between the success of *Philogenes libertus tuus* and the juxtaposed failure of the *Laeni pueri* could hardly have been greater. A few months later, Cicero – still in Cilicia – is again visited by Philogenes who had come merely to pay his respects to his patron's friend (*cum Philogenes, libertus tuus, Laodiceam ad me salutandi causa venisset ...*). Since he could not stay long and immediately wanted to return to Atticus by sea, Cicero decided to assign to him the reply to a letter he had received earlier via Brutus' courier (*... has ei litteras dedi, quibus ad eas rescripsi quas acceperam a Bruti tabellario*)¹³⁹. Cicero thus preferred to entrust the reply to *Philogenes libertus tuus* rather than to the original *Bruti tabellarius*, who – like the *Laeni pueri* – remains not only unspecified, but is also again contrasted with Philogenes. In the last letter, Cicero rhetorically claims that he does not really have anything to report (the letter goes on for several pages afterwards); nothing, at least, “subsequent to the letter I gave to your freedman Philogenes” (*etsi nihil sane habebam novi quod post accidisset quam dedissem ad te Philogeni liberto tuo litteras*)¹⁴⁰. Philogenes thus once more appears as explicitly facilitating (“bonding”) communication between Cicero and his own patron. There was nothing Cicero had withheld in the letter he had entrusted to the freedman and thus nothing new he could include in the current letter that would be sent to Atticus via Terentia's freedman Philotimus. The latter is not referred to by libertination (he is not in most of the 47 passages that mention him). Although it is made less explicit than in the previous two letters, *Philogenes libertus tuus* is thus once again juxtaposed to another courier that ranked second to him.

In short, the inclusion of libertination in these cases is significant when we take into account that it is done in a context where Philogenes is often and continuously mentioned in letters *without* libertination. Including not only libertination but also the

¹³⁷ Cic. Att. 5.20.8; 6.2.1; 6.3.1.

¹³⁸ Cic. Att. 5.20.8. Two months later, this letter was finally delivered by Laenius himself (Att. 5.21.4).

¹³⁹ Cic. Att. 6.2.1.

¹⁴⁰ Cic. Att. 6.3.1.

extra possessive pronoun *tuus* would thus seem like a manifest redundancy unless it served precisely to abundantly stress not only Philogenes' trusted status as *libertus* and courier, but also his close connection to Atticus. His trustworthiness is particularly accentuated by contrasting him to individuals who are either explicitly (*Laeni pueri*) or implicitly (*Bruti tabellarius* and to a lesser extent Philotimus) deemed inferior to him (at least in letters to his own patron). The extensive libertination moreover served to plainly acknowledge Atticus' efforts of committing (and risking) his own trusted dependant to deliver important letters to Cicero, and thus also accentuated and strengthened the relation between the two friends. Finally, Philogenes was a particularly diligent individual to come and (apparently voluntarily) salute Cicero. As such, he was an excellent representation and embodiment of his patron's good manners and friendship. The explicit libertination served to emphasise this connection with Atticus, who was thereby similarly made recipient of the compliments.

In conclusion, both from a quantitative and a qualitative point of view, the correlation between a freedman's trusted position as a courier on the one hand, and the use of libertination in letters that refer to him in this capacity on the other, is abundantly clear. All the above mentioned messengers were specifically called *liberti* for various reasons related to their trustworthiness, and to their bonding – and sometimes bridging – role in (or between) the networks of their patron and his correspondents. As noted earlier in the general outline of this chapter (and sporadically in some examples cited above), a “connection to a patron” was, in addition, very often associated with both libertination and a function as courier, thus establishing a marked triadic relationship between trust (and social capital), the use of libertination, and the patronage relationship as enabling framework. Before elaborating this third aspect in further detail (section 4.5), the remainder of this section (4.4) will first complete the discussion of the correlation between trust and libertination, by 1) briefly discussing the few couriers that were *not* referred to explicitly as *liberti* (4.4.3), 2) broadening the scope of analysis to include other freedmen, i.e. non-couriers (4.4.4), and 3) comparing Cicero's correspondence with those of Pliny and Fronto.

4.4.3 Couriers without libertination

Although the previous discussion has thus revealed the association between libertination and a nodal position in a trust network, it should be clear that the social practice of letter writing did not conform to any rigid, binary, and post factum imposed categorisation. Cicero and his correspondents surely did not always consciously deliberate on whether or not to include libertination. But the cases in which it seems to be a redundant characterisation (e.g. in letters to the freedman's own patron, or in a letter that forms part of a series that consequently omits it) are too numerous to ignore.

Both quantitative and qualitative analysis unambiguously reveals the pattern, if not the more deliberate rhetorical strategy, identified above, especially when compared to those freedmen who did *not* feature in a trust context (cf. *infra*). Only five passages mention freed couriers *without* any explicit reference to their status. These are thus not only highly outnumbered by the instances in which libertination *did* mark trustworthiness, but they also individually contain cues – related to both intended readership and contextual factors – as to why libertination was less likely to be included in these particular cases. It is to these passages that we will now briefly turn in order to “confirm by contrast” what has been suggested above.

Diochares

In a letter dated to August 45 BCE and addressed to Atticus, Caesar’s freedman Diochares is said to have recently delivered a letter to Cicero. It is a very brief passage in which nothing else is said about the courier. In fact, he is mentioned only in order to chronologically situate the arrival of another letter: “[Lamia brought me a letter] It was dispatched earlier than the one brought by Diochares” (*quae quamquam ante data erat quam illae Diocharinae*)¹⁴¹. Besides not even being the thematic or grammatical subject of the sentence, the freedman’s name is transformed into an adjective (*Diocharinus*), downplaying his agency even further. In other words, the focus of the passage is on Lamia’s letter, not on the one delivered earlier by Diochares, and certainly not on Diochares himself. The *epistula Diocharina* serves a referential purpose rather than expressing the trustworthiness of its deliverer. The only other letter that mentions this freedman *does* include libertination. It was written shortly after the battle of Pharsalus (almost three years earlier) and was similarly addressed to Atticus¹⁴². In an unpreserved letter, Atticus had enquired about the situation and immediate plans of Quintus Cicero and his son. Quintus had found himself on the losing side of the conflict, and his position in the immediate aftermath of Pharsalus was delicate at best. In his reply letter, Cicero answered that his brother had decided to abandon the Pompeian party, and that he had left for Asia to obtain a pardon from Caesar. He advised Atticus to contact Diochares, “the bearer of that letter from Alexandria” (*quaere ex Diochare, Caesaris liberto ... qui istas Alexandria litteras attulit*) who was known to have seen Quintus either on his way to, or already in, Asia. When Diochares was recommended as informant and mentioned as active deliverer of an important letter, libertination was meaningfully included.

¹⁴¹ Cic. Att. 13.45.1.

¹⁴² Cic. Att. 11.6.6.

Phaetho

In another letter, this time addressed to his brother, Cicero very briefly refers to the freedman Phaetho, but he does not include libertination. Phaetho is not the actual bearer of this letter, but he is said to have delivered a previous one to Quintus (*ea epistula quam Phaethonti dedi*)¹⁴³. Although we cannot know for sure, it is plausible that he was described as *libertus* in the actual letter he had delivered (as is usually the case). Indeed, exiled from Rome only two months earlier, Cicero would have been particularly careful in choosing reliable couriers to carry back his messages to the city. The letter entrusted to Phaetho moreover contained very delicate information about Cicero's state of mind, the political situation at Rome, and the desertion of his allies (*subita defectio Pompei, alienatio consulum, etiam praetorum, timor publicanorum, <servorum> arma. Lacrimae meorum me ad mortem ire prohibuerunt, quod certe et ad honestatem <tuendam> et ad effugiendos intolerabilis dolores fuit aptissimum*). That Phaetho had been initially described as *libertus* is also suggested by a letter written to Atticus two months earlier¹⁴⁴. Cicero wrote that the freedman was sent out to discover Quintus' itinerary but that he, that is the freedman Phaetho (*Phaetho libertus*), had reported back unsuccessfully due to bad weather conditions at sea. Here, Phaetho's active role in the interaction is accentuated much more strongly than in the later letter: he was sent out, failed to accomplish his task, and reported back immediately (*vento reiectus ... mihi praesto fuit*). The case may therefore be similar to that of Diochares, where libertination was similarly omitted when the mention of a freedman merely served to specify a letter he had carried earlier, but included when his role as an active and confidential courier was willingly accentuated.

Phania

Of the five times the freedman Phania is mentioned in the correspondence, four present him as the deliverer of news in letters from Cicero to Phania's patron Ap. Claudius Pulcher¹⁴⁵. The earliest instance dates back to the end of 53 (or the beginning of 52) BCE, but the other three letters were written in quick succession between the end of July and the beginning of October 51 BCE¹⁴⁶. In only one of these cases does Cicero *omit*

¹⁴³ Cic. Quint. Fratr. 1.4.4 (early August 58 BCE).

¹⁴⁴ Cic. Att. 3.8.2 (end of May 58 BCE).

¹⁴⁵ See Constans (1921) for a discussion of Cicero's correspondence with Appius. Schuricht (1994), 162-80 and Hall (2009), 139-153 analyse it in light of the strategies of politeness both men applied. Cf. Hall (2009), 140-1 for the particular interactions related to the transfer of power in Cilicia discussed here). Cicero remained at odds with Appius afterwards, as is clear from later letters (cf. our discussion of Pausanias in subsection 4.5.2).

¹⁴⁶ These are Cic. Fam. 3.1.1-2; 3.5.3; 3.6.1-2; and 3.8.5.

libertination. This happens in a letter that described Phania as a man “of whose loyalty to you [Appius] and place in your confidence I thought I had good evidence and knowledge”¹⁴⁷. To gauge the true extent of this phrase, however, we have to contextualise the relation between Cicero and Phania.

Not two years earlier, Cicero had considered the freedman “a sensible and inquisitive man” (*homo non modo prudens verum etiam, quod iuuet, curiosus*) and had assigned to him oral messages, a sure sign of the trust placed in him. Moreover, if the *res publica* could talk for herself, Cicero ardently exclaimed, no one would be a better conveyer of her words than this Phania¹⁴⁸. It is not surprising, therefore, that he later relied on him to ascertain Appius’ preference as to where he would like to meet his successor as proconsul of Cilicia. Indeed, Cicero had been appointed to this function, and since it was considered appropriate for a new governor to meet his predecessor on his way to the province, Cicero enquired with Phania at Brundisium where he should go to meet his patron. Phania informed him that Side would be preferable, a coastal city situated some 60 km east of present day Antalya in southern Turkey. For Cicero, who was planning to enter the province via Ephesos, this meant quite a detour, but he decided to comply nonetheless. However, arriving at Corcyra, L. Clodius (a mutual friend and “a person so close to you [Appius] that in talking to him I felt I was talking to yourself”¹⁴⁹) told Cicero that Appius would be waiting for him in Laodicea instead¹⁵⁰. Despite his high opinion of Phania, Cicero decided to attach more worth to Clodius’ information, and set sail to Laodicea (perhaps in part because the latter option meant a shorter and more convenient itinerary). It is meaningful that Cicero felt the need to explain his decision (i.e. to ignore Phania’s information) by identifying L. Clodius as Appius’ mirror-image. Only by resorting to such language could Cicero make sure that his trusting of Clodius over Phania would not be considered an act of laziness or even malice towards Appius, but rather the result of a genuine deliberation of character. Even though he had timely informed Appius of his travel plans, Cicero – before even having arrived in Laodicea – received news that Appius had set out for Tarsus, a city on the eastern side of the province, and as such very remote from both Side and Laodicea. Cicero, clearly annoyed

¹⁴⁷ Cic. Fam. 3.6.1, see below.

¹⁴⁸ Cic. Fam. 3.1.1: “Si ipsa res publica tibi narrare posset quo modo sese haberet, non facilius ex ea cognoscere posses quam ex liberto tuo Phania”. McCutcheon (2013), 193 suggests that Phania’s description as *curiosus* may imply that the freedman had been probing the “depth of Cicero’s commitment to his reconciliation with Pulcher”. While this may very likely have been the case, there is no reason to assume that such probing was considered surreptitious or inappropriate. Cicero even explicitly states that Phania’s *curiositas* is something *quod iuuet*, implying that through him he can publicise his “true” intentions.

¹⁴⁹ Cic. Fam. 3.6.2: “Idem ego, cum L. Clodium Corcyrae venissem, hominem ita tibi coniunctum ut mihi cum illo cum loquerer tecum loqui viderer (...)”.

¹⁵⁰ Cic. Fam. 3.5.3; 3.6.1-2.

by the news but remaining polite, confronted Appius with his choice to move away instead of towards him¹⁵¹.

In light of these events, Phania's advise to travel to Side could be considered as part of a deliberate attempt to impede and delay Cicero's arrival in Cilicia, thus prolonging Appius' control over the province. Indeed, it is difficult to see how or why Phania could have acted like this without his patron's knowledge and approval. Even though Cicero's relationship with Appius had had its obvious complications in the past¹⁵², we should be careful in assessing the truth behind these statements (and implied accusations), based on Cicero's letters alone. Whether Appius truly acted with bad intentions (and the picture does not have to be all black-and-white), and whether Phania was actually involved in any scheme, we can, in short, not ascertain. However, Cicero's reaction to the developments is very revealing. He begins the letter explaining his change of itinerary (at L. Clodius' suggestion) with the reference to Phania mentioned above. Cicero explains that the first destination he had in mind was suggested to him by Phania, "of whose loyalty to you and place in your confidence I thought I had good evidence and knowledge (*Phania, cuius mihi videbar et fidelitatem erga te perspexisse et nosse locum quem apud te is teneret*)"¹⁵³. The use of *videbar* is especially significant: Cicero seems to imply that he only *thought* he had seen and known Phania's commendable character¹⁵⁴. He clearly refers back to the letter from one and a half years earlier (and perhaps also to more recent – yet unpreserved – similar ones), in which he had praised

¹⁵¹ Cic. Fam. 3.6.3-4. Appius was even accused by *malevoli homines* (Cicero's term) of still exercising administrative and judicial powers, even though this was a highly unconventional (and by the *lex Cornelia de maiestate* also soon to be illegal) thing to do, since he was aware of Cicero's arrival in the province.

¹⁵² The history between Cicero and Appius – as brother of Cicero's personal enemy P. Clodius – had been a turbulent one. However, Cicero usually went out of his way to dissociate Appius from Clodius' actions (especially after Appius obtained the consulship in 54 BCE) in order to maintain practical relations. E.g. in 50 BCE (Fam. 3.10.8): "Quid erat autem cur ego in te tam implacabilis essem, cum te ex fratre meo ne tunc quidem cum tibi prope necesse esset eas agere partis inimicum mihi fuisse cognossem?". Even when mentioning him as an adversary in his speeches, Cicero had often implied that Appius had no choice but to oppose him since he shared blood with Clodius. E.g. in 55 BCE, Pis. 35: "De me cum omnes magistratus promulgassent praeter unum praetorem, a quo non fuit postulandum, fratrem inimici mei (...)". See Hall (2009), 139-40 for Cicero's earlier interactions with Appius, which were bumpy to say the least.

¹⁵³ Cic. Fam. 3.6.1.

¹⁵⁴ Contrast with, for example, Cic. Fam. 4.9.1. Cicero here writes that he had very plainly seen Theophilus' loyalty and good will: "Theophilus (...) cuius ego fidem erga te benevolentiamque perspexeram (...)". McCutcheon (2013), 197 gives another twist to the passage by suggesting that Cicero only now realised that Phania was not as close to Appius as he had thought. He thus invokes the objective relation between Appius and Phania, rather than deceit by the freedman. Despite the difference in nuance, this interpretation equally gives Appius the chance of distancing himself from his freedman, a possibility McCutcheon ignores.

the qualities of the freedman¹⁵⁵. The tone of the current letter suggests that Cicero realised that this praise had been premature. In order not to let the already tense situation escalate any further, the phrase seems designed to shift culpability for any deception Appius may be accused of – by *malevoli homines*, for example – to his freedman. Cicero leaves available considerable face-saving space for Appius to blame his freedman for dispersing incorrect information. Noteworthy in this regard is the fact that Cicero had very subtly increased the discursive agency of Phania throughout the letters. In July, he wrote that he had merely talked to Phania (*loqui*) and that the freedman had said (*dicere*) that Appius would like to meet him at Side¹⁵⁶. In August, when Cicero was giving Appius the opportunity for pushing off responsibility to Phania, however, he writes that the latter explicitly asked him (*rogare*) to go to Side¹⁵⁷.

As mentioned earlier, this is the only letter in the sequence in which Phania is not described as Appius' *libertus*. Indeed, if our suspicion is justified, this passage would not require a description that stressed the close link between Phania and his patron. Quite on the contrary, it would contradict what Cicero was actually trying to convey, i.e. that Phania in this instance was acting on his own accord; with or without any bad intent no one could say for certain, but at any rate independent of his patron. *Libertus* as marker of trustworthiness is replaced by a description that saves both Cicero's face (he had but mistakenly *thought* Phania, as a freedman, to be trustworthy in previous instances) and Appius' (potential deceptive advice was not directly traced back to his orders).

The last mention of Phania in the correspondence occurs more than half a year later, and can be considered as an epilogue to the entire affair (he does not feature as a courier here). In a letter to Caelius Rufus, Cicero exclaims that despite previous tensions, he had always shown good will towards Appius. He empathically appeals to two witnesses that can confirm this assertion: Caelius himself and Phania. However, whereas the reference to Caelius is sincere and respectful (*mea vero officia ei non defuisse tu es testis ...*), that to Phania is much less so (*... cui iam κωμικὸς μάρτυς, ut opinor, accedit Phania*)¹⁵⁸. While Caelius' role in the juridical metaphor is that of a traditional *testis* (no doubt a reference to his achievements in the courts), Phania is equated to a stock character of Greek Comedy (a reference to his Greek name). Attention is again drawn to the contrast by the clear chiasmus *tu es testis - κωμικὸς μάρτυς accedit Phania*. It is surely

¹⁵⁵ Cic. Fam. 3.1.1-2.

¹⁵⁶ Cic. Fam. 3.5.3.

¹⁵⁷ Cic. Fam. 3.6.2.

¹⁵⁸ Cic. Fam. 2.13.2.

no coincidence that Cicero permits himself this rather belittling joke in the only letter that is *not* addressed to Phania's patron¹⁵⁹.

In short, when Phania appears as a courier – and when his role as valuable bridging social capital was accentuated – Cicero employed libertination, as we would indeed expect. The only letter that does *not* include libertination had the specific intention of *dissociating* Appius and Phania, and of attributing to the freedman the responsibility of conveying wrong, and perhaps perfidious, information. If anything, then, the entire anecdote is a “negative” confirmation of the correlation between trustworthiness and libertination.

Salvius

The fourth freed courier not explicitly described as *libertus* is Caesar's freedman Salvius (in a letter to Cicero's former son-in-law Dolabella). Instead of *libertus*, he is presented with the jovial *noster* in the very first phrase of the letter: “I dare not to let our friend Salvius leave without giving him something in the way of a letter to you” (*non sum ausus Salvio nostro nihil ad te litterarum dare*)¹⁶⁰. Salvius had very likely been a regular go-between for Cicero in his communication with Dolabella, who was serving under Caesar in Spain at the time. Undoubtedly, Salvius had functioned as a bearer of news and letters from Caesar to Rome (and back) on more than one occasion. In fact, he had done so for almost a decade. On 10 October 54 BCE, for example, after having visited Cicero personally¹⁶¹, he had set out for Ostia with some items Cicero wanted him to deliver to his brother, who was at the time – like Dolabella 10 years later – serving under Caesar (in Gaul)¹⁶². It would therefore seem plausible that Salvius had served as an intermediary between Cicero and Dolabella before¹⁶³, and in any case, the *noster* already implied a close social triangulation between the three men. Repeated interaction with the freedman may have rendered libertination superfluous (cf. *supra*). The choice for the jovial *noster* may also have sprung from Cicero's realisation that his treatment of the

¹⁵⁹ Cf. Smadja (1976), 107 note 102. McCutcheon (2013), 194 focusses only on the content of the description and on Phania's function as *κωμικός μάρτυς* of Cicero's good will towards Appius, but fails to account for either the subtextual implications suggested by the chiasmic contrast with the traditional (Latin) *testis*, or for the chronological evolution of the relation between Cicero and Phania/Appius as discussed above.

¹⁶⁰ Cic. Fam. 9.10.1.

¹⁶¹ Cic. Quint. Fratr. 3.1.21. Salvius is mentioned here in juxtaposition with two other (freeborn) guests: Minucius Basilus and Pacuvius Labeo.

¹⁶² Cic. Quint. Fratr. 3.2.1.

¹⁶³ Cicero often made use of Caesar's *tabellarii* to send letters to his brother (and thus likely also to other familiares serving with Caesar). Cf. Quint. Fratr. 3.6.2: “Tu velim cures ut sciam quibus nos dare oporteat eas quas ad te deinde litteras mittemus, Caesarisne tabellariis, ut is ad te protinus mittat, an Labieni”.

freedman would influence his patron's stance towards him. As has recently been argued for the letters to his brother Quintus, Cicero's letters to Dolabella were written "to Caesar" as well (perhaps even more so than to Quintus or Dolabella themselves)¹⁶⁴. In this regard, it is telling that four years earlier (when Cicero was still a Pompeian and had not yet been pardoned by Caesar), he was much more hostile towards Salvius¹⁶⁵.

Theophilus

Finally, in 46 BCE, Cicero writes to M. Marcellus that "since Theophilus (Marcellus' own freedman) is leaving, I could not let him go without something in the way of a letter" (*cum Theophilus proficisceretur, non potui nihil ei litterarum dare*)¹⁶⁶. The reference bears striking resemblance to the mention of the same freedman in another letter to his patron a few months earlier: "But since your freedman Theophilus is setting out, whose loyalty (*fides*) and good will (*benevolentia*) towards you I have plainly seen, I did not wish him to go to you without a letter from me" (*cum Theophilus, libertus tuus, proficisceretur ... sine meis litteris eum ad te venire nolui*)¹⁶⁷. The difference between the two letters is of course the inclusion of libertination and possessive pronoun (*Theophilus libertus tuus*), as well as a description of Theophilus' pivotal virtues in the earlier one. The quasi identical context of both references makes the inclusion of libertination in the first letter but not in the second seem rather arbitrary. And to some extent, it may certainly have been. However, the later letter does not stress the relation between Theophilus and his patron in any meaningful way, whereas the earlier one had explicitly done so: it were the freedman's loyalty and good will towards Marcellus (*erga te*) that Cicero had gladly witnessed. By closely knitting together *libertus tuus* – *benevolentia* – *fides*, Cicero acknowledged and praised the quality of his correspondent's social network as well as the nodal function of the loyal Theophilus in it¹⁶⁸. Moreover, it would be a manifest and possibly annoying redundancy to characterise Theophilus as Marcellus' freedman (let alone as loyal, benevolent, etc.) every single time Cicero mentioned him in a letter. The very short interval between the two letters (the only two in the correspondence that

¹⁶⁴ Henderson (2007), *passim* (e.g. p. 38-9).

¹⁶⁵ Cic. Att. 10.18.1: "homo nequissimus a Salvio liberto depravatus est" (we do not know who the *homo nequissimus* was). Cicero explicitly refers to Caesar's hostile attitude in the letter: "Dubitas igitur quin nos in hostium numero habeat?". Cf. Münzer, RE II.1.2, 2022: "Salvius war ein einflußreicher Freigelassener Caesars, der in Ciceros Briefen öfter erwähnt wird, und zwar in achtungsvollem Tone gegenüber den mit Caesar in Verbindung stehenden Männern und in einem weit weniger freundlichen in den vertraulichen Briefen an Atticus"; Smadja (1976), 98.

¹⁶⁶ Cic. Fam. 4.10.1

¹⁶⁷ Cic. Fam. 4.9.1.

¹⁶⁸ See also the next chapter on recommendation letters, where this practice is studied in more detail.

mention Theophilus), does indeed suggest once more that this freedman repeatedly acted as courier between his patron and Cicero, or at least that he had already been introduced to Cicero earlier. As noted before, this may have led to an omission of trust markers that would otherwise have been considered appropriate when situating a freedman in the nexus of his patron's trust network.

This last observation thus seems to be a recurrent trait of the passages in which freed couriers are mentioned without status indication. Additionally, in most of these passages, the freedmen in question are referred to in a letter either to Atticus or to their own patron¹⁶⁹. Cicero may have felt less inclined to explicitly stress the confidentiality of a particular freedman in a letter to his good friend Atticus (who would in most cases know the individual already or at least have confidence in Cicero's judgement) or to the freedman's own patron (who would even more than Cicero be aware of his freedman's *fides*)¹⁷⁰.

Although we have provided some suggestions as to why these five individuals were not referred to as *liberti* explicitly, we should not stress these points too hard (except for the case of Phania). As mentioned at the beginning of this section, we cannot expect our source material to strictly adhere to the rigidly defined categories, created and applied by modern analysis. Trying to *explain* why five freedmen did not receive libertination when mentioned as couriers may not only be a futile endeavour, but it also risks drawing attention away from the clear pattern by which the status of freed couriers' was usually explicitly stressed in the letters. Rather than an agreed upon convention or an epistolary mannerism, it is an expression of a mind-set that considered freedmen as the embodiment of social capital *par excellence*, and as crucial nodes in the extensive trust networks of Cicero and his correspondents.

4.4.4 Trust and libertination: non-couriers

The freedman's *fides* was not restricted to his role as network-bridging courier. Freedmen would often be personally involved in (or at least be present during) confidential and politically laden conversations between high ranking aristocrats who

¹⁶⁹ The only exception is Salvius in the letter to Dolabella, Cic. Fam. 9.10.1. Either Marcus or Quintus Cicero was the patron of the freedman Phaetho who was mentioned in a communication between both brothers (Quint. Fratr. 1.4.4).

¹⁷⁰ However, this by no means prevented Cicero from relatively often referring to a freedman as *libertus* and even *libertus tuus* in a letter to his patron, e.g. Fam. 2.7.3 (Curio's Thraso) or 4.9.1 (Marcellus' Theophilus).

were somehow connected to their patron¹⁷¹. In 46 BCE, for example, Cicero writes to Trebianus that he had freely spoken his mind (*patefacere*) about his correspondent's restoration after the civil war to their common friends, but also recently to Trebianus' freedman Theudas (*Theudae liberto tuo*)¹⁷². The next year, he jokingly requests Fabius Gallus to keep to himself the information he had sent him, and not to share it even with his freedman Apella (*ne Apellae quidem liberto tuo*), suggesting that Fabius would usually do precisely that¹⁷³. In the tense year after Caesar's assassination, Cicero invited Furnius' freedman Dardanus (*Dardanus libertus tuus*) to his house to attend a confidential meeting between his patron's close friends who were exchanging their opinions on Furnius' aspiration to the praetorship¹⁷⁴. In all these cases, the trusted freedman is not only mentioned with libertination, but the link with his patron is equally stressed through the addition of the possessive pronoun *tuus* (cf. *infra*).

Less confidential contexts did not require a strong focus on the dependent's status or social capital. In September 54 BCE, during a visit to Arpinum, Cicero puts his freedman Philotimus in charge of receiving and entertaining his fellow tribesmen (*Philotimo tribulibus commendatis*), a menial though obligatory task that clearly did not necessitate the accentuation of Philotimus' trustworthiness¹⁷⁵. Similarly, neither of the two references in the correspondence to the famous writer and mime player Publilius Syrus – whose performance Cicero was forced to attend in order not to offend Caesar to whom it was dedicated – included libertination¹⁷⁶, nor did the four references to the only freedwoman in the correspondence (the actress and courtesan Volumnia Cytheris)¹⁷⁷. The same goes for freedmen who were merely employed by Cicero to arrange his library and to procure books for it. Murena's freedman Tyrannio, for example, is mentioned eight times – consistently without libertination – in letters to Atticus and Q. Cicero, where he appears as a scholar, a librarian, and a teacher¹⁷⁸. Although making him responsible for the care over the Cicerones' libraries and for the education of their

¹⁷¹ Cf. Smadja (1976), 101; Blänsdorf (2001), 451; Mouritsen (2011), 48-9.

¹⁷² Cic. Fam. 6.10a.1: "Itaque et Postumuleno et Sestio et saepissime Attico nostro proximeque Theudae, liberto tuo, totum me patefeci (...)"

¹⁷³ Cic. Fam. 7.25.2: "Secreto hoc audi, tecum habeto, ne Apellae quidem, liberto tuo, dixeris"

¹⁷⁴ Cic. Fam. 10.25.3: "Haec eadem locutus sum domi meae adhibito Quinto, fratre meo, et Caecina et Calvisio, studiosissimis tui, cum Dardanus, libertus tuus, interesset"

¹⁷⁵ Cic. Quint. Fratr. 3.1.1.

¹⁷⁶ Cic. Fam. 12.18.2; Att. 14.2.1. When talking about actors and performers, Cicero would rarely include libertination. In one instance, Cicero mentions the manumission of an actor on stage (Att. 4.15.6), cf. *infra*.

¹⁷⁷ Cic. Fam. 9.26.2; 14.16; Att. 10.10.5; 10.16.5.

¹⁷⁸ Cic. Att. 2.6.1; 4.4a.1; 4.8.2; 12.2.2; 12.6.2; Quint. Fratr. 2.4.2; 3.4.5; 3.5.6. As mentioned earlier, the lack of libertination may partially have stemmed from the general opinion (as represented by Plut. Luc. 19.7) that Tyrannio's freed condition was an insult to his original status as a freeborn grammarian of some renown. Both explanations are of course not mutually exclusive.

household does imply trust to some extent, it is by no means comparable to the trust placed in freedmen who served as intermediates between focal points within a single network or between different networks altogether. This is the case also for freed architects who are mentioned only in this professional capacity¹⁷⁹, for referential mentions of freedmen comprising no more than a few words and not implying any kind of trustworthiness¹⁸⁰, etc. References to menial jobs, superficial allusions, and the social (and legal) *infamia* associated with performing on stage in all these cases precluded the inclusion of a marker that would normally accentuate the respective individual's trustworthiness. Once again, these passages constitute a "negative" confirmation of the close correlation between the use of libertination, and the desire to accentuate trustworthiness (and publicise social capital).

4.4.5 Pliny and Fronto: a comparison

In Fronto's letters too, freedmen who were mentioned merely as literary assistants, editors, or pantomime dancers were not attributed explicit status indicators¹⁸¹. On the contrary, the freedman Charilas – privy to the emperor's thoughts and plans – served as a "gatekeeper" to the imperial court. People would contact him to arrange a meeting with the emperor, or at least to gauge whether a visit would be positively received. When Fronto wrote to Lucius Verus that he had done precisely that, he called the man *libertus Charilas*¹⁸². Fronto was apologising for not having visited the emperor and his brother after the death of their (adoptive) father Pius. His excuse was that he thought it inappropriate to visit them so shortly after the tragedy, and that he did not like to see his pupils in tears (*an ego quarto post mense lacrimas vestras spectatum measque ostentatum venirem?*). Because he neither wanted to leave the emperors in the dark, nor wanted to interrupt their mourning process, he had decided to write to Charilas (*non sum ausus neque fratri tuo neque tibi scribere me ad vos esse venturum, sed ad libertum Charilam perscripsi*). Charilas thus served as a "bridge" between Fronto and the emperors, and it

¹⁷⁹ E.g. Cic. Att. 2.4.7; 13.29.1; 14.9.1 (Chrysippus).

¹⁸⁰ E.g. Cic. Fam. 4.12.3 (the two unnamed freedmen at the entrance to M. Marcellus' deathbed); Att. 3.8.3 (*Tryphonem Caecilium non vidi*); Quint. Fratr. 3.1.21 (Salvius visiting Cicero's house); ...

¹⁸¹ Fronto, Ad M. Caes. 1.7.4 (three or four freed literary assistants and editors); Ad Verum Imp. 1.2 (two pantomime dancers). It should be noted, however, that all of these men were particularly famous for their excellence in their respective professions, which may also have been a reason not to (redundantly) stress their status. The same goes for the reference to M. Aurelius' *a codicillis* Egatheus (Ad M. Caes. 2.16) and to a lesser degree also that to Epictetus, who did not receive libertination but appeared in a context that made clear his servile past (Ad Verum Imp. (or ad M. Caes.) 1.1.5; De Eloq. 1.16).

¹⁸² Fronto, Ad Verum Imp. 1.4.2. See also Chapter 3.

was important for Fronto to stress that he had relied on a trustworthy agent with close connections to the palace when justifying his earlier absence (of which Verus had complained in an earlier letter¹⁸³). Similarly, in the letter of recommendation on behalf of the imperial freedman Aridelus, addressed to M. Aurelius, Fronto called the man *libertus vester*. Clearly, besides his *studium*, his *officia*, and the many qualities he possessed (he was *frugi*, *socius*, *acer*, and *diligens*), his status and his connection to the emperor were the most vital features Fronto could incorporate in the recommendation in order to secure a procuratorship for the freedman¹⁸⁴. As noted earlier, the correspondence contains far too few attestations of freedman to draw any “statistical” conclusions, but it is noteworthy that the use of libertination at any rate seems to follow the trends outlined above for Cicero’s correspondence.

Pliny’s letters, contrary to (most of) Cicero’s and Fronto’s, were published during their writer’s lifetime as stylised and well-balanced semi-biographical documents¹⁸⁵. Although editorial changes also occurred in the latter two corpora, it was Pliny-the-editor *himself* who reworked the correspondence of Pliny-the-letter-writer to make it accessible (and suitable) to a much broader audience of friends, associates, and even unknown or later readers. Analysing the already few representations of individual freedmen in Pliny’s corpus may thus be considerably more problematic, since libertination was likely included to, for instance, identify an individual to readers other than the original addressee. Because the latter would (or may) have known the freedman in question – as was often the case in Cicero’s correspondence –, letters addressed to him had originally not required any clarification. The dramatically expanded “intended readership” Pliny-the-editor had in mind, may have prompted the inclusion of clarifying libertination that “contaminates” (from our perspective) the embedded nature of these letters. Obviously, this assertion is impossible to prove: we do not know what the original letters looked like, and how strongly or in which respect they differed from the letters transmitted to us in the published collection. But the Plinian passages referring to freedmen, and the aberrant pattern of libertination when compared to the other two correspondences, does suggest that the “editorial” context

¹⁸³ Fronto, Ad Verum Imp. 1.3: “Est quod ego tecum graviter conquerar, mi magister, et quidem ut querelam dolor superet, quod ego te tanto post intervallo nec complexus neque adfatus sim, quom et in palatium veneris et postquam ego a Domino meo fratre vixdum discesseram”. Charilus, in his unpreserved response to Fronto, had thus clearly answered positively to his request. Fronto had come to the palace, but his timing was not all too great since Verus had just left. The tone of Verus’ letter is certainly not hostile. If anything, it expresses the emperor’s kind disposition towards his *magister* and his disappointment that it has been so long since they last met.

¹⁸⁴ Fronto, Ad M. Caes. 5.37. For this recommendation, see the next section on letters of recommendation.

¹⁸⁵ Trapp (2003), 14-5. See Chapter 3 (section 3.2.1.1).

was more decisive a factor than the “embeddedness” of these freedmen in the social network of the letter writer. Indeed, in almost *all* cases did Pliny include an explicit reference to a freedman’s status.

The freedmen in Pliny’s correspondence can be grouped roughly in two categories. On the one hand, there are the individuals who are mentioned only *en passant* in a very brief and referential way. A freedman who was asked by Trajan to take care of Pliny during one of his exhausting speeches is described only as *libertus meus*¹⁸⁶. The freedwoman whom Licinianus was hiding on his estate after the conviction of her patroness (the Vestal virgin Cornelia), was merely *Corneliae liberta*¹⁸⁷. Moreover, when Pliny wrote to his correspondent Licinius Sura about the prophetic dreams of two of his household members – a freedman and a slave – he referred to the former with *est libertus mihi*¹⁸⁸. And when inviting his friends over for a lecture, he used one of his own freedmen (*libertus meus*) to do the reading¹⁸⁹. The proper name of these persons is nowhere included, suggesting that the libertination merely served as an alternative for a name, which would in many cases not have meant anything to Pliny-the-editor’s readers. Trust, or a confidential link with the patron (“network embeddedness”) is lacking in many of these cases. Instead, it is for the sake of narrative – indeed, “editorial” – clarity that these freedmen are described in this way. This suggestion is confirmed by the second group, which contains freedmen of whom Pliny-the-editor knew that they would be widely known among his readers, and who were therefore not explicitly called *liberti*. Tiro appears as *Tiro suus* in a letter referring to the famous epigram Cicero had allegedly written about him¹⁹⁰, and the infamous imperial freedmen Pallas and Polyclitus are similarly described with their proper name only¹⁹¹. Pliny did not have to replace (or complement) their names by a more general mention of *libertus*, because their renown made sure everyone knew whom he was talking about.

This does not mean that the editorial process erased all signs of the trust-libertination correlation. After Pliny had inherited a track of land worth HS 900 000, his freedman Hermes sold it to Corellia (the sister of Pliny’s deceased friend Q. Corellius Rufus) for only HS 700 000. Pliny’s grandfather-in-law Calpurnius Fabatus was surprised at this course of events and suspected negligence on Hermes’ side¹⁹². Quite on the

¹⁸⁶ Plin. Ep. 2.11.15: “Caesar (...) ut libertum meum post me stantem saepius admoneret voci laterique consulerem (...)”.

¹⁸⁷ Plin. Ep. 4.11.11: “[Domitianus] adripit Licinianum, quod in agris suis occultasset Corneliae libertam”.

¹⁸⁸ Plin. Ep. 7.27.12.

¹⁸⁹ Plin. Ep. 9.34.1.

¹⁹⁰ Plin. Ep. 7.4.3-6.

¹⁹¹ Plin. Ep. 6.31.9 (Polyclitus); 7.29; 8.6 (Pallas).

¹⁹² Plin. Ep. 7.11.1-2.

contrary, Pliny explains, he *himself* had explicitly ordered his freedman to broker the deal, out of respect for both Corellia and the memory of her brother¹⁹³. At the end of this response letter to Fabatus, as well as in another letter about the affair to Corellia herself, Pliny again uses *libertus meus* to stress that he had personally ordered and backed up the deal (*vides quam ratum habere debeam, quod libertus meus meis moribus gessit*)¹⁹⁴. Hermes thus served as confidential financial agent, entrusted with considerable freedom in contracting the sale, but Pliny also wanted to have his grandfather-in-law know that he had not just deployed a random dependent. Both libertination and the possessive pronoun served to accentuate this trust and this close connection to Pliny.

Contextual factors should also be taken into account when looking at Pliny's use of libertination. The imperial freedman Eurythmus occurs outside of a trust context, but is nonetheless described with libertination (which does not replace the proper name but instead further specifies it). This happens in Pliny's account of the legal proceedings that were initiated against this freedman after he had been accused of forging a will. It is precisely this narrative context that prompted Pliny to describe Eurythmus in full detail, as if he were presenting the case in court. The passage goes: "The persons charged were the Roman knight, Sempronius Senecio, and Eurythmus, a freedman and procurator of the Emperor" (*substituebantur crimini Sempronius Senecio eques Romanus et Eurythmus Caesaris libertus et procurator*)¹⁹⁵. Not only Eurythmus, but also his fellow conman Senecio are presented by their formal legal "status" according to proper forensic procedures.

Neither Pliny's nor Fronto's correspondence lends itself to detailed analysis of libertination due to either manifest editorial interference or a simple lack of data. The few mentions of freedmen in Fronto, as well as a few indications in Pliny's collection do, however, suggest that the correlation between trustworthiness and libertination extended into the imperial period as well. A comparison with other extensive letter corpora from late Antiquity that were collected and published after their author's death (e.g. that of Julian or Libanius) would prove particularly insightful, but greatly exceeds the scope of the current discussion.

¹⁹³ Plin. Ep. 7.11.3-6.

¹⁹⁴ Plin. Ep. 7.11.7-8 (answer to Fabatus); 7.14 (letter to Corellia).

¹⁹⁵ Plin. Ep. 6.31.8.

4.5 Case studies

This section discusses two detailed case studies of freedman passages in Cicero's correspondence. The use of libertination as a trust-indicator and as a representation of social capital remains a central point of interest, but the scope is enlarged to include other elements as well. It is again argued that these "embedded" sources show freed status as an "asset" and a positive identity dimension, rather than as a "liability". The aim of these case studies is therefore to further identify the "epistolary freedman" as highly entrenched in various correspondents' social networks in order to facilitate a comparison (or rather contrast) with other literary genres in the next chapters (especially 6 and 7).

4.5.1 Vettius Chrysippus

At some point in 53 BCE, Cicero received the greetings of his good friend and famous lawyer Trebatius Testa via the travelling freedman Chrysippus. It had been a year since Cicero had empathically recommended Trebatius to Caesar¹⁹⁶ – with some success, we might add, as Trebatius was by this time campaigning with him in Gaul. That Trebatius was very busy, is clear from the letter Cicero writes him in response to the news Chrysippus had provided. In it, Cicero jokingly complains that he had received not a word from Trebatius himself, but that he had had to rely instead on the bits of information that came through via third parties: "*Chrysippus Vettius, Cyri architecti libertus*, has made me think that you have some recollection of my existence; he has given me your kind regards. Very grand we have become!"¹⁹⁷.

The initial description of Chrysippus – meaningfully occupying the very first line of the letter – is quite extensive. Especially the inclusion not only of his *cognomen*, but also of his *nomen*, the official libertination (including his patron's name in the genitive), and the profession he shared with his patron, comes across rather overwhelming and certainly very formal. Indeed, at least some of these attributes would be simply redundant if we take them to serve the sole purpose of clarifying the freedman's identity. If Trebatius had asked Chrysippus to pass not only his greetings but also more sensitive information about his standing with Caesar (cf. *infra*), we (and Cicero) might expect him to remember to whom he had entrusted this mission. In this case, a mere

¹⁹⁶ Cic. Fam. 7.5.

¹⁹⁷ Cic. Fam. 7.14.1: "Chrysippus Vettius, Cyri architecti libertus, fecit ut te non immemorem putarem mei; salute enim verbis tuis mihi nuntiarat. Valde iam lautus es (...)".

Chrysippus Vettius, *Chrysippus (Vettius) architectus*, or even *Chrysippus libertus* would have sufficed. Although clarification may nonetheless have been part of the motivation for Cicero to identify Chrysippus the way he did¹⁹⁸, the exceptional extensiveness of the identification suggests that there were other concerns involved as well.

In trying to grasp the reason why Trebatius had not paid him the courtesy of a personal letter, Cicero comes up with three possible explanations. The first two are mere jokes: Trebatius had either forgotten how to write, or he had forgotten about his good friend Cicero (in which case the latter would hurry to Gaul himself to refresh his memory!). Both are, of course, highly unlikely but serve to lighten up the mood before considering a more realistic motivation for not writing: Trebatius was simply too busy campaigning. If this were the case, Cicero admits, the neglect is understandable, even though he insists that a simple excuse would still be more agreeable than not writing at all. However, another possibility is implied throughout the letter: Trebatius may have been reluctant to confide more specific information about his dealings in Gaul to paper. There is a hint of this in a later passage of the letter. Chrysippus not only passed informal greetings to Cicero, but he also informed him – via an oral message – about a matter significantly more sensitive: “One thing I was greatly pleased to hear from the same Chrysippus (*idem Chrysippus*), is that you are on close terms with Caesar”¹⁹⁹. Cicero realised that Trebatius’ rise in Caesar’s circle was in no small part due to the recommendation he had written for his friend, and that Caesar, by obviously having accepted the request, had shown a favourable spirit towards Cicero (cf. the next chapter on recommendations). However, Cicero would also have liked to know more details about the planning of the campaign, the situation of Caesar in Gaul, and other information worth knowing in Rome. He was therefore also noticeably disappointed when Chrysippus arrived empty-handed and did not deliver a letter or message containing more news of this kind.

He disguises his desire for information under the pretext of conventional friendly bantering: “I would rather have learned how you are getting on from your own letters as often as possible; it would have been more fitting. No doubt that is the way it would be if you had cared to study the rules of friendship (*benevolentia*) as thoroughly as those of court procedure”²⁰⁰. Surely Cicero preferred a letter written by Trebatius himself as a

¹⁹⁸ The travel time from Gaul to Rome would have caused a significant time lapse between Trebatius’ entrustment of Chrysippus and Chrysippus’ report to Cicero on the one hand, and again between the delivery of Cicero’s reply back to Trebatius on the other.

¹⁹⁹ Cic. Fam. 7.14.2: “Illud quidem perlibenter audivi ex eodem Chrysippo, te esse Caesari familiarem”.

²⁰⁰ Cic. Fam. 7.14.2: “Sed mehercule mallet, id quod erat aequius, de tuis rebus ex tuis litteris quam saepissime cognoscerem. Quod certe ita fieret, si tu maluisses benevolentiae quam litium iure perdiscere”.

token of their friendship, but he particularly wanted these letters to contain information about Trebatius' affairs in Gaul (*res tuae*) and he wanted them as often as possible (*saepissime*)²⁰¹.

In order to encourage Trebatius to pass more information next time, Cicero goes out of his way to represent Chrysippus – who was likely to return to Gaul with Cicero's response – as a reliable connection to whom such confidential news could be safely entrusted. The long description of Chrysippus at the beginning of the letter serves to situate him within Cicero's network of trustworthy agents. The “exordium” of a letter, especially when written in a highly inflected language like Latin, was rarely chosen or formulated carelessly. Surely, we are not stretching anyone's imagination by assuming that this was true also for letters written by Cicero. The first line(s) often served as a summary to draw attention immediately to the main subject of the letter²⁰². By mentioning Cyrus, as well as the profession he had in common with his freedman, Cicero stresses the latter's connection to his patron. Chrysippus, it can be safely assumed, benefited from this connection since he owed to it not only his income (as an architect and very likely an associate of his former master) but also his position in the trust network of his patron and his contacts. These stakes would serve as a strong incentive for Chrysippus not to damage the trust that was invested in him. The embeddedness in his patron's network, in other words, was a strong element of *network control* (as defined in Chapter 1). In order for *controlling* mechanisms to actually facilitate trust, the trustor (i.c. Trebatius) needs to be aware of their existence. He must realise the stakes of the trustee in upholding the relationship. In this regard, it is meaningful that Cicero presents Chrysippus as strongly embedded in his own network as well: “Was it too much trouble to give him a letter for me, and him practically one of my own

²⁰¹ We should not assume in a *Carcopinian* way that Cicero was acting insincere and merely wanted to wring sensitive information from his friend, rather than being interested in his personal well-being. We should, however, allow for the possibility that both concerns played a role without the one invalidating or trumping the other.

²⁰² Hutchinson (1998), *passim* (esp. the first chapter, p. 1-24) has cogently argued that we should not see the letters as mere historical or biographical sources, but as products of a deliberate literary process. Even though Cicero may not have written the letters with their publication in mind, he did pay attention to structure, persuasive design, and rhetorical strategies. Cf. Morello & Morrison (2007), vi-vii; Rees (2007), *passim*. Sherwin-White (1966), 5-11 catalogues and elaborates on the often polished openings of Pliny's letter. Although these are clearly of a more stylised nature (and therefore another indication of the much more literary form of Pliny's letters when compared to Cicero's), they do reveal the widely shared notion that the first sentence(s) of a letter served as a preview to its content. Some letters of Cicero refer to this importance as well: e.g. Fam. 2.7.2: “Sed amabo te, cura et cogita[tioni] – nihil novi, sed illud idem quod initio scripsi”; 5.12.9: “(...) illa non cupiditas incendit de qua initio scripsi, festinationis”; 6.12.5: “Sed ut ad initium revertar (...)”. Especially letters of recommendation reserved the first few words to accentuate the *commendatus*, cf. Chapter 5.

household (*homo praesertim prope domesticus*)?”. More than an intention to identify the messenger who delivered Trebatius’ greetings (and whom Trebatius no doubt remembered), the extensive libertination served to express and guarantee the trustworthiness of the freedman as being embedded in the trust networks of both Chrysippus’ patron and Cicero himself. Moreover, as noted earlier, the explicit mention Chrysippus as *libertus Cyri* endowed him (and the message he conveyed) with an aura of his patron’s social and symbolic capital²⁰³.

The letter ends with Cicero making explicit what was already implied throughout: “I am very fond of you (*te valde amamus*), and not only want you to be fond of me (*a te amari volumus*) but am confident (*confidimus*) that you are”. Three times in this last sentence does Cicero use the *consensual* ‘we’ – a classic figure of style to stress the consent and like-mindedness of writer and addressee. In this case, however, the first person plural serves an additional purpose. Indeed, it can be argued that not only Cicero, but also Chrysippus was its subject. Instead of rendering the majestic plural by a first person singular when translating this last sentence of the letter, we may in fact grasp its meaning more accurately if we maintain the plural. Cicero, in other words, wanted Trebatius to be fond of him *and* of Chrysippus, and stressed that the feeling in both cases was mutual. Read in this way, the letter as a whole becomes a large hyperbaton which connects the rather elaborate introduction of Chrysippus at the start to the very last phrase stressing the mutual affection and trust between Trebatius-Chrysippus-Cicero. Additionally, the very first word of the letter combined with the very last one, captures in no insignificant way both the content of the letter as well as the reason for the elaborate identification of Chrysippus: *Chrysippus ... confidimus*²⁰⁴. This passage thus makes explicit what is often implied by accentuating the trustworthiness of a courier, i.e. that by sending someone trustworthy, the letter writer disarms his correspondent since he can no longer invoke the lack of reliable couriers as excuse for not writing²⁰⁵.

The references to Chryssipus in the other four letters that mention him are much less extensive. All of these letters are addressed to Atticus. One was written in April 59 BCE

²⁰³ McCutcheon (2013), 200-1, similarly noted, drawing on Gurd’s (2007) notion of “corporate authority”, how Cicero’s use of Atticus’ *tabellarii* to send official reports to Rome was intended to impress the senators due to the patron’s prestige that was thus added to these documents.

²⁰⁴ The proper name would of course have to be rendered in the dative to form a correct Latin phrase, but anyone paying attention to the structure of the letter would notice the cohesion, regardless of the nominative.

²⁰⁵ Such excuses were regularly invoked. E.g. Cic. Att. 4.16.1; 5.17.1. McCutcheon (2013), 183-5 observes a similar strategy in Fam. 11.16.1 where Cicero explicitly writes that he had instructed his courier to deliver the letter only when the addressee (Brutus) was free of sorrow (*sollicitudo*) or irritation (*molestia*) in order to prevent his correspondent from using precisely these arguments as excuse for not answering the letter.

and thus predates the letter to Trebatius by six years. In it, Cicero advises Atticus to consult Chrysippus (*tu censeo tamen adhibeas Vettium*) on the building of a wall since he does not want his sister-in-law Pomponia and his nephew Quintus to “live in fear of falling masonry” (*versari in timore ruinae*)²⁰⁶. He is only very briefly mentioned and only in his capacity as a skilled architect. The next time he appears is eleven years later (March 48 BCE). Cicero was greatly distressed at the time since Caesar and Pompey were on full collision course – the battle of Pharsalus would take place only months after the writing of this letter. He cynically receives Atticus’ exhortation to stay positive and to keep his courage up. How could he, Cicero wonders, when Chrysippus had recently mentioned (*Chrysippus dixit*) certain dangers pending over his house. We do not know precisely what threats Cicero was referring to, but it seems plausible that he feared a confiscation by Caesarian supporters. In any case, Chrysippus is only mentioned *en passant* as the source of the news. However, Cicero does not seem to have unconditionally trusted this information: “[how could I keep my courage up] if there has been added to my other misfortunes what Chrysippus told me was in preparation (you give no hint of it) against me, about my town house”²⁰⁷. Not only does Cicero express his reservations about the truth of the rumour by framing it in a conditional clause (*si ... accessit*), but he also does so by explicitly stating that he had heard nothing on the matter from his intimate friend Atticus (*tu nihil significasti*). Three years later, Chrysippus is again mentioned very briefly²⁰⁸. Throughout the month of May of 45 BCE, Cicero had been asking Atticus on a daily basis to report on the state of a property he wanted to buy²⁰⁹. In this letter, Cicero writes that he had finally received Atticus’ account and that Chrysippus too had reported his findings (*de hortis ex tuis litteris cognovi et Chrysippo*). Apparently, the freedman had assisted Atticus in judging the value of the property and had contributed to the assessment with his own professional opinion. He is again only very briefly mentioned and again only in his professional capacity as architect. The last record of Chrysippus dates to April 44 BCE²¹⁰. Cicero writes that he had sent for him (*arcessivi Chrysippum*) because two of his shops (*tabernae*) had collapsed and the others were showing similar signs of decay. No further information is provided and Chrysippus is again described only as a respected architect.

When referred to merely as an architect or as the source of a dubious rumour, then, the same level of trust (if any) as implied in the letter to Trebatius is strikingly lacking.

²⁰⁶ Cic. Att. 2.4.7.

²⁰⁷ Cic. Att. 11.2.3: “sed si ad ceteras miserias accessit etiam id quod mihi Chrysippus dixit parari (tu nihil significasti) de domo, quis me miserior umquam fuit? “.

²⁰⁸ Cic. Att. 13.29.1.

²⁰⁹ E.g. Cic. Att. 13.1.2 (23 May); 13.27.2 (25 May); 13.28.1 (26 May); ...

²¹⁰ Cic. Att. 14.9.1.

In none of these passages does Cicero refer either to Chrysippus' status, nor does he ever link him to his patron. These two features were considered salient only in the letter to Trebatius, where Cicero's faith in the freedman (and the latter's network embeddedness) had to be expressed explicitly to convince his correspondent of Chrysippus' trustworthiness.

4.5.2 Pausanias

In February 50 BCE, Cicero was well established as proconsul of Cilicia although he had initially taken up this function very much against his own wish²¹¹. In what is probably the most elaborate prolepsis in Latin epistolography, he aired his discontent with Pompey's new *lex de provinciis*, which imposed a five year interval between the tenure of a praetorship or consulship in Rome on the one hand, and a governorship of a province on the other²¹². Usually, magistrates would be assigned to a province immediately or shortly after having laid down their office. By imposing an interval of five years, the senate and Pompey hoped to check the boundless ambition of some of these men²¹³. One of the side-effects of the law was that there were suddenly not enough qualified ex-magistrates available to fill all provinces. The agreed upon solution to this problem was to draw lots from among the names of ex-praetors and ex-consuls who had not yet "enjoyed" the command over a province in the past. Precisely because Cicero had ardently avoided a similar appointment in the past, he was one of the most obvious candidates in 51 BCE. Fate decided to give him Cilicia, but it could not bring about any enthusiastic acceptance of the function by Cicero. The already tense relationship with his predecessor Ap. Claudius Pulcher with whom he would have to at least meet, if not collaborate, to smoothen the transition of power, certainly did not ameliorate his overall opinion on the matter.

As mentioned above, this tension had already come to the fore even before Cicero arrived in the province²¹⁴. These initial difficulties had only just subsided when another problem arose. In February 50 BCE, Cicero felt the need to explain some of his most recent decisions to Appius. The latter had been greatly vexed by Cicero's shutting down

²¹¹ E.g. Cic. Fam. 2.11.1; 2.12.2; 15.12.2; Att. 5.15.1.

²¹² Cic. Att. 8.3.3.

²¹³ Dio 40.46.2 mentions that the measure was at first a *senatusconsultum* (53 BCE), that Pompey had enforced it as a law in the next year (40.56.1), but that the leading citizen did not entirely respect it himself (40.56.2-3). Cf. Marshall (1972); Gagliardi (2011), 89-104. See Steel (2012) for the suggestion that the Senate's and Pompey's motives had been to lift governorships out of the traditional *cursus honorum*.

²¹⁴ See above (4.4.3) for the case of Phania, and for Appius' deliberate avoidance of his successor throughout the preceding months.

one of his personal building projects in the province. Cicero explains his motives, but it is clear that his relationship with Appius had suffered another serious blow. Moreover, in the same letter he writes that he had received even more disturbing news from *Pausanias Lentuli libertus accensus meus*²¹⁵. Apparently, Appius had been complaining to the freedman in very grave terms about Cicero not having gone to meet him: an accusation similar to the one he had uttered a few months earlier in another context (cf. *supra*). Cicero, so Appius thought, had thereby shown unacceptable contempt and arrogance (*scilicet contempsisti te, nec potest fieri me quicquam superbius*). As was the case a few months earlier, however, Appius merely seems to have been looking for a pretext to disparage Cicero – that is, if we can rely on Cicero’s version of the events in this letter²¹⁶. Indeed, Cicero apologetically explains, he had actually done his very best once again to meet him. After he had learned that Appius would be joining him in Iconium, Cicero had planned to set out to meet him along the way as a gesture of courtesy. Because there were two roads that Appius might be taking to Iconium, Cicero had sent out scouts to ascertain which direction he himself should head out for in order to meet his colleague. As it turned out, however, Appius had already left and Cicero was too late.

Cicero continues the letter, expressing his surprise and indignation that Appius would act in this way. Pausanias (mentioned for the second time now) had also told Cicero of a particularly heinous remark made by the former governor: “Well, of course! Appius went to meet Lentulus, Lentulus went to meet Ampius; but Cicero go to meet Appius, oh no!”²¹⁷. Appius, Lentulus’ successor as proconsular governor of Cilicia, had set out to meet his predecessor, as Lentulus had done when succeeding Ampius²¹⁸. Cicero not paying the same homage to Appius, the latter repeated, was a sure sign of his arrogance. Appius thereby subtly referred to Cicero’s position as *homo novus* and implied that his rapid rise to the top had made him believe that showing respect to his “peers” was unnecessary²¹⁹.

²¹⁵ Cic. Fam. 3.7.4.

²¹⁶ We have little reason to suspect that Cicero blatantly distorted facts in his correspondence with Appius. In fact, as far we know, he had always tried to defuse delicate encounters with him in the past (see note 152). For Cicero’s good intent in this particular affair, see also Fam. 3.6.6 in which he provides Appius with detailed dates and itineraries so that he (Appius) could choose a convenient date and place for the meeting: “Nunc tu et ex diebus et ex ratione itineris, si putabis me esse conveniendum, constitues quo loco id commodissime fieri possit et quo die”.

²¹⁷ Cic. Fam. 3.7.5: “Illud idem Pausania dicebat te dixisse: ‘quidni? Appius Lentulo, Lentulus Ampio processit obviam, Cicero Appio noluit’”.

²¹⁸ See Broughton (1952), II 210, 218, 224 (Lentulus: 56-53 BCE); 229, 237, 242 (Appius: 53-51 BCE); 251 (Cicero: 51-50 BCE). It is not known who held the proconsulship of Cilicia in the years 62-56 BCE, but Cic. Fam. 1.3.2 suggests it was (at least temporarily) T. Ampius, who is referred to as Lentulus’ predecessor in this letter that addresses the latter as proconsul of Cilicia.

²¹⁹ This is, at least, Cicero’s interpretation of the accusation, as becomes clear in the following lines of the letter. Cf. also Hall (2009), 149-50.

Pausanias is not referred to as either *libertus* or *accensus* in this latter passage, most likely because this would amount to superfluous repetition (these identity dimensions having already been expressed only a few phrases earlier). This first extensive mention is, however, worthy of note. Indeed, Cicero does not only stress his own relation to the informant (as *accensus meus*²²⁰), but also the latter's status as a freedman, as well as his patron (*Pausanias Lentuli libertus accensus meus*). These descriptions seem somewhat redundant, since *accensi* were almost exclusively drawn from among the freed population anyway. Indeed, in a famous letter to his brother – governor of Asia at the time – Cicero explained how the head of a province should act and deal with various affairs. He wrote: “Let your orderly (*accensus*) be what our forebears meant him to be. Except for some good reason they gave this function to none but their own freedmen, and that not as a favour (*beneficium*) but as a task and duty (*labor ac munus*)”²²¹. It is no coincidence then, that the only other mention of an individual *accensus* in Cicero's correspondence is that of Gabinius' Antiochus, also a freedman²²².

Cicero did not arbitrarily describe Pausanias in such terms. Most importantly, it was imperative to let Appius know that he had received the information from a reliable source. Cicero did not merely rely on random people and common rumours. Indeed, he would often be approached by such persons – “malicious persons” (*malevoli homines*) as he calls them in another letter – trying to drive a wedge between him and Appius. *Their* talk, Cicero explicitly writes, has no effect on him (*horum ego sermone non movebar*)²²³. When the news comes from someone as reliable as Pausanias, however, it was (expected to be) taken seriously. But why also mention Pausanias' patron when in so many other instances, libertination is simply given as a generalising trait instead of a relational one? As a freedman of *Lentulus*, it was not unlikely that the situation would reach the ex-governor's ears as well. Although *accensi* were supposed to tacitly work behind the scenes²²⁴, the patronal bond with *Lentulus* undoubtedly put strains on this expectation on occasions like this. More than just wanting to inform Cicero about his discontent, Appius' decision to deliberately pick Pausanias as the recipient of his rants, potentially risked the accusation against Cicero becoming a public rumour. This was all the more

²²⁰ *Accensi* were attendants of magistrates and usually part of the administrative personnel they took with them on their travels. See Manzella (2000) for a good introduction to *accensi*.

²²¹ Cic. Quint. Fratr. 1.1.13.

²²² Cic. Att. 4.18.4. Cf. note 56 above.

²²³ Cic. Fam. 3.6.4-5.

²²⁴ Ideally, *accensi* were supposed to work in the background, assisting the magistrate in a range of duties, but never truly showing that they held these responsibilities. Indeed, a good *accensus* typically kept his mouth shut. Cic. Quint. Fratr. 1.1.21 describes the serene and admirable praetorship of C. Octavius (61 BCE) as one in which anyone could speak his mind, but where the *accensus* held his tongue (*tacuit accensus*).

likely because Pausanias had probably been his patron's *accensus* during Lentulus' own governorship of Cilicia (56-53 BCE), and had kept the office under the next governors, first Appius, and later Cicero. During his time of service then, Pausanias had built up a considerable network of communications²²⁵. Appius, Cicero is implying, might as well have exclaimed his grievances publicly.

Cicero obliquely accuses Appius of having had this intention in mind all along by singling out Pausanias as the source from which he had received the news, and to which Appius had confided it in person. Indeed, Pausanias did not report about Appius grumblingly complaining to friends or associates in general. Instead, he had addressed Pausanias in person with this grievances (*a Pausania ... audivi cum diceret te secum esse questum*). By using the official channel of communications, Appius not only made sure that his message would reach Cicero, but he also elevated his resentment to the level of a formal accusation. Clearly, Appius' conduct did not sit well with Cicero. The tone of the letter quickly turns from submissive and appealing to a much more aggressive and sneering one. Although his language remains careful and relatively polite throughout the next passages, Appius is subtly accused of snobbery and a lack of knowledge about the true meaning of nobility (*εὐγένεια*)²²⁶. Moreover, Cicero concludes the letter by implying that he does not even care anymore whether Appius is interested in remaining his friend because he deems him a man too prone to accuse others anyway (*φιλαίτιος*)²²⁷.

Cicero thus seems to confirm that Appius' discontent amounted to actual accusations. Especially the fact that they were addressed to him personally and formally (through Pausanias *accensus*), as well as the possibility of the accusation oozing out in public and reaching Rome (through Pausanias *libertus Lentuli*) were severely resented by Cicero. Libertination in this instance served to stress Pausanias' pivotal position as a node in an extended network of communications that involved both Cicero himself and his patron Lentulus, but that might prove damaging to the former due to Appius' misuse (or rather abuse) of it.

²²⁵ *Accensi* can therefore be considered the predecessors of the imperial freedmen during the Principate; the Imperial Republic foreshadowing the Republican Empire, as it were. Eventually, they too transcended the reigns of individual emperors and became an imperial bureaucracy. Cf. Chapters 1 and 6.

²²⁶ Cic. Fam. 3.7.5. This was Cicero's response to Appius' sneer to his position as *homo novus*. See note 219 above.

²²⁷ Cf. Hall (2009), 150-2 who describes the remarks as "uncharacteristically ill-tempered", expressing "an unfamiliar sniping attitude". The tone of this part of the letter is "pugnacious".

4.5.3 Extrapolating the case studies

This final section elaborates on the third element in the triadic intertwinement of libertination use, trustworthiness, and connection to a patron. As hinted at in passing earlier, a letter writer – after the “choice” had been made whether or not to include libertination – could opt to either leave it at that (resulting in a general classification “libertus”), or he could further describe the individual by including a reference to his patron (resulting in a relational identification “libertus + possessive pronoun/genitive”). These “choices” were doubtlessly intuitive in most cases, but especially in the more delicate, polite and formal letters, they could be the result of careful deliberation (like in the cases of Pausanias and Chrysippus above). Whether intuitive or calculated, however, a specific format of libertination (i.e. rather than an alternative one), like any choice of words, betrays assumptions that are either internalised by the writer or *considered* taken for granted by the correspondent (or both).

These subtle but meaningful nuances in the use of libertination are usually overlooked. Shackleton Bailey, in one of the best and most widely used English translations of Cicero’s letters, thus translates Caelius’ *libertum Philonem misi* or Cicero’s *professus est Philotimus libertus* by “I have sent out *my* freedman Philo” and “it was made by *my* freedman Philotimus” respectively²²⁸. The English text thus exceeds mere translation and adds both an interpretation (i.c. that Philo and Philotimus are Caelius’ and Cicero’s own freedmen), and an implication (that both men also explicitly stressed this relation). The context surely suggests that Philo was in fact an ex-slave of Caelius, and we know Cicero to have been Philotimus’ patron. The *content* of the letter is therefore not altered by the interpretational layer of the translation. The point is, however, that *Caelius and Cicero* did not include a possessive indicator, and that translating the Latin in this way loses the distinctiveness of the phrase when compared to instances where such indicator was deliberately included. In a letter to Appius Pulcher, for example, Cicero explicitly describes the same Philotimus as *libertus meus*. The translation “my freedman Philotimus” is straightforward in this case, but the difference with, for example, Philo’s description is effaced entirely²²⁹.

Contrarily, Cicero’s *Phaetho libertus non vidit* or *Demetrio liberto* are translated by “the freedman Phaetho did not see him” and “to the freedman Demetrius” respectively²³⁰. In

²²⁸ Cic. Fam. 8.8.10; Att. 13.33.1. Cicero’s response to the first letter similarly does not include a possessive indicator (*Caelius libertum ad me misit*), Fam. 6.1.21. The translation in question is of course Shackleton Bailey’s 1999 (*Epistulae ad Atticum*), 2001 (*Epistulae ad Familiares*), and 2002 (*Epistulae ad Quintum Fratrem et Brutum*) Loeb edition.

²²⁹ Cic. Fam. 3.9.1.

²³⁰ Cic. Att. 3.8.2.; 14.17.1.

these instances, Shackleton Bailey was reluctant to identify the freedmen beyond their mere status, and omits a possessive pronoun in his translation (rightly, of course, since we do not know for sure who the respective patrons were). Although he usually renders Latin general classifications by English relational identifications (either based on external knowledge of the freedman's patron or on a contextual interpretation), this *modus operandi* is thus not consistently applied.

The validity of these interpretations should, again, not be questioned: Shackleton Bailey usually had good reasons to assume the possessive pronoun was correct, and when he did not, he left the matter untouched (like in the cases of Phaetho and Demetrius, whom he describes in his *Onomasticon to Cicero's Letters* as “freedman of M. or Q. Cicero” and “freedman, of Atticus?” respectively). We would like to draw attention here to the *subtextual* meaning that is lost by the interpretative style of translating²³¹. In the next paragraphs, we therefore focus on the different ways freedmen were referred to in the original text and what considerations motivated a specific use of libertination in one instance, but another in a different one.

Of the 100 letters that mention a freedman²³², 30 do not mention the patron in any way throughout the passage. In the other 70 letters, the patron is either implicitly or explicitly present. By “implicit”, we mean that **1**) the patron is mentioned but not in immediate connection to the freedman (= IP^d, 12 cases); or **2**) that the writer or the addressee is himself the patron without this link being made explicit (= IP^{w/a}, 17 cases). All *general classifications* of *liberti* therefore fall within this “implicit”-category. By “explicit”, we mean that **1**) the patron is explicitly mentioned in relation to the freedman by a possessive pronoun (*eius/suus*) or a possessive genitive (= EP^d, 25 cases); or **2**) that the writer or the addressee is himself the patron and that this link is made explicit by inclusion of a possessive pronoun (*tuus/meus*) (= EP^{w/a}, 16 cases). All *relational identifications* therefore fall within this “explicit”-category. The number between brackets in Table 10 below represents how many times each separate variable was accompanied by libertination.

²³¹ For a more detailed enquiry into the “translator's invisibility” and, especially, the often ignored influence of modern requirements of “readability”, “fluency”, and “transparency” (i.e. the “domesticating” practice of translation), see Venuti (2008), especially Chapter 1 (p. 1-34).

²³² We again exclude in this discussion “the big four” (Staius, Dionysius, Philotimus, and Tiro). They are usually mentioned only by their proper name without explicit mention of their freed status, let alone any relational identification.

Table 10 The correlation between the use of libertination and the discursive presence of a patron in Cicero’s correspondence

	No patron	Implicit patron		Explicit patron	
		IP ^d	IP ^{w/a}	EP ^d	EP ^{w/a}
<i>Ad Atticum</i>	19 (3)	4 (2)	12 (3)	10 (10)	4 (4 ²³³)
<i>Ad Familiares</i>	5 (0)	8 (5)	4 (1)	14 (14 ²³⁴)	11 (11)
<i>Ad Quint. Fratr.</i>	6 (0)	0 (0)	1 (0)	1 (1)	1 (1)
Total	30 (3)	12 (7)	17 (4)	25 (25)	16 (16)
		29 (11)		41 (41)	

There exists a clear correlation between libertination on the one hand and the importance of the patron in the passage on the other. Libertination rarely occurs when the patron is not “present” at all in the passage (10%). When the patron is implicitly “present” (i.e. referred to but not in direct connection to the freedman), the percentage of libertination increases to 38%. However, every time the patron is explicitly present (i.e. in a relational identification of the freedman), libertination is included²³⁵.

The latter observation begs the question whether a relational identification does not by its very nature require the structure “libertus + possessive pronoun/genitive”. In other words, is it not the “epistolary habit” (presenting freedmen as more than merely a “possession” of their patron, as a “name + possessive pronoun/genitive” without “libertus” would imply), rather than a feature of libertination-use that prompts the close fit between “explicit patron” and “libertination”? To account for this possibility, we have to gauge the extent to which the structure “proper name + possessive pronoun/genitive” (i.e. without status indicator of any kind) is feasible at all throughout

²³³ One of those four cases (Hilarus’ in Att. 1.12.2) is not grammatically a relational identification as defined earlier. Cicero writes *libertum ego habeo* instead of *meus libertus*. The connection between patron and freedman, however, is as strong (if not more so due to this more explicit formulation) as in the cases where genitive pronouns are used. We therefore included the passage in the EP category instead of the IP one. Moreover, the deliberate deviation from the more standard *libertus meus* is likely related to Hilarus’ deviation from his role as trustworthy agent.

²³⁴ Of these 14, 10 are described as *libertus*, 1 by the derogative *verna*, and 3 by a direct link to their patron (*patronus*).

²³⁵ Strictly speaking, *verna*, *libertum ego habeo*, or a literal reference to a *patronus* are not instances of libertination as defined earlier (see, however, note 233). But even when we exclude these five cases, 36 out of 41 passages in the EP category (88%) would still contain “real” libertination. The general trend thus remains unaltered.

the correspondence. The caveat here is that our stringent selection criteria often excluded these cases when the status of the individuals could not be ascertained by information outside the passage itself. *Nicanor tuus*, *Democritus tuus*, or *Pamphilus tuus* in the letters to Atticus, or *Philargyrus tuus*, *Seleucus tuus*, or *Rufio tuus* in the letters to other *familiares* may thus have been either slaves or freedmen²³⁶. Although there is no way of knowing for sure, some identifiable cases, like that of Cicero's Dionysius (*Dionysius tuus*)²³⁷, meaningfully use the possessive pronoun to refer to slaves, and, conversely, no instances are known where this was done for freedmen. In addition, we cannot even exclude the possibility that some of the individuals thus described were freeborn clients. Indeed, the freeborn Greek Diogenes whom Caelius Rufus sent out to Cicero was described by the latter as *Diogenes tuus*²³⁸, and *Sabinus tuus* in a letter to Trebonius refers to a freeborn friend of the latter²³⁹. Slaves and freeborn clients or friends could thus be rendered by the formula "name + possessive pronoun" (in the latter case serving as a jovial and amiable address), but as far as we can deduce from the list of identifiable individuals, similar references to freedmen consistently included an explicit mention of their legal status.

Atticus' freedman Dionysius is once presented as *tuus* without libertination, but this only happened because Cicero wanted to air his indignation by replacing the endearing *Dionysius noster* by *Dionysius tuus* (*Dionysius quidem tuus potius quam noster*)²⁴⁰. The same goes for the many instances in which Cicero calls his confidential freedman *Tiro meus*, or heads his letters by the conventional *Tironi suo*. The *meus* or *suus* are here not so much expressions of "possession" as terms of "endearment" (i.e. short not for "*Tiro libertus meus*" but instead meaning "my dear Tiro"). Indeed, people other than Cicero could similarly refer to the freedman as *Tiro meus* or *Tiro suus* as well²⁴¹.

It is equally significant that of the limited amount of persons described as "name + possessive genitive" (and thus without status indicator), only two are *potentially* freedmen. The others we can safely identify, via other letters or internal cues, as certain slaves. Thus, the slaves Antheros and Eros are presented as *Antheros Quinti* and *Eros*

²³⁶ Cic. Att. 5.3.3; 6.1.13; 7.2.2; Fam. 6.1.6; 6.18.1; 7.20.1.

²³⁷ Cic. Fam. 5.10a.1.

²³⁸ Cic. Fam. 2.12.2.

²³⁹ Cic. Fam. 15.20.1 (a letter addressed to M. Marius).

²⁴⁰ Cic. Att. 8.4.1. Cf. Fam. 9.10.1; Att. 7.3.10; 13.2b.

²⁴¹ E.g. Cic. Fam. 7.29.2 (Manius Curius). In Cic. Fam. 16.18.1 we learn that Tiro had found it inappropriate that Cicero – in a letter that would be read by a wider circle of correspondents – had started out by writing TULLIUS TIRONI S., which the freedman apparently thought too familiar. Cicero would not accept the critique. In fact, he would even have liked to add *suo* to the phrase, confirming that this was a term of "endearment": "Quid igitur? Non sic oportet? Equidem censeo sic, addendum etiam 'suo'". Quintus Cicero too, habitually headed his letters to Tiro with Q. CICERO TIRONI SUO, e.g. Fam. 16.26-7.

Philotimi in letters to Atticus²⁴². Contrarily, the only potential freedmen in this category are Corumbus (*Corumbus Balbi*) and Protogenes (*Protogenes tuus*)²⁴³. As we noted earlier, Corumbus is one of the most contested individuals in Cicero's correspondence (in terms of the opinions about his status, cf. Appendix 1) and he could have been either a slave or a freedman. The same goes for Protogenes, whose function as a reader (*anagnostes*) suggests that he was a slave, but the possibility of freed status cannot be excluded²⁴⁴. In light of the observations made above, however, servile status could reasonably be argued for both individuals, although the supporting argumentation would evidently become circular.

In any case, the fact that we know of no certain freedman *with* relational identification but *without* libertination is meaningful. It strongly suggests a correlation between libertination on the one hand and a close connection to the patron on the other. Philogenes and Phania, for example, are always *libertus tuus* and not *Philogenes tuus* or *Phania tuus*, and Trypho is similarly *libertus L. Reguli* and not *Trypho L. Reguli*. Moreover, of the 33 letters that were written by or to the patron of a freedman (the ^{*w/a} categories), libertination was included 20 times. In 16 of these 20 cases (80%), the link with the patron was further accentuated by the possessive pronouns *meus* or *tuus*. The same goes for the letters that refer to a patron who was not the writer or addressee of the letter (the ^{*d} categories). Libertination is used 32 times and in 25 of these instances (78%) the link with the patron is explicitly stressed by a possessive genitive or pronoun.

In 11 out of the 16 EP^{w/a} cases, the freedmen mentioned act as couriers²⁴⁵. In the other 5 letters, the freedmen similarly appear as highly confidential agents or associates of their patrons, but in another function²⁴⁶. All 16 freedmen that are explicitly connected to their patron therefore not only receive libertination but also occur in a very specific trust context. A similar observation can be made when looking at the EP^d category. 21 out of 25 of these individuals feature either as couriers or as recommended persons, two

²⁴² Cic. Att. 9.14.2; 10.15.1.

²⁴³ Cic. Att. 14.3.1; Fam. 7.1.3.

²⁴⁴ The only other readers mentioned in Cicero's correspondence (Sositheus and Dionysius) are slaves, Att. 1.12.4; Fam. 5.9.2. The readers in Pliny's correspondence, however, (Zosimus and an unnamed individual) are freedmen (Ep. 5.19; 9.34), although a third may have been a slave: Encolpius (Ep. 8.1).

²⁴⁵ Cic. Fam. 2.7.3; 3.1.1-2; 3.5.3; 3.8.5; 4.9.1; 5.20.8; 6.2.1,10; 6.3.1; 8.7.1; Quint. Fratr. 1.3.4.

²⁴⁶ Cic. Fam. 6.10a.1 (Cicero entrusts Theudas with his thoughts on his patron's political future); 7.23.3 (Cicero gives an unnamed freedman definite commissions and considerable freedom in procuring statues); 7.25.2 (Apella as confidant of his patron); 10.25.3 (Dardanus is present during a confidential meeting between his patron's friends); Att. 1.12.2 (the shocking accentuation of Hilarus' wickedness by stressing first his identity dimensions (*libertus*, *ratiocinator*, and *cliens*) that would normally ensure trustworthiness, cf. note 233 above);

contexts that prominently highlight trust and trustworthiness (cf. also Chapter 5)²⁴⁷. By comparison, *all* of Pliny's references to individual freedpersons include either a possessive pronoun or a possessive genitive and are therefore explicitly connected to their patron (EP category). However, as noted before, this is very likely to be (at least in part) a consequence of editorial "retouching" of the letters to make them accessible and understandable to a broader audience. Pliny's correspondence can therefore not be analysed in terms of "embeddedness". Neither can that of Fronto's, although the reason here is rather a lack of attestations than a potential "contamination" of their authenticity²⁴⁸.

The distinction between the three categories (N, IP, and EP) should not be taken too strictly. It is an analytical conceptualisation, not an ancient "rule of thumb" of letter writing. Three freedmen who were not connected to their patron (N category), for example, occurred nonetheless in a trust context and with libertination²⁴⁹. However, the general trends are unambiguous, and do reveal a recurrent inclination toward presenting freedmen as highly network embedded, and as constituting a vital component of the elite's social capital by explicitly referring to their legal status and by framing them in relation to their patron.

It is significant that the four freedmen who are mentioned more than ten times in the correspondence are rarely attributed libertination²⁵⁰. These men were usually mentioned in letters that "bonded" rather than "bridged" networks. They typically occur in letters of which either the writer or the addressee was the patron, and which are situated in a continuous transmission back and forth between these men. Thus all letters containing a reference to M. Pomponius Dionysius (28 in total) are addressed to his patron Atticus and none include libertination²⁵¹. Similarly, Philotimus is usually mentioned (ca. 43 times in total) in letters written by Cicero to Atticus as well. It is certainly no coincidence that he is called *libertus* only in two letters that markedly deviate from this pattern (i.e. a letter that was addressed to Appius Pulcher rather than

²⁴⁷ Cic. Fam. 3.7.4-5; 7.14.1-2; Att. 3.15.1,3; 3.17.1; 11.6.6; 11.13.1; 11.20.1; 14.9.1; 16.4.1 (two cases); Quint. Fratr. 1.2.12 (= couriers); Fam. 13.2; 13.14.2; 13.16; 13.21.2; 13.23.1; 13.27.2; 13.46; 13.60.1; 13.69.1-2; 13.70 (= recommendations). The other four cases are that of the unnamed freedman of Brinnius who was also Cicero's coheir (Att. 13.13-14.4); Turius' freedman Eros who abused his central position in Turius' network to usurp part of his inheritance (Fam. 12.26.2); Bellienus' freedman Demetrius who similarly abused his function of garrison commander (Fam. 8.15.2); and Gabinius' freedman and accensus Antiochus (Att. 4.18.4).

²⁴⁸ Only Aridelus (Ad M. Caes. 5.37) and Charilas (Ad Verum Imp. 1.4.2) receive libertination, and only the former was formally connected to his patron, not coincidentally in a recommendation to the latter (*libertus vester*).

²⁴⁹ Phaetho (Att. 3.8.2); Demetrius (Att. 14.17.1); Salvius (Fam. 9.10.1).

²⁵⁰ See note 232.

²⁵¹ Cic. Att. 7.4.1 includes *libertinus* but this is not done to directly identify Dionysius (cf. Chapter 7).

Atticus, or one that was written by Caelius Rufus instead of Cicero)²⁵². Staius and Tiro too only occur in letters between Cicero, his brother Quintus, and Atticus, with none of these containing libertination²⁵³. The strong bonds that already existed between these three men precluded a description of their trusted freedmen as *liberti*. Libertination was thus typically included in letters that mentioned *liberti alieni* or that were addressed to correspondents who were less closely connected to Cicero than his immediate family or Atticus²⁵⁴. This observation becomes even more clear in the discussion of letters of recommendation in the next chapter. Libertination, in short, served a particularly useful purpose in stressing the freedman's function as *bridging* social capital; as connector of more remote networks. The depiction as trustworthy and connective capital was greatly beneficial for both freedman and patron alike (cf. Chapter 5).

4.6 Conclusion

In conclusion, there clearly existed a triadic intertwinement of 1) discursive connection to a patron, 2) inclusion of libertination, and 3) a context of trust. The connection to the patron was both an expression and a consolidation of the freedman's trustworthiness: he had been deemed worthy of manumission at first, but also continued to act according to the expectations imposed on him. This patronal bond is widely recognised as one of the main reasons for the relatively high manumission rate in the Roman slavery system²⁵⁵, and the discursive connection of trustworthy freedmen to a patron in Cicero's

²⁵² Cic. Att. 3.9.1; Fam. 8.3.2. Philotimus is called *libertus* in a letter to Atticus as well (Att. 10.7.2-3), but this may well be Cicero's rather than Terentia's freedman. Cf. Shackleton Bailey (1995), 77-8. The Greek references to his status (*ἀπελευθέρως* and *οὐξελευθέρως* in Att. 6.4.3 and 6.5.1) are clearly exceptional.

²⁵³ Cic. Att. 6.2.1-2 and Quint. Fratr. 1.2.1-3,8 contain *libertus* but it is used referential and not as "libertination".

²⁵⁴ This binary opposition should again not be taken too rigorously. We have encountered instances where, for example, freedmen were in fact called *libertus* in letters to Atticus (e.g. Aegypta in Att. 12.37.1 and 13.3.2).

²⁵⁵ D'Arms (1981), 44, 104; Kirschenbaum (1987), 133-4 (for a mainly economic view); Mouritsen (2011), 146f, (esp. 152-9 for other factors like moral obligations, powerful social and familial factors, risk of abandonment and chance of promotion, but also basic economic dependency). For a critical note to the often impressionistic rather than statistical assumption that manumission was a frequent phenomenon and for the inadequacy of the source material to reach firm quantitative conclusions, see Wiedemann (1985); Scheidel (1997), 160, 165-6; Temin (2004), 531f; Kleijwegt (2006a), 9; (2006b), 89. Mouritsen (2011), 131-41 provides an extensive discussion on the sources and methods available and pursued in the past.

letters may well reflect a reality where many freedmen also remained physically connected to their ex-master. The numerous letters Cicero wrote exhorting Tiro to get well and to re-join his patron, as well as the fact that Tiro only very late in life obtained a property of his own, suggest that he had resided in his patron's house up till then²⁵⁶. Remaining physically close to one's patron was a quality some freedmen even felt worth stressing in their epitaphs. Thus Marcus Hostilius Dicaeus found pride in that he never left the house of his *dominus* before he was ripped away from it by death after 56 years of living beside him (*neque domum neque dominum mutavi*)²⁵⁷. Similarly, both law texts and literature casually reference freedmen living with their patron without any indication that this was considered exceptional (the opposite seems more likely)²⁵⁸. Both the physical and the discursive connection to the patron, ensured a perception of the freedman as trustworthy. The next section will argue that this process should not necessarily be understood as a stratificational one in the sense that the inherent benefits for the freedman were perversely derived from a lifelong subjugation to "paternal guidance"²⁵⁹. Instead, a close integration in the networks of their patrons served a purpose very similar to the accentuation of upward ties in patronage relations between freeborn individuals. Social capital was an asset aspired by social groups, regardless of their (legal) background.

Whereas in highlighting the discursive habits and strategies of Cicero and his correspondents (as well as the capital they thereby wanted to obtain or accentuate) this chapter has approached the subject from a rather top-down perspective, Chapter 8 will

²⁵⁶ For the passages written to Tiro during his many illnesses, see the entries in the prosopography (Appendix 2). For the freedman buying an estate (*praedium*) in 44 BCE, see Fam. 16.21.7.

²⁵⁷ AE 1980, 503: M(arcus) Hostilius / Dicaeus / veni in hanc civitat(em) / ann(or)um XIII in qua domu / [v]eni neq(ue) domum neq(ue) / dominum mutavi nisi / hanc aeternal(em) / vixi ann(os) LXX / in ius me vocavit / nemo ad iudicem nemo / tu qui stas et legis si hoc optimum / non est doc quid melius sit / Clodia Paullina optuma / locum dedit. Kleijwegt (2006b), 96-100 (esp. 98-9) cautiously argued that Dicaeus was probably a slave (and later freedman) with financial responsibilities. One of the arguments is that he seems to have been able to "marry upwards" with the freeborn Clodia Paullina.

²⁵⁸ Dig. 21.1.17.15: "(...) liberti apud patronum habitantis sic, ut sub una clave tota eius habitatio esset (...)"; 29.5.1.5: "(...) ne puniatur ob hoc quod sub eodem tecto fuit (...)"; 48.19.11.1: "(...) libertus a patrono, in cuius domo moratur (...)"; Plin. Ep. 2.17.9: "Reliqua pars [villae meae] lateris huius servorum libertorumque usibus detinetur"; Tac. Ann. 14.43: "(...) liberti quoque, qui sub eodem tecto fuissent (...)". For other examples from literature, see Mouritsen (2011), 149-51 (including the observation that the job titles of freedmen in columbaria suggest that these men and women had never left their patron's house). Fabre (1981), 131-2 argued that during the Republic, there existed a legal obligation for freedmen to continue living with their patron. See, however, Waldstein (1986), 85 and Perry (2014), 204 note 9. Rather than a legal obligation, there may have been a practical necessity for some freedpersons. Epictetus (himself a freedman) noted how freedmen could be worse off than slaves if they left from their patron's protections (Disc. 4.1.33-7). Cf. Pomeroy (1975), 202 (for freedwomen in particular).

²⁵⁹ As Fabre (1981), passim or Mouritsen (2011), e.g. p. 35-6, 51, 82 would have it.

take up this theme by focussing on “the freedman’s perspective”. Both Chapters 5 and 8 will draw attention to the benefits “network embeddedness” implied for freedmen themselves, and how trustworthiness, libertination and a connection to a patron was valued not only by the party who – at first sight at least – seems to have benefited from it the most.

Chapter 5 Freedmen and social capital in letters of recommendation

This chapter is conceived as an elaboration of the previous one. It similarly focusses on the network embedded letters of Cicero, though a very specific subset is singled out this time: the letters of recommendation. It reassesses the ingrained assumption that recommendations of freedmen were essentially different from recommendations of *ingenui* because the former (allegedly) had to endorse and vouch for an essentially different “kind” of person (an unquestioned premise closely associated with the *macula* framework, and similarly steering analysis into predetermined paths of enquiry). We start out by firmly framing the social practice of “recommending” in its historical context (5.1), before introducing the freedmen that were the beneficiaries of at least one recommendation (5.2). Section 5.3 will focus on three aspects of freedman recommendations that have been traditionally (though mostly implicitly) considered as evidence for their *sui generis* character: the vocabulary used in them, their overall structure, and the predominance of the patronage relation as the framework facilitating “libertine” praise. The latter observation is closely associated with some observations made in the previous chapter (e.g. the close discursive association of libertination with the presence of a patron). This chapter, however, fundamentally challenges the ingrained notion that this patronage relationship was the only context in which freedmen could display their virtue, and instead argues that it was but one strategy of accentuating social capital (a strategy, moreover, that was as fervently resorted to in recommendations of *ingenui*). The central argument of the chapter, then, is that letters of recommendations are not only yet another example of the profound influence of the *macula servitutis* interpretative framework, but that they also provide a valuable insight into the discursive representation of freedmen (a theme that will be taken up in further detail in Chapter 7).

5.1 Roman letters of recommendation

5.1.1 Modern scholarship

The literature on the sub-genre in Roman epistolography dedicated to introducing friends and associates is extensive. The work of Hannah Cotton – both her unpublished doctoral dissertation but also many subsequent contributions – remains the standard reference. It treats the history and nature of the genre as well as the writings of its most important proponents Cicero, Pliny, and Fronto¹. Both Alessandro Plantera and Agnès Bérenger-Badel have studied more specific features of the different recommendation corpora from a comparative and diachronic point of view². The prosopographical study by Élizabeth Deniaux focusses in particular on Cicero's letters of recommendation and their role in the Republican elite's networks of patronage and power³. Roger Rees has drawn attention to how letters of recommendation entangled the three parties involved in a process of “social triangulation”, accentuating the vital importance of these letters for the writers themselves⁴. Even more recently, Peter White has stressed the value of Book 13 of the *Epistulae ad Familiares* for our understanding of Late Republican editorial practices, and dedicated ample space to Cicero's letters of recommendation throughout his monograph on the context and content of Cicero's correspondence⁵. The current section, therefore, does not aspire to give an overview of all the debates that have taken place and the developments that have accrued over the past few decades. Instead, it wishes to focus on the peculiarities of recommendations of freedmen.

The many contributions to the genre of recommendation rarely pay any structural attention to the distinction between recommendations of freedmen on the one hand, and recommendations of freeborn clients on the other. However, in most of them,

¹ The succinct introduction in Cotton (1977), 1-10 includes discussion of the Greek origins of the genre (with attention to papyri), the relationship between Greco-Roman handbooks and actual letters, the influence of Greek theory on Roman recommendations, issues of terminology, similarities between different Latin writers of recommendations (contesting the idea that Cicero was a first “model” to which everyone adhered afterwards), etc. The other most influential contributions include Cotton (1985); (1986); (2014).

² Plantera (1977-8); Bérenger-Badel (2000).

³ Deniaux (1993).

⁴ Rees (2007). Rees also adopts a notable diachronic stance by involving in his analysis recommendations from Cicero, Pliny, and Fronto. In the letters of these last two authors, for example, he observes a “considerable continuity in the form from Cicero's *Ad Familiares*, but also a tendency towards amplification of the character of the subject” (p. 159-64, quote from p. 164).

⁵ White (2010), esp. p. 46-51.

intuitive assumptions are made and certain differences taken for granted. Bloomer, for example, implicitly made such distinction by stating that “Pliny (...) and Fronto (...) demonstrate the restraint with which to compose letters of recommendation for worthy freedmen”⁶. More explicit is Wilcox’s approach in her treatment of letters of recommendation. She promisingly announces a differentiation between recommendations of “political and economic elites” on the one hand, and recommendations of slaves and freedmen on the other. The latter, she argues, are fundamentally different because “the differing social status of at least one of the exchange’s participants creates a power gradient that is permanent and steep”. However, the promised “differentiation” turns out to consist solely in the discussion of the deteriorating relationship between Cicero and Atticus’ freedman Dionysius after the latter had failed to reciprocate Cicero’s kindness towards him. The entire argument moreover, hinges on the identification of Att. 7.4.1 as a letter of recommendation, on which no authority on the study of letters of recommendation seems to agree⁷. Finally, although her analysis of this exchange relation between Cicero and Dionysius is very thorough and although it does give an impression of how failure to reciprocate could hurt the original donor’s feelings, reputation, and “face”, it does not lay bare any structural contrasts or similarities between recommendations of freedmen on the one hand and freeborn clients on the other.

In support of his claim that there existed a “fairly well established format for the praise of freedmen”, Henrik Mouritsen has drawn from the letters of recommendation to argue that “freedmen are praised for a different set of qualities than Cicero’s other clients”. He stresses the fundamental role of loyalty, industry, modesty, and frugality; the fact that *probatus* is only mentioned in a recommendation of a freedman; and, conversely, that certain words or expressions like *virtus* or *vir bonus* are never attributed to freedmen⁸. He thus focusses primarily on the vocabulary deployed in recommendations of freedmen. Some examples are given, but a structural comparison is not undertaken. In fact, the *secundum comparationis* (i.e. recommendations of freeborn clients) is entirely omitted. Almost twenty years earlier, similar claims by Deniaux were

⁶ Bloomer (1997), 139. The quote rightly accentuated the highly construed and very careful tone of the letters, but this was a feature of all letters of recommendation Pliny and Fronto – as well as Cicero – wrote.

⁷ Wilcox (2012), 92-5. See notes 26 and 27 below for the *communis opinio* (to which Wilcox herself adheres) on how letters of recommendation should be structured. Att. 7.4.1 does not meet several of the requirements.

⁸ Mouritsen (2011), 61-63. For the use of *probatus*, see also Fabre (1981), 229; Deniaux (1993), 181. Smadja (1976), 97 similarly thought that “les relations [des affranchis] avec Cicéron sont exclusivement établies par l’intermédiaire de leur patron”. As we will show below, this was hardly a unique feature of freedman recommendations.

supported primarily by lexical analysis as well. Although both her argumentation and conclusions were more reserved and at any rate more nuanced, Mouritsen's claims are already foreshadowed in her final remarks: "[l]es qualités qui définissent les *commendati* (...) sont parfois les marques d'un statut ou d'un état, plus que d'un individu"⁹. Because the issue of "the freedman vocabulary" will be taken up more extensively in Chapter 7, we will focus here on a more structural comparison of the letters of recommendation. A short introduction of their general features and functions aims to situate them in our framework of social capital and trust. Because the remaining recommendations of freedmen are relatively limited in number, a second section will analyse them in depth, and compare them structurally to recommendations of freeborn clients. As noted already, we will argue that the recommendations written for freedmen differ in no fundamental way from those of freeborn persons. Neither the vocabulary employed, nor the connection that was regularly made with their patron differentiates these recommendations from other ones. The latter feature, in fact, constituted a compelling parallel to the habit of embedding the subject of a recommendation in as many networks as possible to increase his trustworthiness through processes of dyadic and network learning and control (cf. *infra*).

5.1.2 Recommending and networking

5.1.2.1 The purpose of letters of recommendation

In letters of recommendation, a respected member of society deploys his social, cultural, and symbolic capital to recommend an individual (usually a protégé of inferior social and legal status¹⁰) or a community. The addressees of these letters were typically provincial officials that could exert their *imperium* or *potestas* in obtaining favours for, and advancing the interests of the recommended persons¹¹. Because of the high status of these receivers, and their important official functions, Kelly saw letters of recommendation as intrusions on lawful administration of provinces, since "favours" (*gratia*), so the argument goes, are by definition incompatible with "justice" (*iustitia*)¹². Cotton, however, already alluding to Kelly in the title of her article, noticed that Cicero

⁹ See Deniaux (1993), 180-3.

¹⁰ See Deniaux (1993), 145-60 for a list of people that were recommended in Cicero's (extant) recommendations. Cf. already Cotton (1977), Appendix to part II. Deniaux does not include the unnamed freedman of L. Titius Strabo (Fam. 13.14.2) but does mention him later on (p. 238).

¹¹ See Deniaux (1993), 96-108 for a list of the people that received Cicero's (extant) recommendations.

¹² Kelly (1966), 31-68.

never really mentioned the formal authority of the addressee, but instead stressed his personal virtues (e.g. *integritas*, *humanitas*, *clementia*, etc.)¹³. She considers recommendations an essential part of provincial government, and does not see them as impeding on a correct adhering to the law. The “wide discretionary powers” of governors, for example, were flexible and could be steered towards a certain outcome. But a recommendation was only one of many means to do so, and was never considered an intrusion on the law. One of her arguments draws on a comparison of recommendations as “evidence of character” with the equally accepted weight of testimonies of court witnesses¹⁴. Fronto, at any rate, seems to explicitly confirm this connection in a letter to Claudius Severus¹⁵.

Already in Cicero’s time, writing letters of recommendation was considered a specific subgenre of epistolography, and even though it may have been inspired by the much older Greek examples, the Latin tradition was highly *sui generis*¹⁶. Letters of recommendation survive in all the extant ancient correspondences: not only Cicero, but also Pliny, Fronto, and later Symmachus and Christian authors wrote them. In March 2015, the Italian news website *Panorama* published an article about favouritism in national politics, meaningfully heading it by the title: “L'Italia è una Repubblica fondata sulla raccomandazione”¹⁷. Judging from the prominence of letters of recommendation in ancient correspondences, Cicero may well have said the same about his own Republic more than 2000 years ago (though less disdainfully than *Panorama* did). Only a few decades after Cicero’s death, Velleius Paterculus presented the influence the orator had been able to wield as follows: “The Roman senate and people yielded such honours to Marcus Tullius that on his recommendation, he could secure positions of importance almost for anyone he chose”¹⁸. And he certainly did not shy away from exerting this influence accordingly. Indeed, book 13 of the *Epistulae ad Familiares* comprises more than twice as many letters as any other book and is entirely dedicated to the so-called *litterae commendaticiae*¹⁹. Besides the eighty recommendations in this book, another thirty-eight are spread out randomly over the four collections of letters (*ad Familiares*, *ad Atticum*, *ad*

¹³ Cotton (1986), esp. 447-60.

¹⁴ Cotton (1986), 457-8.

¹⁵ Fronto, ad Amicos 1.1.1. Cf. also Cotton (2014), 44-7. The subsequent pages of this contribution nuance (but do not abandon) Cotton’s earlier position by integrating evidence that focusses on “proceedings” rather than on “principles”.

¹⁶ Cotton (1985), 329-30.

¹⁷ *Panorama* (Gruppo Mondadori), 18 March 2015 (<<http://www.panorama.it>>).

¹⁸ Vell. Paterc. 2.128.3: “[illi [= senatus populusque romanus] qui M. Tullio tantum tribuere, ut paene adsentatione sua quibus vellet principatus conciliaret”.

¹⁹ Only one letter in the corpus is (quite remarkably) no recommendation: Fam. 13.68.

Quintum Fratrem, and ad M. Brutum)²⁰. Thus 118 out of a total of 946 letters (12%) are at least in part dedicated to the act of recommending someone. The great majority of these were written by Cicero and addressed to one of his many connections, but the opposite occurred as well²¹. Although the authors did not include a date, Shackleton Bailey has dated most of the recommendations in book 13 of the *ad Familiares* to or around 46 BCE²². This has led scholars to believe, quite reasonably, that book 13 was edited and maybe even published during Cicero's life²³. The lack of any original temporal indication gives these recommendations a "timeless" character, both literally and figuratively, and this may have been precisely the intention of their authors. By deliberately omitting a date, they seem to imply that their trust in the recommended person is so solid that they have no doubts about the continuing, indeed "timelessness" of their mutual relation²⁴.

Of the extant letters written by and to Pliny and Fronto, twenty-two and sixteen respectively were recommendations²⁵. They were – unlike most of Cicero's recommendations – not gathered in a separate book. Although these numbers are very low (both in absolute terms when compared to Cicero's recommendations, and in relative terms when considered as a percentage of the respective correspondences), the recommendations serve a similar function of deploying, publicising and increasing the social, cultural, and symbolic capital of their writers (and to a lesser extent of their addressees and subjects).

5.1.2.2 Features of letters of recommendation

Deniaux rightly recognised four distinctive parts constituting "le 'rituel' de la recommandation": 1) the presentation of the recommended person; 2) a eulogy on his character and the accentuation of his connections to the writer; 3) the actual request for acceptance or assistance; and 4) an expression of gratitude and the guarantee that the new relationship will bring forth many benefits²⁶. Wilcox identified only three elements

²⁰ These are Fam. 1.3; 2.6; 2.14; 3.1.3; 5.5; 6.9; 7.5; 7.21; 9.13; 9.25.2–3; 10.1.4; 11.16; 11.17; 11.19.2*; 11.22; 12.6; 12.21; 12.24.3; 12.26; 12.27; 12.29; Att. 11.12.2; 15.14.2–3; 16.16A–F; ad Quint. Fratr. 1.2.10–11, 2.13.3; ad Brut. 1.1; 1.6.2,4*; 1.7*; 1.8; 1.11*; 1.13*; 1.15.1–2. For the reasons why not all these letters were confined to one or more "recommendation books", see White (2010), 47–51.

²¹ These are indicated with an asterisk (*) in the previous note.

²² See his 2001 Loeb edition of Cicero's correspondence.

²³ See the somehow speculative, but nonetheless appealing, claim made by Gurlitt (1879), as discussed in Cotton (1985), 328 note 1.

²⁴ On a similar note, see White (2010), 76. Only a severing of the ties between recommender and receiver might endanger the validity of a recommendation, as is suggested by Fam. 2.17.7.

²⁵ See Rees (2007), 151–2, including references; Bérenger-Badel (2000), 165–71.

²⁶ Deniaux (1993), 46.

by basically collating Deniaux' first two: 1) an explicit recognition of the existing relation between Cicero on the one hand and the recommended persons as well as the addressee on the other; 2) the actual request; and 3) the promise of a reward after a positive reply by the addressee. She furthermore observes that the order in which these structural elements occur is not necessarily fixed²⁷. Even though scholars might disagree on precisely how to demarcate its different elements, they all concur that the general structure of a recommendation is highly standardised²⁸. This standardisation is not typical only for Cicero's recommendations, but also for those extant in Pliny's and Fronto's correspondences²⁹.

The ancient authors themselves were very well aware of this feature. When reassuring someone that he had written a sincere letter of recommendation, Cicero not uncommonly stressed that he had gone beyond the mere conventions and standard phrases in doing so. To C. Trebatius Testa, for example, he writes: "Every letter I write to Caesar or to Balbus carries as a kind of statutory bonus a recommendation of yourself, and not the standard sort (*vulgaris*) but phrased with some special indication of my regard (*benevolentia*) for you"³⁰. Elsewhere, he states that the recommended person's character is so elevated that "I hardly think it will be enough for me to use the phrases which we normally employ when we are making a very pressing request". Cicero even goes on to claim that this particular instance requires an innovation in the genre of recommendations (*nova*) and that the addressee might even be surprised when reading it (*mirificum genus commendationis*)³¹. When Cicero felt that the receiver of a recommendation might perceive its conventional structure as a sign of insincerity, he would explicitly express his worries and anxiety. Rees compellingly argued that this anxiety was a "rhetorical pose", and that it served precisely to convince the receiver of Cicero's sincerity. "One way to assert the sincerity of claims which others might assume

²⁷ Wilcox (2012), 80-1. Cotton (1985), 331 tacitly agrees and considers only those letters that are structured like this as true recommendations: "A recommendation at the end does not turn any letter into a *litterae commendaticiae*, unless the pattern, the flow of the argument, and the content make it such".

²⁸ See also Hall (2009), 31.

²⁹ Plantera (1977-8) 8; Cugusi (1983), 99-100; Cotton (1985), 333-4.

³⁰ Fam. 7.6.1: "In omnibus meis epistulis quas ad Caesarem aut ad Balbum mitto legitima quaedam est accessio commendationis tuae, nec ea vulgaris sed cum aliquo insigni indicio meae erga te benevolentiae". In the previous letter of the correspondence (Fam. 7.5), we learn that Cicero had indeed done precisely this.

³¹ Fam. 13.6.3: "Eius ego studio vix videor mihi satis facere posse si utar verbis iis quibus, cum diligentissime quid agimus, uti solemus. Nova quaedam postulat et putat me eius generis artificium quoddam tenere. Ei ego pollicitus sum me ex intima nostra arte deprompturum mirificum genus commendationis". Cf. Fam. 13.15.3 to Caesar: "genere novo sum litterarum ad te usus ut intellegeres non vulgarem esse commendationem". For further examples, see Cotton (1985), 333.

are inflated”, he notes, “is to admit to the general problem of inflation in the genre only then to deny it in one’s own case”³². Cotton similarly argued that the “elaborate attempts to free himself from a fixed format constitute strong proof for the entrenchment of the practice of writing recommendations in Cicero's Rome, stronger than the presence of a pattern and the recurrence of traditional set phrases themselves”³³.

In every act of recommending, there were typically three parties involved. Rees has stressed the importance of paying due attention to this social triangulation he called the “*amicitia* triangle”, and pointed out that this analytical integration of all three parties involved is “[m]ore persuasive as an argument than the bald assertion of the relationship between the author and the subject, or between the author and the recipient”³⁴. Each recommendation should thus be conceptualised as a triangle of interactions, with the recommender A, the recommended person B, and the receiver C in its three vertices. Debt was acknowledged and gratitude expected between all partners involved (A-B, A-C, B-C). This is made clear explicitly in a letter Cicero wrote to Sulpicius Rufus. Rufus had very recently acted on one of Cicero’s recommendations by advancing the interests of M. Aemilius Avianianus and his freedman Hammonius. Cicero begins the letter by extensively thanking Rufus for having shown such kind regards to him in respecting his request (A-C). He was aware of Rufus’ good cares because he had recently received a very cheerful letter from Hammonius, in turn expressing his thanks to Cicero for having secured Rufus’ good will (A-B). Cicero moreover writes that Rufus would not be sorry for his efforts since, so he reassured him, both Hammonius and his patron were men of gratitude (*homines grati*) (B-C)³⁵. Similarly, after Cicero had recommended M. Marcilius to Minucius Thermus, he thanked the latter because Marcilius had come to him (Cicero) to tell him that “he was very grateful to you (Minucius), and to me because of you”³⁶.

Accepting a recommendation benefits all parties, not least the receiver of the letter. By positively welcoming the recommendation, he would not only consolidate his ties of *familiaritas* and *amicitia* with Cicero, but he would also gain another connection in his social network. Wilcox has elaborated on the concept of social triangulation by stressing that the recommended individual is not only passively constructed in this letter, but also becomes an active partner in the creation of the triangle (e.g. by delivering his own

³² Rees (2007), 164-7 (the quote is from p. 167).

³³ Cotton (1985), 331-4 (the quote is from p. 334). Cf. Deniaux (1993), 44-6.

³⁴ Rees (2007), 156. See also Deniaux (1993), 28.

³⁵ Fam. 13.27.

³⁶ Fam. 13.54.1.

letter of recommendation). All three parties are thus actively involved in both the formation and the intended workings of the triangle³⁷.

The entire operation of recommending was thus a means to strengthen bonds (“strong ties”) that already existed within a network (A-B and A-C), but also to link together in a reciprocal relation previously unconnected networks (B-C), creating “weak ties”. Granovetter defined the strength of a tie as depending on “the amount of time, the emotional intensity, the intimacy (mutual confiding), and the reciprocal services which characterise the tie”³⁸. It are precisely those features that Cicero stresses when describing his relationships with receivers and recommended persons. Letters of recommendation, in other words, can be conceptualised as an embodiment of both bonding and bridging social capital. It was through the agency of the recommender (A) and his activation and engagement of his social capital, that connections were created and strengthened; in short, that social capital was generated and/or (re)structured. The benefits for the receiving (C) and recommended (B) partner consisted in both the “quantitative” extension of their social capital – by the bridging-process between them both – and in its “qualitative” improvement – by the bonding-process with the recommender (A). Of course, the *economic* capital of the recommended freedman may have also received a considerable boost after a successful recommendation. It is surely no coincidence that in many cases, not merely the freedman in question, but also his *negotia* (and that of his patron) were similarly “recommended”³⁹. Since the financial interests of patrons were often closely intertwined with those of their freedmen, and since at least part of a deceased freedman’s possessions would usually revert to his patron, the importance of a freedman recommendation in increasing not only the patron’s social but also his economic capital should not be underestimated⁴⁰. The benefit of the recommender consisted mainly in the strengthening of his ties with receiver and recommended through a bonding-process by which he both incurred debt and created the expectation of repayment via a process or reciprocal bonding. However, his gains were more extensive than that, since a successful recommendation would consolidate and increase his cultural and symbolic capital as well.

Indeed, it has been argued that the writer of a letter of recommendation benefits most of all from the interaction. As mentioned earlier, a vital element of a recommendations was the stressing of one’s relations with both addressee and recommended. By doing so, the author stressed his own social capital and his

³⁷ Wilcox (2012), 82.

³⁸ Granovetter (1973), 1361. Cf. the discussion in Chapter 1 of the importance of “weak ties” for any network.

³⁹ E.g. Fam. 1.3.2; 13.33.

⁴⁰ Cf. McCutcheon (2013), 213-4.

embeddedness and nodal function in the networks of both the other parties involved. Scholars nowadays agree that the elaboration on the relation between writer and addressee is in fact a part of the letter more important than the introduction or description of the recommended person itself. Rees has argued that the entire book 13 of the *Epistulae ad Familiares* served precisely to stress the influence (symbolic power rather than actual *potestas*) Cicero still enjoyed in 46 BCE and that its “*raison d’être* (...) is Cicero himself”⁴¹. Although recommendations traditionally included a description of their subject’s character and worth, the fact that this was only of secondary importance when compared to the stress on the *author’s* social network, is made clear in an extraordinary letter of Pliny. In an initial interaction with Pompeius Falco, Pliny had asked his friend and *consul suffectus* to bestow a tribunate on one of his friends. Apparently, however, Pliny’s request had not mentioned or described the beneficiary, but had relied entirely on Falco’s realising and respecting the status of, and his connection to the person that was asking and providing guarantees. It is only after Falco had agreed to the request that Pliny revealed the identity of his friend (it was the Roman knight Cornelius Minicianus)⁴². Pliny realised that his initial request had been somewhat unconventional (*tam instanter petivi*) but he seemed to have been confident that his relation with Falco (social capital) as well as his own reputation and Falco’s recognition of it (symbolic capital) were enough to make the latter agree to the recommendation without requiring further information⁴³. Similarly, Cicero did not want to expand on the legitimacy of his requests too much lest “it might seem to have prevailed with you in virtue of a strong case (*causa*) rather than by my personal influence (*gratia*)”⁴⁴.

In addition to highlighting his social capital, the author’s cultural capital expressed itself through his knowledge of literary conventions and of the correct “codes” of behaviour a writer of recommendations should at all times adhere to. In this regard, the observance of the standardised forms Cicero so vehemently apologised for, was not necessarily due to any lack of inspiration, let alone a mark of insincerity. It assured

⁴¹ Rees (2007), 152: “[the book served] to heighten appreciation of the influence [Cicero] was still able to wield through social contacts and networks. No individual letter of reference could convey this impression, so perhaps the monotony of book 13 was a price worth paying in the service of the promotion (...) of Cicero as a widely connected and respected patron”. Cf. Deniaux (1993), 1-2, 28; White (2010), 47, 185 contrasts the ancient habit of stressing the relation between writer and receiver with the modern practice of downplaying or even hiding it in the interest of “objectivity”.

⁴² Plin. Ep. 7.22.

⁴³ See Rees (2007), 154-6 for the centrality of the writer in the letters of recommendation (p. 155 treats this letter of Pliny’s in particular).

⁴⁴ Fam. 13.5.2.

anyone reading the letter that the writer was well schooled in the conventions of recommending and could as such be relied on to reciprocate a granted favour.

Finally, the simple fact that people approached the writer to ask for a recommendation was a confirmation of the latter's prestige, influence, and social standing. Moreover, the acceptance of a recommendation by the receiver was an acknowledgment of this very symbolic capital. It is important to note that in the eyes of the writer, it was not enough that his symbolic capital should only be *tacitly* confirmed by the whole interaction. Indeed, together with a note of gratitude and the promise of future benefits, letters of recommendation regularly end with the message that it would particularly oblige the writer if the receiver should not only accept the recommendation, but also let the recommended person know that he owes his promotion to this intervention. The letter recommending Philoxenus to Acilius, for example, ends with the phrase "Let him understand that this letter of mine has been very useful to him"⁴⁵. The habit of sending a copy of the letter of recommendation not only to the intended receiver but also to the *commendatus*, served the very same purpose of publicising Cicero's influence. After Atticus had asked Cicero to recommend him to L. Plancus – *praetor designatus* at the time – Cicero not only did so quite extensively, but he also included a copy of the recommendation in his next letter to Atticus himself⁴⁶. Moreover, there are many indications in Cicero's correspondence that letters of recommendation were usually delivered by the *commendati* themselves, and that it was expected that the letter would be present at its first reading⁴⁷. That this might occasionally lead to awkward situations, is clear from an anecdote told by Epictetus. One of his letters of recommendation was apparently refused by the very person it was supposed to recommend because its tone was considered by the latter to be too pitiful⁴⁸.

The submissive tone of letters of recommendation moreover placed the receiver in a position of power which would prove detrimental to his relationship with the writer should he decide to abuse that power (i.e. by refusing the request). In the eyes of the recommended individual, the power to recommend rests with the writer of the letter. The latter, however, transfers the initiative to the receiver, who is thus endowed with power over both the writer and the recommended person. The subtle use of language

⁴⁵ Fam. 13.35: "(...) perficiasque ut intellegat has litteras meas magno sibi usui fuisse". Other examples are legion: Fam. 13.20: "(...) ut intellegat (...) meamque commendationem usui magno sibi fuisse"; 13.25: "(...) ut is intellegat hanc meam commendationem magnum apud te pondus habuisse"; 13.38: "(...) ut intellegat (...) hanc meam commendationem sibi magno adiumento fuisse"; ... For even more examples, see Rees (2007), 154 which also confirms that these expressions are "common conceits which reveal Cicero's concern to be seen to be influential".

⁴⁶ Att. 16.16A (the recommendation to Plancus); 16.16 (Cicero's confirmation to Atticus).

⁴⁷ E.g. Fam. 2.17.7; 6.8.3; 13.63.2; Att. 10.17.1; ... Cf. Cotton (1977), 1 note 4; White (2010), 182 note 10.

⁴⁸ Epict. Disc. 1.9.27-8. Cf. Wilcox (2012), 85-6.

and rhetorical manoeuvres that permeate almost every letter of recommendation, reveal that this “power-play” between writer and receiver is highly organised and subjected to strong social conventions. Each participant was in some way “empowered” in the interaction, but everyone knew that abusing the power would be disadvantageous for all parties. By correctly deciding what to do with the power invested in him by the writer, the receiver used this power in the way he was supposed to. In a sense, it was again an acknowledgment of the influence of the writer⁴⁹.

However, the cost of this potential increase in capital was a constant risk of considerable loss of it, should the receiver of the letter choose to *reject* the recommendation despite carefully crafted phrases and social conventions. This is the reason why nearly every letter of recommendation includes a “saving clause”, that is, an “out” or a “face-saving” option for both the writer and the receiver. Typical examples are: “[please accept my request] insofar as seems to you right and fair”, “[please do so] provided you see nothing inconsistent therein with your own high standing”, or “[please oblige me] when you can without trouble to yourself”⁵⁰. They give the addressee an excuse should he (for whatever reason) choose to refuse the request, but they also save the writer’s face because they depersonalise a potential refusal by situating the reasons for it “outside” of the actual relationship: “I am sure you love me so much you will do everything for me. Ergo: anything you cannot get done is undoubtedly due to *force majeure*”. A subtle example of this practice can be found in the exchange of letters between Cicero and Atticus that treated the latter’s freedman Eutychides.

At the beginning of July 54 BCE, Atticus was about to set out for Asia. Cicero, realising that he may not hear from his good friend for quite a while, decided to write him a long letter, containing news about political affairs in Rome. He ended this letter with the question when Atticus would be returning to Rome, and what he had done in the

⁴⁹ For an excellent analysis of the act of recommending as an interplay between domination and uncertainty in which everyone has “power”, see Wilcox (2012), 85-92. She presents the interaction as a theatrical performance in which the letter is the script, the writer the director, and the receiver the actor who (ideally) follows the director’s instructions to the benefit of the audience (i.e. the recommended).

⁵⁰ Fam. 13.14.2: “(...) quoad tibi aequum et rectum videbitur” (to M. Brutus); 13.26.3: “(...) si non alienum tua dignitate putabis esse” (to Sulpicius Rufus); Fam. 13.70: “Vehementer mihi gratum feceris si, quibuscumque rebus sine tua molestia poteris, ei commodaris” (to Servilius Isauricus). Cf. Cotton (1986), 446-8; Wilcox (2012), 85. Kelly (1966) considers these “saving clauses” insincere formalities, essentially concealing a request for intruding on the correct workings of the law (see note 12 above). This interpretation fails to see them in their specific context as part and parcel of the many rhetorical subtleties involved in smoothening the “inherently face-threatening business” that are recommendations, cf. Hall (2009), 31ff (pages 5-6 situate Hall’s framework in Erving Goffman’s theory of “face”).

meantime about Eutyichides (*facias me certiore velim et de Eutyichide quid egeris*)⁵¹. The letter does not provide us with any information about this Eutyichides or about what Atticus should have done “about” him. However, Atticus must have responded quickly (in an unpreserved answer), since at the end of the month, we find Cicero writing him another letter, this time thanking him for the news about Eutyichides (*de Eutyichide gratum*). We learn that Cicero had originally requested Atticus to free this slave, who had been of great help to Cicero in the past: “I am really very much pleased (*valde mehercule mihi gratum est*) that Eutyichides has found out, through your kindness (*benevolentia*) to me, that I noticed his sympathy (*συμπάθειαν*) in my dark days and have not forgotten it since”⁵². We will see momentarily that Cicero repaid freedmen who had performed similar services in times of need, by recommending them to one of his high-placed *familiares*. In this case, Cicero’s initial gratitude seems to have been at least as profound, since he had written Atticus not merely to *recommend* the slave, but also to obtain his manumission. We can deduce this from Cicero’s enthusiasm at hearing of Eutyichides’ new *tria nomina*: “So he will be T. Caecilius in the future, the old forename with the new name (...)”⁵³.

As both his careful enquiry into Atticus’ decision, and his unleashed joy in the subsequent letter suggest, Cicero recognised the possibility that his request might be rejected even by his best friend. He knew very well that he was asking no small thing. Although Eutyichides had clearly proven to be useful and loyal to Atticus’ *familiares*, freeing him would entail all the risks inherently attached to manumission as an act of trust. Not only would Atticus expose his trust network by allowing a new member to join it, but he alone would bear the risk of potential betrayal. Cicero had therefore undoubtedly formulated the request as an act of kindness by one friend (Atticus) to another (Cicero), rather than as a gift that would primarily benefit the freedman. By doing so, he framed it as but one link in a chain of reciprocal interactions. In this sense, Cicero’s original letter must have looked a lot like a letter of recommendation, in that writer and addressee were stressed much more conspicuously than the actual subject. If the praise of Eutyichides in Cicero’s letter of thanks is any indication for the content of

⁵¹ Cic. Att. 4.16.9.

⁵² Cic. Att. 4.15.1: “Valde mehercule mihi gratum est Eutyichidem tua erga me benevolentia cognosse suam illam meo dolore συμπάθειαν neque tum mihi obscuram neque post ingratham fuisse”.

⁵³ Cic. Att. 4.15.1: “(...) qui vetere praenomine novo nomine T. erit Caecilius (...). Normally, Eutyichides would have received the names T. Pomponius, but since Atticus was recently adopted by his maternal uncle Q. Caecilius (Att. 3.20.1), he received the *nomen* Caecilius. His *praenomen* remained Titus, however, a consequence no doubt of Atticus’ persisting (informal) attachment to his former name. Cf. Lindsay (2009), 85.

his original letter of request – and this does not seem unlikely⁵⁴ – it would have uncannily resembled a true letter of recommendation. In this respect, it is meaningful that after Atticus’ positive answer, Cicero described the manumission as an expression of Atticus’ *benevolentia* towards *him* (Cicero), and that he extensively thanked him for it as if *he* was the greatest beneficiary of the interaction.

Indeed, the first two sentences of the letter of thanks start out crescendo-wise with *de Eutychide gratum* and *valde me hercule mihi gratum est*. More than just granting a request, Atticus had acknowledged Cicero’s symbolic capital by showing that he trusted his judgment up to the point where he would even risk abuse and potential degradation, should it turn out to be unjustified. In addition, Cicero was particularly elated that Eutychides would have realised (*cognoscere*) that his manumission was due to *his* lobbying with Atticus. Moreover, the vagueness of Cicero’s reminder at the beginning of July 54 BCE (*de Eutychide quid feceris?*) could be interpreted as a “saving clause”. Other letter writers similarly used indirectness or ambiguity to reduce the impact of a potential rejection. In the shortest of his extant letters, for example, Paul famously seems to ask his correspondent Philemon to manumit one of his slaves named Onesimus⁵⁵. The ambiguity of this request has given rise to a heated debate among scholars about Paul’s true intentions⁵⁶. The wide scope of possibilities he leaves open to his correspondent (of which manumission is but one) is characteristic of polite letter-writing, but also serves to safeguard against any friction that might arise as a consequence of Philemon’s not wanting or not being able to agree to the implied request (which Philemon would have understood more clearly than any modern reader)⁵⁷. As noted before, all of these techniques were typical features of a letter of recommendation, and increased the strength of the ties between Cicero and Atticus on the one hand, and between Cicero and Eutychides on the other.

That it had done so particularly successfully in this case, and that Atticus (but especially Cicero) had thought it a good decision to free Eutychides, is confirmed by the fact that even three years later we see Eutychides acting as “bonding” social capital between Cicero and his own patron in the only other letter in the correspondence that mentions him. When on his way to Cilicia in his capacity as proconsul, Cicero made

⁵⁴ The letter thanking Sulpicius for acting on the recommendation of Hammonius and his patron (Fam. 13.27.2) is, for example, also reminiscent of the letter Cicero wrote to initiate the “social triangulation” in the first place (Fam. 13.21.2).

⁵⁵ Paul, Phil. 1.16: “οὐκέτι ὡς δοῦλον ἀλλὰ ὑπὲρ δοῦλον, ἀδελφὸν ἀγαπητόν, μάλιστα ἐμοί, πόσω δὲ μᾶλλον σοὶ καὶ ἐν σαρκὶ καὶ ἐν Κυρίῳ”.

⁵⁶ Some scholars, for example, are not convinced that Paul was requesting Onesimus’ manumission, e.g. Church (1978), 30-1; Dunn (1996), 334-5. For a detailed discussion of Paul’s meaning and intention, see de Vos (2001), including many references.

⁵⁷ Cf. Barclay (1991), 184.

stops at the islands of Corcyra and Sybota. In a letter to Atticus he wrote at the time, he informs him: “We reached Actium on 14 June, after feasting like aldermen both at Corcyra and at Sybota on the fare provided by your bounty (*munera tua*) and assembled for us in most hospitable profusion (*φιλοπροσηνέστατα*) by Araus and my good friend Eutyichides (*meus amicus Eutyichides*)”⁵⁸. We here see Eutyichides acting not only as a trusted financial agent of his patron, in charge of collecting and correctly deploying his patron’s financial capital oversees, but also as a link between Atticus and Cicero. Clearly, Cicero’s relation with the man had remained optimal for many years after his manumission.

Despite the careful use of “saving clauses”, refusing a recommendation remained a very delicate affair. In early 50 BCE, for example, Brutus wrote a letter to Cicero, recommending the interests of M. Scaptius and P. Matinius, who had lent the people of Salamis a considerable sum of money (*creditores Salaminorum*). Cicero promised the men he would comply, but he would not grant Scaptius the *praefectura* he subsequently asked for to put extra pressure on the Salaminians⁵⁹. Cicero could not reconcile this with his reputation and *dignitas*, and was therefore unable to fully oblige Scaptius (and Brutus). In fact, he had already publically declared earlier that he would not give *praefecturae* to any private businessman in Cilicia while he was governor, and making an exception for either Scaptius or Matinius would be manifestly inconsistent. When it became known later that both men had taken recourse to force in their attempts to pressure the Salaminians, Cicero was naturally pleased, knowing he had done right in sticking to his principles. However, in the meantime, he had to inform Brutus about his decision on the matter. He was fully aware of the precariousness of this task, but hoped that Brutus would understand his predicament (*tu autem velim ad eum scribas de his rebus, ut sciam quo modo haec accipiat*). Cicero, in this instance, preferred a clear conscience (*sine peccato meo fiat*) over the full acceptance of Brutus’ recommendation⁶⁰. Rejections of recommendations could be much less gentle, like the Greek Craton (*venustissimus homo et professus Asianus*) of whom Seneca the Elder notes in one of his *Controversiae* that when he was recommended by the Emperor to Passienus (*cum commendaretur a Caesare*

⁵⁸ Cic. Att. 5.9.1.

⁵⁹ Fam. 5.21.10. The affair is further described in the letter: Appius granted Scaptius a *praefectura* anyhow, Cicero had to intervene to stop the resulting harassment of the Salaminians, a meeting between the people and Scaptius revealed a contradiction between Cicero’s own edict (which postulated a moderate interest rate of 1%) and a senatorial decree Scaptius was able to produce (allowing him to demand 4%). The matter was eventually settled to great vexation of the Salaminians and Cicero still looked back on the painful affair almost half a year later (Att. 6.2.7-9; 6.3.5-7). See also Cotton (1986), 449-50 for the oral annexes to recommendations and this case in particular.

⁶⁰ Att. 6.1.7.

Passieno), he did not care for it (*nec curaret*) since he only desired imperial patronage⁶¹. The anecdote is clearly exaggerated and perhaps fictional, but it does demonstrate – by its conspicuous rudeness – the bounds and norms that were supposed to be respected by all parties involved in a recommendation.

An additional danger lurked in the unpredictable behaviour of the recommended person. A letter of recommendation goes through a whole lot of trouble to present its subject in a positive light. A personal guarantee that this individual would generate great benefits for the receiver is potentially harmful for the writer who vouches for the individual by staking his own reputation. Many letters of recommendation, however, reveal – not at all coincidentally – that Cicero had had very positive relations and experiences with the *commendati* in the past. It were these experiences through which he had “dyadically learned” to trust the recommended person, and which made him confident enough to extend this trust by way of a recommendation. In many cases, this learning had been not only dyadic but also network embedded. Cicero’s vouching for the freedman Anchialus, for example, was not only inspired by his own impression of the man, but also by the observation that he had been most pleasing (*probatissimus*) to his patron and all of his connections (*necessarii*)⁶². Similarly, C. Curtius Mithres – the freedman of C. Rabirius Postumus, the Jack of all trades whom Cicero had defended against a charge of extortion in 54 BCE⁶³ – was connected to many of Cicero’s associates⁶⁴. Both the temporal and network embeddedness of his relation with the freedman increased Cicero’s trust in him up to the point where he would risk the always delicate endeavour of recommending him. It follows that the descriptions of individuals and their qualities were never just empty rhetoric, especially because a standard recommendation would confidently make explicit that a betrayal of trust by the recommended person was impossible. Cicero and his contemporaries would therefore rarely, if ever, recommend persons of whose fidelity they were not convinced, or whose trustworthiness could not be vouched for by a personal connection⁶⁵. They would to a

⁶¹ Sen. Contr. 10.5.21. The case is of course less interesting than Cicero’s since it is not told by one of the actual participants, and since it has a highly rhetorical purpose. It does show, however, the scale on which a refusal of a recommendation could be based.

⁶² Fam. 13.23.1.

⁶³ The speech is extant (*Pro Rabirio Postumo*). Mithres’ name differs from that of his patron because the latter was – after Mithres’ manumission – adopted by his uncle C. Rabirius, whose name he took. For the many sides of Rabirius Postumus (he was a banker, shady usurer, *publicanus*, wine producer, etc.), see White (1995); Siani-Davies (2001), 38-65.

⁶⁴ Fam. 13.69.1.

⁶⁵ Quint. Fratr. 1.2.3: “Quod autem me maxime movere solebat, cum audiebam illum plus apud te posse, quam gravitas istius aetatis, imperii, prudentiae postularet – quam multos enim mecum egisse putas, ut se Statio commendarem?”. Cf. Treggiari (1969a), 181.

considerable extent believe that there was a certain veracity to their claims (at least if they thought previous experiences of “learning” to be more or less representative and reliable). This careful and selective attitude also extended to the choice of recommendation *receivers*. Cicero, for example, would not write letters of recommendations to his brother’s freedman Statius because this would reveal the influence the latter had over his patron.

Since all parties – and the writer in particular – stood to benefit from the interaction, recommendations cannot be considered selfless acts of magnanimity⁶⁶. In his recommendation of Mithres, for example, Cicero felt the need to accentuate that he did not “write from a self-regarding motive, but on behalf of a really intimate personal connection”⁶⁷. Although Cicero was not necessarily being less than honest when he described his feelings towards this freedman like this, a closer inspection of the structure, content, and standardisation of recommendations reveals that other considerations were at least as relevant. This is not to say that the entire endeavour of recommending should be dismissed as hypocrisy covered by a veil of good intentions. True affection and more pragmatic intentions are not necessarily mutually exclusive, even though they are nearly always impossible to discern⁶⁸. Nor should every letter be categorised under one heading or the other. In reality, every case and every letter was situated on a scale from superficial routine to honest concern. The letter for *Apollonius libertus*, for example, seems to have shifted more towards the latter, whereas that recommending *Antigonus libertus* is clearly an example of a more practical consideration (cf. *infra*)⁶⁹. However, we should be careful in assessing the “real” intentions of any letter merely by analysing its length or degree of standardisation⁷⁰. As mentioned above, authors may (pretend to) fear that their recommendation was too standardised or even too short. Nevertheless, brevity, standardisation, or rhetorical tricks never seem to have resulted in blatant rejection. Stylistic, rhetorical, and convention were expected and even deemed necessary to publicise the writer’s cultural capital and as

⁶⁶ Pace Williams (1929), 4-5: “Inspid and monotonous, however, as [the letters of recommendation] must appear to those who read them en masse, they are yet impressive evidence of Cicero’s large-hearted bonhomie, and his unfailing readiness to do a friend, or even an acquaintance, a good turn; in short, of that *humanitas* which was one of his dominant characteristics”.

⁶⁷ Fam. 13.69: “Haec ad te eo pluribus scripsi ut intellegeres me non vulga<ri mo>re nec ambitiose sed ut pro homine intimo ac mihi pernecessario scribere”. Such clauses are usually accompanied by expressions of originality and honesty.

⁶⁸ On the difference between “sincere” and “insincere” recommendations, and the difficulty to distinguish them, see Cotton (1985), 331-2; White (2010), 46-51.

⁶⁹ Fam. 13.16; 13.33.

⁷⁰ Rees (2007), 156 already observed that “the marked brevity of many ancient letters which attempt no characterisation of their subject certainly did not disqualify them from inclusion in the published collection”.

such increase the chances of the recommendation being considered trustworthy⁷¹. Bernecque already pointed out the significant presence of metrical prose in recommendations when compared to other letters without this (or similar) functions, and Wilcox convincingly argued that functionality and artistry do not exclude one another⁷².

5.2 Freedmen in letters of recommendation

The correspondence of Cicero contains 13 letters of recommendation for freedmen, all of which occur in book 13 of the *Epistulae ad Familiares*. There exist, in addition, two introduction letters (not in book 13) that recommend all the business affairs (*negotia*), freedmen (*liberti*), agents (*procuratores*), and household (*familia*) of A. Trebonius and L. Lamia. Because the freedmen are not named, singled out, or described, but are instead considered merely a part of their patron's interests in Cilicia, they are not considered here⁷³. We get thus but a glimpse of the numerous letters Cicero must have written in favour of his or his *familiares'* ex-slaves⁷⁴. Freedmen with some influence could themselves be the authors or receivers of letters of recommendation, but no such examples are extant in any correspondence⁷⁵.

Cicero's recommendations of freedmen moreover constitute extremely important source material since the letters that are preserved in other epistolary corpora rarely

⁷¹ For this observation, see above (and note 32).

⁷² Bornecque (1898), 125-6; Wilcox (2012): "utilitarian functionality does not preclude artistry" (p. 96), "function dictates [the letters'] form, while style simultaneously works to cloak function" (p. 90). Trapp (2003) acknowledges throughout his anthology of Greek and Latin letters that these may be "implicated in both life and literature" (p. 3). For Cicero's letters as loci for rhetorical and strategic literacy, see especially Hutchinson (1998).

⁷³ Fam. 1.3.2; 12.29.2. The same goes for freedmen who are positively referred to in letters they carry to their patron, since these do not constitute real recommendations (e.g. Fam. 3.1.2; 3.6.1; 4.9.1; ...). For the requirements that have to be met in order to qualify as a recommendation, see notes 26-9 above.

⁷⁴ Cicero often refers to letters in which he had recommended Tiro (e.g. Fam. 16.12.6; 16.14.1;...) but none of these is preserved. Only one slave is recommended (Anchialus in Fam. 13.45; not to be confused with his freed namesake L. Cossinius Anchialus in Fam. 13.23), but slaves too must have featured more prominently in recommendations than our fractured corpus suggests.

⁷⁵ Epictetus, for example, was asked to recommend a man to some important contacts in Rome (Epict. Disc. 1.9.27-8). That recommendations could also be written to freedmen, is suggested by Fam. 13.69.1 in which Cicero mentions that if any of his associates ever needed something in Asia, he would contact the freedman Mithres on their behalf. Cf. also Quint. Fratr. 1.2.3, cited in note 65 above.

include freedmen recommendations at all. In a letter to his friend and *consul suffectus* Valerius Paulinus, Pliny asks to receive his sick freedman Zosimus on his estate at Forum Julii in Gallia Narbonensis (present day Fréjus), and to make sure that his people would take good care of him. Although Zosimus is extensively described and praised for his literary talents, the letter does not meet the criteria of a “real” letter of recommendation as defined above (cf. notes 26 and 27 above). Most importantly, it keeps Pliny’s relation to Valerius completely out of the picture, and any expenses the latter would incur by taking care of Zosimus would be repaid in full by Pliny⁷⁶. Similarly, the letter in which Pliny negotiates a reconciliation between Sabinianus and his unnamed renegade freedman resembles a recommendation. In fact, many elements are reminiscent of the formulas used in recommendations. The freedman had flung himself at Pliny’s feet *as if he were his patron* (*pedibus meis tamquam tuis haesit*)⁷⁷, Pliny explicitly realises that what he asks may put a strain on his relationship with Sabinianus (*vereor ne videar non rogare sed cogere, si precibus eius meas iunxero*), and he ends the letter with a “saving clause” (*sit modo tale, ut rogare me, ut praestare te deceat*)⁷⁸. However, the relationship which is crucially stressed in “real” recommendations (i.e. that between Pliny and Sabinianus) is once again ignored, and the letter as a whole is structurally more related to letters of consolation than to recommendations.

The same goes for the letter to Trajan in which Pliny gives a testimony of the imperial freedman Maximus’ qualities. Maximus had been an assistant of Viridius Gemellinus, the *procurator Augusti Ponti et Bithyniae*, for over a year but was eventually discharged from his duties. On Maximus’ return to Rome, Pliny deemed it appropriate to give him a testimonial (*libenter apud te testimonio prosequor, ea fide quam tibi debeo*). In it, he describes the freedman as an honest (*probus*), hard-working (*industrius*), and conscientious (*diligens*) man who was always devoted to Trajan’s interests (*rei tuae amantissimus*), and who had shown himself to be a strict upholder of discipline (*disciplinae tenacissimus expertus*)⁷⁹. Although the freedman is extensively described and the link between Pliny and Trajan made explicit, a *testimonium* like this can hardly be compared to a real *commendatio*⁸⁰. Maximus is not introduced via an intermediary recommender into another network, and perhaps even more importantly, Pliny does not make an actual request, nor does he stake his own reputation in vouching for the

⁷⁶ Plin. Ep. 5.19.

⁷⁷ See below for the recurrent practice of praising a freedman for showing respect to someone as if that person was his real patron.

⁷⁸ Plin. Ep. 9.21.

⁷⁹ Plin. Ep. 10.85. For the other letters mentioning Maximus in his capacity as procurator, see Ep. 10.27 and 10.28.

⁸⁰ Pace Bloomer (1997), 139. See also note 158 below.

freedman. Fundamental features of the social triangulation process – essential to recommendations – are thus entirely lacking in this particular interaction.

In the end, then, only one real recommendation of a (probable⁸¹) freedman is referred to in a reply letter to Pliny's friend and Roman knight Voconius Romanus. Pliny mentions that he had received Voconius' introduction of Popilius Artemisius (*eadem [epistula] commendas Popilium Artemisium*), and that he had carried out his request immediately (*statim praestiti quod petebat*)⁸². Since no more words are dedicated to the case (and since we are consequently left in the dark as to the nature of the request or the form and content of the actual recommendation), this letter is of no use for the analysis of freedman recommendations. If anything, it shows us that the omission of such letters in Pliny's correspondence was not due to any reluctance to mention them or any unwillingness to act upon them⁸³.

Fronto's extant correspondence too includes only one freedman recommendation. In a letter to the emperor Marcus Aurelius, he recommends Aridelus for a procuratorship. Interestingly, Aridelus was an imperial freedman but Fronto clearly feared that the emperor (and thus officially the freedman's own patron) might not recognise him⁸⁴. The typical structural parts of a recommendation are respected, including a description of the freedman (*homo frugi et sobrius et acer et diligens*), his connection to Fronto (*a pueritia me curavit a studio perdicum usque ad seria officia*), the benefits he will provide the emperor with (*procurabit vobis industrie*), and a phrase resembling the more extensive Ciceronian "saving clauses" (*faveto ei, Domine, quod poteris*). Because neither Pliny's nor Fronto's correspondence lends itself to a structural analysis of freedmen recommendations, we will mainly focus on Cicero's letters, broadening the perspective to the other corpora only when this contributes to a further clarification of Ciceronian features.

Finally, and this point will be taken up in more detail below, the majority of Cicero's letters recommending freedmen include libentation. In only three cases is an ex-slave not explicitly called *libertus*. In these cases, we know of their status via a reference to a

⁸¹ His *cognomen* is Greek and his *nomen* seems to be derived from Voconius' wife Popilia. Although we would be reluctant to categorise him as "evidently" a freedman (Sherwin-White (1966), 510), the evidence seems to suggest he was.

⁸² Plin. Ep. 9.28.2.

⁸³ We excluded from this discussion the three (sequences of) letters in which Pliny requests *civitas Romana* or *ius Quiritium* for foreign freedmen and *Latini Iuniani* respectively (Ep. 10.5; 10.6; 10.7; 10.10.1; 10.11.2; 10.104; 10.105). Not only do they lack some essential elements to qualify them as real recommendations (promise of benefits, saving clause, network embeddedness of subjects, ...), they also do not contain any information about the freedmen that could be of use for the current discussion.

⁸⁴ Fronto Ad M. Caes. 5.37. Aridelus was not necessarily a freedman of Marcus Aurelius, and could have been freed by one of his predecessors.

patron. C. Avianius Evander is recommended in a letter that stresses the particularly good bond between his patron M. Aemilius and Cicero (*utor patronus eius M. Aemilius familiarissime*)⁸⁵. When recommending L. Nostius Zoilus, Cicero mentions that this man was favoured by his ex-master (*patroni iudicio ornatus erat*), and that he was an heir to his estate (*heres patroni sui*)⁸⁶. In an unpreserved letter already referred to above, C. Avianius Hammonius expressed his gratitude on his own and his patron's behalf (*[Hammonius] mihi gratias egit et suo et Aemili Avianiani, patroni sui, nomine*)⁸⁷. In the original letter that recommended Hammonius, libertination had been included⁸⁸.

The next section will, as outlined at the start of this chapter, focus on the three features of freedmen recommendations that are often considered evidence for their *sui generis* character: their vocabulary, their overall structure, and the framework of the patronage relationship. At the end of the chapter, section 5.4 will integrate the various conclusions of these discussions by singling out as a case study the recommendation of Crassus' freedman Apollonius.

5.3 “Libertine” letters of recommendation?

5.3.1 A status-specific vocabulary?

As mentioned at the beginning of this chapter, most scholars implicitly or explicitly assume a difference between the recommendations of freedmen on the one hand, and those of freeborn friends and clients on the other. The vocabulary of the recommendations is often singled out to support such structural differences. Smadja thought that recommendations of freedmen were “different” because of the connection made with their *fides* or *fideltas*, and with terms like *officium*, *prudencia*, *studium*, or *benevolentia*⁸⁹. By focussing only on these freedman recommendations – thereby losing sight of the obvious *secundum comparationis* (other recommendations) – she fails to notice that when, for example, Terentius Varro is recommended to Brutus, Cicero – in a letter comparing Varro's position as *quaestor* of Brutus to that of a child to a parent – stresses

⁸⁵ Cic. Fam. 13.2.

⁸⁶ Cic. Fam. 13.46.

⁸⁷ Cic. Fam. 13.27. Cicero's excellent relationship with Aemilius is accentuated in the subsequent phrases.

⁸⁸ Fam. 13.21.

⁸⁹ Smadja (1976), 97.

Varro's *fides* (twice), his *probitas* (also twice), his *modestia*, and his *prudencia*. Cicero moreover guaranteed that he would make a pleasant (*voluptas*) and useful (*usus*) associate because of his *magnus labor* and *summa industria*⁹⁰. Likewise, the freeborn physician Asclapo, whose companionship (*consuetudo*) was pleasing to Cicero (*mihi iucunda fuit*), is commended not only for his *ars* and *scientia* (arguably parallels to *studium* and *officium*) he had shown in treating Cicero's household, but also for his *fidelitas* and *benevolentia*⁹¹. Finally, Cicero's legate M. Anneius is praised not only for his *fides*, but also for his *prudencia*, *fides*, and *benevolentia* towards Cicero in a recommendation addressed to Minucius Thermus⁹². It should be noted that in this case, the description is accompanied by a reference to Anneius' *virtus*, and that he is called an *optimus vir* at the end of the letter. These words were never used to describe freedmen (whether in recommendations or in other texts). However, reserving certain terms for freeborn officials is something else entirely than ascribing a "specific vocabulary" to freedmen. This point will be taken up more extensively in Chapter 7.

Crook even went so far as to discern a "manumission loyalty" that is typically defined, contrary to the loyalty of freeborn clients, by "a marked concern that the loyalty be expressed, that it not be forgotten or, worse, neglected", and that in the case of freedmen constituted a "far greater concern than was typical in patron-benefactor and client relations"⁹³. The fundamental role of *fides* in the patron-freedman relation is established beyond any doubt, but singling out "manumission loyalty" as a specific form of trust is a consequence more of the author's own agenda than of a structural comparative analysis of *fides* manifestations⁹⁴. Mouritsen is certainly not wrong in claiming that *fides* was "the key virtue of a freedman", but it was a virtue that permeated Roman society on all social levels, both within and outside patron-client or patron-freedman relations⁹⁵.

⁹⁰ Fam. 13.10.2-3.

⁹¹ Fam. 13.20.

⁹² Fam. 13.55.

⁹³ Crook (2004), 234. Contra Treggiari (1969a), 80-1, 217 which is (as usual) more reluctant to state a fundamental difference between freedman *fides* and freeborn client *fides*.

⁹⁴ For the role of *fides* in the patron-freedman relationship, see esp. Fabre (1981), 226ff, incl. the many references which are too numerous (and thematically divergent) to repeat here. Damon (1997), 48 noted that the "label *freedman* may have provided Roman poets with an easy explanation for the patron's confidence that he would be served", explicitly invoking the freedman's *fides* and *taciturnitas* in her argumentation.

⁹⁵ Mouritsen (2011), 61. The literature on *fides* is notoriously extensive. For its use in (especially) political relations, see Hellegouarc'h (1963), 23ff. For its appreciation in slaves, see Vogt (1965), 83-96. For *fides* as a lubricant of business interactions, see Wiedemann (2003). Rich (1989), passim (esp. 128-30) shows that *fides* was similarly stressed in relations between Rome and her dependent territories. Gruen (1982) confirms for the Greek world that *πίστις* is used in very similar context as the Latin *fides*.

Mouritsen similarly implied that words like *officiosus* and *probitas* were typically invoked to stress the relationship between patron and freedman⁹⁶. Indeed, Cicero did mention Trypho's *summa officia* and *benevolentia*. However, the letter in which he did starts out with a description of Cicero's own relation to Trypho's patron Regulus, that employs the exact same terms (*officiosus* and *benevolens*)⁹⁷. Likewise, *probitas* and *humanitas* were invoked to describe both a freedman (Anchialus) and a freeborn patron (Otacilius Naso)⁹⁸. When Cicero recommended M. Laenius to P. Silius, propraetor of Bithynia and Pontus (where Laenius was conducting business), he praised this friend and protégé of Atticus by stressing his *plurima officia*, his *summa probitas*, his *singularis modestia*, and his *consilium fidele ac bonum*⁹⁹. Deniaux already indicated that words like *modestia* and *observantia* imply inferiority of status, but her analysis unambiguously lays bare that this inferiority was not just related to *freed* status, but also applied to freeborn clients, and even to young aristocrats who had already started the *cursus honorum*¹⁰⁰. Likewise, *prudencia*, *frugi*, *probus*, *humanitas*, etc. are all words by which freedmen, freeborn clients, and even esteemed magistrates were indiscriminately described¹⁰¹. Deniaux' conclusion on the use of *probitas* in recommendations, for example, is: "(...) le registre social de la *probitas* est très vaste. La *probitas* qualifie celui qui respecte les obligations de la *fides*, que cet homme soit un hospes, comme Démocrite de Sicyone, un simple citoyen comme M. Fabius Gallus, un chevalier, comme A. Caecina, (...) ou un magistrat come M. Terentius Varro (...) "¹⁰². Similarly "L'homme *probus* peut être un affranchi (...) ou un chevalier romain". She similarly argued that the status of the 37 *commendati* who were recommended in particularly strong terms, ranged from freedmen over ordinary citizens to knights and senators¹⁰³. In this respect too, freedmen do not form a separate category: the preoccupation with presenting the recommendations as sincere and enthusiastic is noticeable also in freedman recommendations. Moreover, the application of specific qualities is nowhere restricted

⁹⁶ Mouritsen (2011), 62-63.

⁹⁷ Fam. 13.60.1.

⁹⁸ Fam. 13.23.2; 13.33.

⁹⁹ Fam. 13.63.1. Although the letter does not state it, Laenius had been recommended by Atticus to Cicero, e.g. Att. 5.21.4; 6.3.5. The recommendation is therefore arguably at least as much a gesture to Atticus as to Laenius himself. Quintus Cicero is more explicitly invoked to make the recommendation more compelling (*incredibile est quanti faciamus et ego et frater meus, qui mihi carissimus est, M. Laenium; id mihi fratrique meo gratissimum feceris*). See below (esp. note 151) for the practice of referencing third parties to enhance a recommendation with their symbolic capital and to accentuate the *commendatus*' network embeddedness.

¹⁰⁰ Deniaux (1993), 143-4; 191-2.

¹⁰¹ McCutcheon (2013), 212 (referring to *officia*, *probitas*, *modestia*, *consilium* and *fideltas*) remarks that "such qualities are regularly cited in nearly all *commendationes*" but does not qualify the statement.

¹⁰² Deniaux (1993), 181.

¹⁰³ Deniaux (1993), 138.

to freedmen, nor are all recommended freedmen connected to their patron through such virtues (see below).

Two terms deserve particular attention, however. It is indeed true that *probatus* is only employed to describe freedmen in Cicero's letters of recommendation, and that conversely only freeborn friends and clients are referred to as *familiares*¹⁰⁴. However, when we expand our look to include not only the rather limited collection of thirteen letters of recommendation for freedmen, but also the other letters (and contemporary writings in general), we notice that *probatus* is eagerly used to describe and praise freeborn individuals as well. When Cicero sends his *praefectus evocatorum*, D. Antonius, to Appius Pulcher to take the command over several cohorts, for example, he describes him as a steadfast officer and enjoying his fullest confidence (*mihi probatus*)¹⁰⁵. When defending the value of one of the literary sources for his *De Republica*, Cicero feels that describing the author as "a man approved by your own judgment" (*homo tuo iudicio probatus*) would carry weight with Atticus¹⁰⁶. Note that the freedman Zoilus was recommended in very similar terms (*patroni iudicio ornatus est*)¹⁰⁷. Not only Cicero himself, but also his correspondents make no status distinction throughout the letters when characterising individuals as *probatus*. Brutus, for example, reassures Cicero that Marcus junior had his approval (*mihi se probat*) by his "industry, endurance, hard work, and unselfish spirit, in fact by every kind of service"¹⁰⁸.

With regard to the omission of *familiaris* in descriptions of freedmen, Deniaux noted: "L'infériorité de son statut juridique initial ne lui permet pas, semble-t-il, d'entrer dans la familiarité de Cicéron"¹⁰⁹. This is, again, true indeed for the limited amount of letters of recommendation, but expanding the scope of analysis reveals that the description of freedmen as *familiares* was not *per se* considered inappropriate. In a letter to Appius Pulcher, for example, Cicero praised his freedman Cilix for passionately conveying Appius' feelings good will. Cicero enjoyed listening to him and "within a couple of days

¹⁰⁴ These observations were made by Mouritsen (2011), 62 and Deniaux (1933), 143-4 respectively.

¹⁰⁵ Fam. 3.6.5.

¹⁰⁶ Att. 6.2.3.

¹⁰⁷ Fam. 13.46.

¹⁰⁸ Brut. 2.3.6: "Cicero, filius tuus, sic mihi se probat industria, patientia, labore, animi magnitudine, omni denique officio". Although not explicitly mentioned as an attributive adjective, the meaning of *probat* is of course very similar, if not identical, to *probatus* in this context. Furthermore, it is linked here to qualities which could very easily be associated with "freedman virtues" (*industria, patientia, and labor*). See for example MacLean's claim that such a combination of activity and respect was typically libertine in the Republic, MacLean (2012), *passim*, e.g. p. 30ff. Further instances of *probatus* being used to describe or praise freeborn individuals include Fam. 5.12.7; 15.2.6; Att. 1.17.7; 3.15.2; 6.2.8; 13.28.4; 16.21.5 (*non esse probatus*).

¹⁰⁹ Deniaux (1933), 143-4.

he has become my friend (*familiaris*)”¹¹⁰. In his speeches too, freedmen are presented as *familiares* of individuals who were not their patron. Thus Mallius Glaucia, the man who first brought the news of Sextus Roscius’ murder to Rome, is described as a man of low standing, a freedman, and a client and friend (*familiaris*) of T. Roscius Magnus¹¹¹. Conversely, being the *familiaris* of a freedman was not at all looked down upon¹¹².

Without discarding altogether the possibility that the lack of *probatus* in descriptions of freeborn clients, and the lack of *familiaris* in descriptions of freedmen might be significant, a wider scope suggests that these particularities may just as likely be due to the rather limited amount of freedmen recommendations that we have available for consideration. It is precisely for that reason that Chapter 7 will adopt a broader perspective, and evaluate the notion of “a freedman vocabulary” in more detail.

5.3.2 Structural differences?

In other – more structural – respects, the recommendations of freedmen resemble those of freeborn clients as well. The excellent relation between the recommender (i.c. Cicero) and the *commendatus* (i.c. the freedman), for example, is usually made explicit. The letter for Regulus’ freedman Trypho reserved quite some space to refer to the many delicate services the man had selflessly rendered Cicero during the latter’s exile in Thessalonica, and for which Cicero owed him a debt of gratitude¹¹³. Similarly, one of the motivations that made Cicero agree to recommend Avianianus’ freedman Hammonius were his many services and his availability during a time Cicero needed them the most¹¹⁴. In many instances Cicero applied a very specific strategy to stress his connection to the freedman. Anchialus, for example, is recommended as warmly “as if he was my own

¹¹⁰ Fam. 3.1.2.

¹¹¹ Cic. S. Rosc. 19: “homo tenuis, libertinus, cliens et familiaris istius”. Many commentaries on this passage consider Glaucia the freedman of Magnus, e.g. Dyck (2010), 7. Others limit the relation between Glaucia and Magnus to the latter being *cliens* and *familiaris* only. E.g. Robinson (2007), 52. The latter opinion is undoubtedly correct. If he were Magnus’ own freedman, Glaucia would have been described as *libertus* instead of *libertinus*. Cf. the introductory discussion on both terms in Crumley (1904). Even more compelling is the impossibility of freedmen being the clients of their own patron.

¹¹² E.g. Cic. Fam. 7.23.3 (an unknown man called Junius is called the *familiaris* of Avianianus’ freedman Evander); Suet. Gramm. 2 (the famous satirist and Roman knight Lucilius is called the *familiaris* of one or two freedmen).

¹¹³ Fam. 13.60.1: “Summa enim eius erga me officia exstiterunt iis nostris temporibus quibus facillime benevolentiam hominum et fidem perspicere potui”. Cicero praised the same utility (i.e. aiding Cicero during his exile) in recommendations for freeborn friends as well. E.g. Fam. 2.6.5, cf. note 116 below.

¹¹⁴ Fam. 13.21.2: “(...) tum etiam in me ipsum magna officia contulit mihi que molestissimis temporibus ita fideliter benevoleque praesto fuit (...)”.

freedman and as if his relation to me was of the same excellent nature as that to his patron”¹¹⁵. Naso’s business interests and freedmen in Sicily are commended by Cicero “exactly as though they were his own”, and each time he or one of his friends needed something in Asia, Cicero exclaims, he used to “write to Mithres and use his faithful service, his house and even his purse, as though they were my own”¹¹⁶. Similarly, Zoilus is recommended “as if he were one of my own household”¹¹⁷. In the case of Hammonius, a similar link between Cicero and the freedman is expressed even more poignantly: “[Hammonius has supported me] with as much loyalty and good will as if I had given him his freedom”¹¹⁸. Representing *liberti alieni* as if they were his own, was evidently a strategy to increase the persuasiveness of the recommendation.

However, this was not a strategy employed only in recommendations of freedmen. Indeed, when recommending M. Fabius Gallus to Caelius Rufus, Cicero implores the latter to “take up Fabius’ case as though it was an affair of my own”¹¹⁹. He uses the same tactic somewhat more elaborately in a letter introducing an unknown C. Curtius to Valerius Orca by asking the latter “to regard C. Curtius’ estate as mine and to do for C. Curtius’ sake whatever you would do for mine”¹²⁰. Similarly, to Cornificius, Cicero recommended all the affairs of his intimate friend Aelius Lamia “as though they were mine”¹²¹. Finally, in a letter recommending Egnatius Rufus’ interests in Philomelium, Cicero asked a certain Q. Gallius too look after these affairs “just as though they were mine”¹²². He repeats this request in two subsequent letters that contain the exact same phrase: “I should not be more concerned if my own money were at stake”¹²³. It is in a fourth letter on behalf of this Egnatius (mentioned earlier) that besides his *negotia*, his slave Anchialus was also recommended as if he were Cicero’s. The description of this

¹¹⁵ Fam. 13.23.2: “Hunc tibi ita commendo ut, si meus libertus esset eodemque apud me loco esset quo [et] est apud suum patronum, maiore studio commendare non possem”.

¹¹⁶ Fam. 13.33: “(...) liberti Hilarus, Antigonus, Demonstratus; quos tibi negotiaque omnia Nasonis non secus commendo ac si mea essent”; Fam. 13.69: “Itaque si quid aut mihi aut meorum cuipiam in Asia opus est, ad hunc scribere consuevi, huius cum opera et fide tum domo et re uti tamquam mea”. Cicero praised the exact same utility (i.e. providing housing and accommodation in the East) in recommendations for freeborn friends as well. E.g. Fam. 13.17.1, cf. note 113 above.

¹¹⁷ Fam. 13.46: “Eum tibi igitur sic commendo ut unum ex nostra domo”.

¹¹⁸ Fam. 13.21.2: “(...) ita fideliter benevoleque praesto fuit ut si a me manumissus esset”.

¹¹⁹ Fam. 2.14: “Eius negotium sic velim suscipias ut si esset res mea”.

¹²⁰ Fam. 13.5.2: “Quam ob rem te in maiorem modum rogo ut C. Curti rem meam putes esse, quicquid mea causa faceres, ut, id C. Curti causa cum feceris (...)”.

¹²¹ Fam. 12.29.3: “(...) rogo ut omnia Lamiae negotia mea putes esse curesque ut intellegat hanc commendationem maximo sibi usui fuisse”. Cf. Fam. 11.16.3

¹²² Fam. 13.43.1: “(...) Egnati absentis rem ut tueare aequae a te peto ac si mea negotia essent”.

¹²³ Fam. 13.44; 13.74: “(...) ut, si mea res esset, non magis laborarem”.

slave (and *in extenso* that of *liberti alieni*) as if he were Cicero's, should thus be seen as a rhetorical strategy that was applied regardless of a *commendatus*' legal status¹²⁴.

Similarly, the convention of including a note of thanks at the end of the letter was respected in the recommendations of freedmen. Any kindness Caesar would show towards Apollonius, for example, would "particularly oblige" Cicero¹²⁵. The wish to publicise his connections and his influence – another traditional element in letters of recommendation – is clear from the regular inclusion of phrases that were observed for non-freedman recommendations as well. Cicero thus ends his letter recommending the three freedmen of Cn. Otacilius Naso to Acilius with the remark that it would oblige him deeply "if [he (Cicero)] finds that the recommendation has carried much weight with [him (Acilius)]"¹²⁶. In addition, the letter to Appuleius on behalf of Zoilus reveals that "it would be very agreeable to me [Cicero] if you [Appuleius] would let him [Zoilus] understand that this recommendation has done him great service with you"¹²⁷.

Moreover, besides stressing his relation to the freedman, Cicero also goes through considerable trouble to depict his excellent connection to the freedman's patron. This can be done through a highly standardised mention of their *familiaritas* and *necessitudo*¹²⁸, but often it was considered important to expand on this bond. Before even introducing the three freedmen of Naso, for example, Cicero writes in a letter to Acilius: "I am on a very familiar footing with Cn. Otacilius Naso, as familiar in fact as with any gentleman of his rank. His attractive manners and worth of character make my daily contacts with him very agreeable"¹²⁹. In the letter recommending Avianianus' freedman Hammonius, Cicero wrote about the many previous favours (*beneficia*) for which he had always been very grateful (*gratissimus*)¹³⁰. Sometimes then, this bond between Cicero and the patron is highlighted before the freedman is even introduced. This may at first

¹²⁴ Trapp (2003), 39-40 points out that these strategies are a "standard element" in letters of recommendation in general.

¹²⁵ Fam. 13.16: "Quicquid ei commodaveris, erit id mihi maiorem in modum gratum".

¹²⁶ Fam. 13.33: "Gratissimum mihi feceris si intellexero hanc commendationem magnum apud te pondus habuisse".

¹²⁷ Fam. 13.46: "Valde mihi gratum erit si curaris ut intellegat hanc commendationem sibi apud te magno adiumento fuisse". Cf. also Fam. 13.60.2 (Trypho). Similar endings occur throughout the letters written for freeborn protégés. E.g. Att. 2.25.1: "Cum aliquem apud te laudaro tuorum familiarium, volam illum scire ex te me id fecisse". Note that Cicero deemed it equally important to include a similar remark in his only extant recommendation of a slave: Fam. 13.45: "Quam ob rem etiam atque etiam a te peto ut cures ut intellegat me ad te satis diligenter scripsisse".

¹²⁸ E.g. Fam. 13.70: "Nam cum T. Ampio Balbo mihi summa familiaritas necessitudoque est".

¹²⁹ Fam. 13.33: "Cn. Otacilio Nasone, utor familiarissime, ita prorsus ut illius ordinis nullo familiarium; nam et humanitate eius et probitate in consuetudine cottidiana magno opere delector".

¹³⁰ Fam. 13.21.

sight seem like a structural “order of importance”¹³¹, but a closer look at these instances shows that they occur precisely in those letters that recommend not only the freedman himself but also the patron in his *own* right. Thus Naso, in the same letter, is explicitly recommended (*commendare*) to Acilius before his freedmen are. Similarly, Avianianus himself is recommended before Cicero draws attention to his interests in Sicyon and to his freedman Hammonius. In such instances, however, Cicero makes sure to stress that these freedmen are recommended *suis nominibus* as well. In the letter recommending Hammonius, Cicero thus stresses that he commends the freedman as “the agent of the person whom I am recommending to you” but also “to hold him in regard for his own sake”¹³². Deniaux has claimed that it was the status of a recommended person that could make him either “un *commendatus véritable*” or “un individu introduit dans la recommandation de quelqu’un d’autre”. She gives the cases of the only recommended slave Anchialus and of the three freedmen of Naso as an example of the second category. At the end of her discussion, however, it is made clear that other freedmen are on the contrary presented as *commendati* in their own right, i.e. “à la manière traditionnelle”¹³³.

5.3.3 The patronage relation as distinctive feature?

A recurrent argument in favour of a fundamental distinction between freedman recommendations and recommendations of *ingenui* is the claim that freedmen were consistently framed in relations of dependence vis-à-vis their patrons, and that their virtues essentially boiled down to a pleasing of these patrons¹³⁴. It is undeniable that this does indeed seem to occur on several occasions. Zoilus is presented in the beginning of a letter to Appuleius as his patron’s heir (*heres patroni sui*) and as an individual held in high esteem by him (*patroni iudicio ornatus erat*)¹³⁵. After Hammonius is first mentioned in a letter to Sulpicius Rufus, he is praised for his “exceptional conscientiousness and fidelity towards his former master” (*nam cum propterea mihi est probatus quod est in*

¹³¹ Thus Fabre (1981), 246 (on the cases of Hammonius and Trypho): “le ‘portrait’ du patron avait précédé celui du *libertus* qui n’apparaissait que comme un prolongement du premier” or Smadja (1976), 98: “Ces compliments adressés par Cicéron ne visent pas la personne de l’affranchi ; en fait celui-ci les réfléchit vers son patron, à qui en dernier ressort ils sont adressés. Le ton que Cicéron emploie pour parler d’un affranchi révèle l’importance de son patron”.

¹³² Fam. 13.21.2: “Itaque peto a te ut eum [Hammonium] et in patroni eius negotio sic tueare ut eius procuratorem quem tibi commendo et ipsum suo nomine diligas (...)”.

¹³³ Deniaux (1993), 57, 134.

¹³⁴ See note 131 and the notes to Mouritsen above (8, 95, 96, and 104).

¹³⁵ Fam. 13.46.

patronum suum officio et fide singulari)¹³⁶. Menander is described immediately after his introduction as “a worthy, modest person, of whom both his former master and I have an excellent opinion” (*homo frugi et modestus et patrono et nobis vehementer probatus*)¹³⁷. And Anchialus, to give a final example, is praised as “a person very highly thought of by his former master and his former master’s connections” (*homo et patrono et patroni necessariis probatissimus*)¹³⁸. An important feature for which these particular freedmen were praised, was thus their connection to both Cicero and their patron. But embeddedness in a patronage relation or being agreeable and pleasing to an individual of higher social rank was not a virtue in freedmen alone. This point is taken up below, but it should be clear here already that even in letters that do not truly recommend someone, freeborn individuals are praised for very similar features. Cicero, for instance, writes to Lentulus Spinther that no one is more caring, more faithful, or more loving towards him than Q. Selicius (*neque enim prudentiorem quemquam ex tuis neque fide maiore esse iudico neque amantiorem tui*)¹³⁹.

Cicero usually reserved the first line of a letter of recommendation (and its first few words in particular) to accentuate its subject. These letters therefore traditionally begin with *L. Genucilio Curvo iam pridem utor familiarissime...*, *Cluvius Puteolanus valde me observant...*, or *L. Custidius est tribulis et municeps et familiaris meus...*¹⁴⁰. Similarly, when entire communities are recommended, their name occupies this pivotal position. Thus *Nec Lacedaemonios dubitare arbitror...*, or *In Halaesina civitate tam lauta tamque nobili...*¹⁴¹. Even when Cicero uses the language of recommendations to jokingly refer to innate objects, the latter are given pride of place in the letter. When he entrusts (*commendare*) his *Orator* to Trebonius, Cicero starts his letter with *Oratorem meum (...) commendavi*, thus not only personifying his work, but also giving it its due stress (as if, indeed, it were a real individual that was being recommended)¹⁴². At first sight, the letters recommending freedmen seem to follow this trend. Examples include the letter for Evander (*C. Avianio Evandro, qui habitat ...*), Trypho (*L. Livineius Trypho est omnino ...*), and Mithres (*C. Curtius Mithres est ille ...*)¹⁴³. Yet other letters that contain a recommendation of freedmen, however, start out with the name of the *patron*. Thus the recommendation

¹³⁶ Fam. 13.21.2.

¹³⁷ Fam. 13.70.

¹³⁸ Fam. 13.23.1.

¹³⁹ Fam. 1.5a.4.

¹⁴⁰ Fam. 13.53; 13.56; 13.58; ... Examples are of course legion.

¹⁴¹ Fam. 13.28a; 13.32.

¹⁴² E.g. Fam. 15.20.1.

¹⁴³ Fam. 13.2; 13.60; 13.69.

of the unnamed freedman of Strabo starts with *L. Titio Strabone (...) familiarissime utor*¹⁴⁴. That of Menander first introduces his patron Ampius Balbus (for whom Cicero writes the recommendation in the first place), but eventually also separately recommends the freedman (*commendo maiorem in modum*). Indeed, in most of these cases, this “deviation” can again easily be explained by noticing how these letters not only recommend the freedmen in question, but also their patrons. Like the primacy of Balbus in the letter recommending (also) his freedman, it are Strabo’s interests and business that are first and foremost being recommended in the first example. The unnamed freedman is only recommended because he serves as the agent who will take care of the practicalities of the transactions. The central request is the safeguarding of Strabo’s interests, not the interests of the freedman.

The letters that *do* start out with the names of the freedmen themselves, moreover, recommend only the freedmen and not their patrons. The structure of these letters is meaningfully different than the letters that also recommend the patrons. The latter, as mentioned before, typically start out with a description of the patron’s relation with Cicero, only later introducing the freedman, who is nonetheless said to be recommended in his own right as well. The letters that recommend only the freedman not only begin with describing the freedman and his relations with Cicero, but the patronage-relation is barely mentioned at all throughout the letter. Thus Fam. 13.2 starts with *C. Aviano Evandro*, foreshadowing that it is this freedman in particular that is the main subject of the letter. He is first described as “a person with whom I have a good deal to do” (*ipso multum utor*). Only then is Cicero’s relation with his patron highlighted: “I am on very friendly terms with his former master” (*utor patrono eius M. Aemilio familiarissime*), followed immediately by the actual request of providing Evander with a place to live. The letter ends with the traditional elements (a saving clause and a note of thanks). Any additional reference to the relation between Evander and his patron is entirely omitted.

Similarly, the letter on behalf of Mithres starts with *C. Curtius Mithres* who is thereby highlighted as the central figure in the recommendation. The first sentence of the letter is: “C. Curtius Mithres is, as you know, the freedman of my very good friend Postumus, but he pays as much respect and attention to me as to his own ex-master”¹⁴⁵. Besides the rendering of the patron in the possessive genitive after *libertus*, the connection between Mithres and his patron is not further elaborated upon throughout the letter. Instead of describing this bond in further detail, Cicero accentuates his own relationship with the freedman. The first sentence thus presents the triad of relations between the three men

¹⁴⁴ Fam. 13.14.1.

¹⁴⁵ Fam. 13.69: “C. Curtius Mithres est ille quidem, ut scis, libertus Postumi, familiarissimi mei, sed me colit et observat aequae atque illum ipsum patronum suum”.

before introducing any of them to Isauricus: Mithres is the freedman of Postumus, Postumus is the *familiaris* of Cicero, and Mithres is very observant towards Cicero as well. The rest of the relatively long letter is dedicated to the extraordinary help Mithres had been able to provide Cicero and his friends with. His relation to Cicero thus constitutes the core of the letter (e.g. his being a *homo intimus ac mihi pernecessarius*). Nowhere else is the bond with his patron repeated. This is especially significant since Cicero's request is rather delicate. Indeed, besides asking Isauricus (as his friend) to receive Mithres in his circle (*recipere in fidem et habere in numero tuorum*) he asks him (as proconsul of Asia at the time) to "accommodate Mithres in the dispute he has on hand with a certain citizen of Colophon concerning a rural property". Surely, if a good relationship with his patron was the most praiseworthy attribute of Mithres, Cicero would have stressed it more vehemently throughout the letter. Instead, Mithres is presented rather as an independent figure, and his many – apparently voluntary – services to Cicero are considered more salient in presenting him as a trustworthy candidate for Isauricus' consideration¹⁴⁶.

Finally, the letter on behalf of Trypho starts out with *L. Livineus Trypho* (and not with *L. Regulus*, his patron). Again, our expectation that he will thus be the key figure in the recommendation is confirmed. The letter starts: "L. Livineius Trypho is to be sure a freedman of my close friend L. Regulus, whose misfortune has made me even more anxious to serve him – *feel* more kindly than I always did I cannot. But I am fond of his freedman for his own sake"¹⁴⁷. It is therefore practically identical to the first phrase of Mithres' recommendation: the patron is rendered in the (possessive) genitive after *libertus*, and both the bond of strong *familiaritas* between Cicero and Regulus, and Cicero's good relation with the freedman are stressed. Even *omnino* can be seen as a parallel to *ut scis* of the previous letter. Trypho, moreover, is the sole subject of the subsequent lines in which Cicero highlights the freedman's many services to him (cf. supra). Besides the initial mention of the patron (which is arguably no more than a part of the pseudo-formal libertination like we saw in the previous case), the patron L. Regulus is not once referred to. The relation with his patron as a means to praise the freedman is clearly considered less effective than the extensive description of his relation with Cicero.

All the letters that start out with the freedman's name treat him as the most important (and in fact sole) beneficiary of the recommendation. The bond with the patron is –

¹⁴⁶ Cf. in the same vein Treggiari (1969a), 221.

¹⁴⁷ Fam. 13.60: "L. Livineius Trypho est omnino L. Reguli, familiarissimi mei, libertus; cuius calamitas etiam officiosorem me facit in illum; nam benevolentior quam semper fui esse non possum. Sed ego libertum eius per se ipsum diligo".

besides an occasional formal remark at the start of the letter – never stressed. If the profiling of a freedman as “pleasing or useful to his patron” were a unique feature of freedmen recommendations that distinguished them from recommendations of freeborn friends, are the letters in which this feature does not occur mere exceptions?

A part of the answer may be found in those recommendations of freeborn friends that present the beneficiaries as “clients” of a “(pseudo-)patron”. On certain occasions a recommendation is inspired by a friend of Cicero’s who vouches for one of his own protégés, and who thereby adds more weight to the recommendation itself. When recommending Manius Curius and his business to Sulpicius Rufus, for example, Cicero adheres to the normal conventions of recommendation: he stresses his good relationship with Curius, makes the actual request, promises future benefits, and includes a note of thanks. Interestingly, Cicero’s closest tie (*maximum vinculum*) to Curius, so he writes, consists in their mutual friendship (*familiaritas*) with Atticus, whom Curius cultivates (*observare*) and regards (*diligere*) more than anybody in the world¹⁴⁸. Likewise, Cicero writes to Q. Gallius to recommend his *familiaris* L. Oppius not only because of the regard he has for the man himself (*commendo eo magis quod cum ipsum diligo...*), but especially because he is managing the affairs of Egnatius Rufus (... *tum quod negotia procurat L. Egnati Rufi*). Like some of the freedmen mentioned above, Oppius is thus recommended both in his own right and as a protégé of Egnatius, whose relation with both Cicero and Oppius is arguably the central theme of the letter¹⁴⁹. Similarly, Patro’s recommendation to C. Memmius is enhanced by stressing his close relation to Atticus who very much likes him (*diligere*)¹⁵⁰. These “pseudo-patrons” are usually representative for the addressee’s peers, and by greatly approving of the *commendatus* (and therefore of the recommendation as a whole), they endow him with this social group’s “corporate authority”¹⁵¹.

In a letter to Valerius Orca, Cicero moreover praises the good qualities of his friend Cuspius. Because he completely trusts the latter’s judgment, Cicero feels confident to recommend a certain L. Iulius on Cuspius’ instigation. However, since the entire letter is dedicated to the trust between Cicero and Cuspius, barely any space is reserved for the actual description of this Iulius. In fact, Iulius is only halfway through the letter mentioned for the first time in a single phrase that has Cuspius as its thematic and grammatical subject: “P. Cuspius has been extraordinarily urgent to have me give L.

¹⁴⁸ Fam. 13.17.1.

¹⁴⁹ Fam. 13.43.

¹⁵⁰ Fam. 13.1.5

¹⁵¹ The term, as noted before, is derived from Gurd’s (2007), 54-5 discussion on how literary works were often “tested” in front of a small group of people that represented the intended audience. By approving of the “first draft”, they endowed it with their symbolic and cultural capital which the author could subsequently invoke throughout the text.

Iulius a most particular recommendation to you”¹⁵². The letter continues by mentioning, again, Cuspius’ insistence to make the recommendation particularly compelling. Whatever Iulius’ qualities or characteristics may have been, they are completely subordinated to the much more compelling argument: Cuspius’ solicitation and Iulius’ agreeable character in the eyes of his “pseudo-patron”. The second (and also last) reference to Iulius is illustrative. Cicero does not even bother to mention his name again: “That the person whom I am recommending is very worthy to be your friend I believe not only because Cuspius tells me so, though that ought to be enough, but because I know his good judgement in choosing men and friends”¹⁵³.

A final example is the recommendation of Avianius Philoxenus, an old host and *familiaris* of Cicero’s. The only things that Cicero thought worthy of mention were the fact that he had been made a citizen of Novum Comum by Caesar, and that he had taken the *nomen* Avianius because of his close relation to Avianius Flaccus. Cicero ends the letter by writing that he has put these two facts together to let Acilius “understand that this recommendation of mine is outside the ordinary”¹⁵⁴. Philoxenus’ own character once again plays second fiddle to his relation with Caesar and Flaccus, which is the most important (and in fact only) identity dimension Cicero thought worth including.

In all of these (and many other similar) cases, the recommended person’s worth and trustworthiness is increased by (or even entirely reduced to) his relation with a social superior who had often not only instigated the recommendation, but whose relation to the *commendatus* constituted the latter’s most important asset. People like Atticus, Rufus, Cuspius, and Flaccus thus acted as “pseudo-patrons” in the sense that the recommended individuals derive their most salient identity dimension from their connection to them. Because none of these men were of course freedmen, we might legitimately ask the question whether the framing of a freedman’s “pivotal virtues” within the relation with his patron is a practice that was typically reserved for them. Especially when we take into account that the words used to do so differ not as substantially – if at all – from freeborn recommendations as has been argued in the past, and that there existed freedmen who were recommended independently and without consistent references to their patron, the artificial divide between freedman recommendations and recommendations of freeborn friends crumbles even further.

¹⁵² Fam. 13.6.3: “Nam P. Cuspius singulari studio contendit a me, ut tibi quam diligentissime L. Iulium commendarem”.

¹⁵³ Fam. 13.6.4: “Ipsum hominem, quem tibi commendo, perdignum esse tua amicitia, non solum, quia mihi Cuspius dicit, credo – tametsi id satis esse debebat –, sed quia novi eius iudicium in hominibus et amicis deligendis”.

¹⁵⁴ Fam. 13.34.

In short, neither the vocabulary, nor the structural composition, nor the presence of a patronage relationship in letters that recommend freedmen provide conclusive evidence for the alleged *sui generis* character of freedmen recommendations. Before comprehensively summarising the conclusions that can be drawn from the observations made above, we will briefly illustrate them by way of a detailed case study.

5.4 Casus: Apollonius

In the previous paragraphs, the case of Apollonius has been deliberately kept out of the discussion. As the most extensive (surviving) recommendation of a freedman, this letter lends itself particularly well to more detailed case study. The letter is addressed to Caesar, and contains the following structural components¹⁵⁵:

Lines 1-4: Description of P. Crassus (Apollonius' patron) and his excellent relationship with both Cicero and Caesar. It is a very schoolbook instance of social triangulation, and one of the cases where the patron is referenced before the freedman is introduced.

P. Crassum ex omni nobilitate adulescentem dilexi plurimum et ex eo cum ab ineunte eius aetate bene speravissem, tum optime existimare coepi [ex] iis iudiciis quae de eo feceras, cognitis.

Lines 4-7: Introduction of Apollonius and accentuation of his good relationship with both his patron and Cicero.

Eius libertum Apollonium iam tum equidem cum ille viveret et magni faciebam et probabam. Erat enim et studiosus Crassi et ad eius optima studia vehementer aptus; itaque ab eo admodum diligebatur.

Lines 7-11: After Crassus' death at Carrhae (53 BCE), Cicero had admitted Apollonius to his *fides* and *amicitia*. The initiative came from Apollonius himself, since he thought it proper to honour his patron by respecting the latter's loved ones (among whom Cicero figured prominently).

¹⁵⁵ Fam. 13.16. The "lines" each time refer to the Loeb edition by Shackleton Bailey (2001), and are included merely to give an indication of the attention paid to certain themes within the letter.

Post mortem autem Crassi eo mihi etiam dignior visus est quem in fidem atque amicitiam meam reciperem quod eos a se observandos et colendos putabat quos ille dilexisset et quibus carus fuisset.

Lines 11-14: Apollonius had subsequently assisted Cicero during his proconsulship in Cilicia. There, his *fides* and *prudencia* had proved very useful. Three years later, Apollonius was still (or again) in the East, this time applying his *studium* and *fidelitas* to help Caesar in his Alexandrian War.

Itaque et ad me in Ciliciam venit multisque in rebus mihi magno usui fuit et fides eius et prudentia, et, ut opinor, tibi in Alexandrino bello, quantum studio et fidelitate consequi potuit, non defuit.

Lines 15-24: The actual request. Apollonius is leaving for Spain to join Caesar. Again, the initiative was his own, although Cicero did encourage him. Cicero is convinced that his recommendation would carry weight with Caesar. Moreover, it was expected that Caesar would already be inclined to receive Apollonius because 1) he would remember him from his contributions during the Alexandrian War, and 2) the memory of Crassus' friendship with Caesar would move the latter to accommodate his family-members (once again a good example of "social triangulation").

Quod cum speraret te quoque ita existimare, in Hispaniam ad te maxime ille quidem suo consilio sed etiam me auctore est profectus. Cui ego commendationem non sum pollicitus, non quin eam valituram apud te arbitrarer, sed neque egere mihi commendatione videbatur, qui et in bello tecum fuisset et propter memoriam Crassi de tuis unus esset, et, si uti commendationibus vellet, etiam per alios eum videbam id consequi posse; testimonium mei de eo iudici, quod et ipse magni aestimabat et ego apud te valere eram expertus, ei libenter dedi.

Lines 25-32: Description of Apollonius. His literary talents and experience in particular are highlighted in their own right, but a connection to their usefulness for Caesar is made since Apollonius had expressed his wish to write an account of Caesar's *Res Gestae* in Greek.

Doctum igitur hominem cognovi et studiis optimis deditum, idque a puero. Nam domi meae cum Diodoto Stoico, homine meo iudicio eruditissimo, multum a puero fuit; nunc autem, incensus studio rerum tuarum eas litteris Graecis mandare cupiebat. Posse arbitror; valet ingenio, habet usum, iam pridem in eo genere studi litterarumque versatur, satis facere immortalitati laudum tuarum mirabiliter cupit.

Lines 33-34: Saving clause: "by all means, judge for yourself".

Habes opinionis meae testimonium, sed tu hoc facilius multo pro tua singulari prudentia iudicabis.

Lines 34-36: Note of thanks.

Et tamen, quod negaveram, commendo tibi eum. Quidquid ei commodaveris, erit id mihi maiorem in modum gratum.

The recommendation takes place at a moment when Caesar is at the apex of his power, as he was hunting down the last remnants of Pompeian resistance in Spain. Cicero is thus recommending a freedman to arguably the most powerful man in the known world at the time. And he is very well aware of it too. It is no coincidence that Apollonius is said to have been of great assistance to both a proconsul and a military commander. The recommendation, moreover, is the only instance in Cicero's correspondence where a freedman is (discursively) connected to military activity and war, with the exception of Bellienus Demetrius, who, as a bribed garrison commander, found himself on the receiving end of the only vituperation in Cicero's letters that describes a freedman as *verna* and *Psecade natus*, two particularly derogative references to Demetrius' servile past¹⁵⁶. Evidently, the mention of Apollonius in the context of the Alexandrian War does not necessarily imply that he engaged in actual fighting. In fact, the virtues that Cicero deemed noteworthy in this context, were his *studio* and *fidelitas*; hardly the qualities by which military prowess would be celebrated. Apollonius more than likely served in Caesar's administrative staff, but the help he thereby indirectly provided in winning the war must have struck (or was intended to strike) a sensitive chord with the veteran commander. It is at any rate a good example of how Cicero would carefully select the most salient aspects of the *commendatus*' identity, depending on the particular context of the recommendation.

When he discusses the case of Apollonius' recommendation, Mouritsen mentions only the freedman's reception in Cicero's *fides* and *amicitia*, his *fides* and *prudencia* in Cilicia, and his *studio* and *fidelitas* in Alexandria¹⁵⁷. By focussing only on the vocabulary in the first 15 lines of the letter, and thereby trying to support the claim that freedmen were typically (and differently) described with terms that firmly rooted them in the relation with their patron, Mouritsen undervalues both the passage extending over lines 25-32, which stresses Apollonius' literary qualities (without any reference to his patron), as well as the fact that Apollonius is at least twice credited with taking independent initiative in important matters.

Nearly all the elements and conventions that are traditionally identified and deployed in letters of recommendation are included in this one. Cicero's excellent

¹⁵⁶ Fam. 8.15.2.

¹⁵⁷ Mouritsen (2011), 62-3.

relationship with Crassus, the saving clause, and the note of thanks at the end are quickly noticed. The denial (until the very end of the letter) that he is in fact recommending (*commendare*) Apollonius, and the claim that he is instead merely giving a testimony (*testimonium*) of his character, is Cicero's original way of preventing that the letter would come across as dull, formal, and standardised¹⁵⁸. Like Hammonius' recommendation, Apollonius' takes a middle ground between letters that situate the freedman solely in relation to his patron, and letters that focus entirely on the freedman's own qualities and character. As we have seen, however, both extremes are found also among freeborn *commendati*.

The constant switching between Cicero and Caesar throughout the letter is a clear confirmation of the suggestion by Rees and others that both writer and addressee rather than the *commendatus* were in fact the protagonists of a letter of recommendation. Already in the first sentence, Cicero and Caesar are given a prominent role. After Apollonius is initially treated mainly in relation to his patron (and as owing some of his commendable virtues to his association with him), the rest of the letter – as a reflection of the consequences of Crassus' death – focusses alternately on the freedman's new "patrons" Cicero and Caesar. He joined *Cicero* in Cilicia – he joined *Caesar* in Alexandria; he now travels to *Caesar* in Spain – he relies on *Cicero* to publicise his reputation; he had devoted himself to liberal studies in *Cicero's* house – now he wants to write *Caesar's Res Gestae*; etc.

Embeddedness in important networks, and connections to influential individuals are features that are stressed in recommendations whenever it is possible. Cicero is confident that Apollonius can obtain a recommendation from other people than himself should he desire one. Not only is Cicero thereby rhetorically denying that he is writing a recommendation, he also suggests that Apollonius has extensive networks on which he can safely rely. This was already suggested at the beginning of the letter, where Cicero mentions not only that he had received the freedman in his own trust network (*recipere in fidem atque amicitiam*), but that he had done so because Apollonius *obervabat* and *colebat* the persons Crassus had loved and who had loved him in return. Apollonius is thus presented not only as closely connected to his patron, but also to Cicero, Caesar, both these men's networks, and Crassus' friends. Like in the cases of freeborn friends and clients, such instances serve to highlight the social capital of the *commendatus*, as well as the ensuing "control" which would make the receiver of the letter all the more confident to accept the request.

¹⁵⁸ Cf. Cotton (1977), 9; (1985), 334.

5.5 Conclusion

The observation that the virtues and qualities of some freedmen derive primarily from the relation with their patron is in itself not wrong. It is, however, far from conclusive evidence for the existence of a specific format of praise or recommendations for ex-slaves. As we saw, freedmen could just as well be depicted much more independently by omitting the patron almost entirely from the letter, and by focussing instead on their relation with Cicero; a recurrent trait also in letters for freeborn friends and clients. It is no coincidence that in these cases, Cicero clearly had had close personal interactions with the freedmen in question. The virtues of these men, and the guarantee that he had experienced them in person (“dyadic control”), were in these cases considered more effective than merely framing them in the patron-freedman relationship.

In many recommendations of freeborn friends, the most important feature would equally derive from the relation to a “(pseudo-)patron”. In these letters, the connection between such “(pseudo-)patrons” and the recommended persons forms the framework in which the virtues of the latter are presented. Moreover, it could be argued that in letters that do not refer to a third party acting as a “(pseudo-)patron” or protector of the recommended person, Cicero himself fulfilled this role. The virtues of the recommended individuals are in these cases framed within the relationship between these individuals and Cicero. The embeddedness in a (pseudo-)patronage relation with Cicero is in these cases less obvious, since its expression overlaps in no small degree with the traditional feature of recommendation by which the bond between writer and recommended person is stressed. Thus with Anchialus, for instance, Cicero seems not to have had many (if any) personal contacts or experiences worth mentioning. In any case, he did not deem them convincing enough to include them in the letter. The excellent relationship with his patron was the next best thing to praise Anchialus and his trustworthiness with. The same goes for Menander, Naso’s Antigonus, Demostratus, and Hilarus, etc. In contrast, with Mithres, Trypho, and Evander, Cicero could and did invoke past interactions which he considered more valuable or convincing than these freedmen’s embeddedness in the relation with their patron, which he therefore almost entirely omits. Finally, the cases of Hammonius or Apollonius warn us against too rigid an analytical opposition between the two situations. These freedmen’s embeddedness in the relation with their patron, as well as previous personal contacts with Cicero (and in the latter case even with the addressee) are stressed. It should be clear that deliberation about what information to include (and what not), depended on the particular context of the recommendation. At any rate, the already manifest diversity of these choices in the very limited amount of freedmen recommendations at our disposal strongly suggests that there may not have been any distinctive format for a “freedman recommendation” in the first place.

In a society where personal connections are vital in social promotion – and the prominent role of letters of recommendation in late Republican and Imperial epistolography is already in itself a testimony to the veracity of this claim for Rome –, one of the most important assets to possess was embeddedness in as much meaningful networks and relations as possible. It is precisely this feature that letters of recommendation wish to accentuate. Not only was the *commendatus*' value thereby highly increased (the receiver would gain multiple “weak ties” to other networks), but his trustworthiness was at the same time guaranteed. A dense network embeddedness was, as we have seen, an important trust-increasing factor due to the possibilities of “network control” it generated. In the case of freedmen, this image could be established by framing them in the relationship with their patron, and Cicero takes recourse to this option especially in those cases where he could not refer to any other networks or qualities. Where he could, however, he perceived his own relationship with the freedman, as well as his personally having witnessed the freedman's virtues, as potentially more compelling arguments. Instead of considering the depiction of freedmen realising their virtue via and through their patron as a sign of a fundamental difference with freeborn friends (or even of their subservience to said patron), we should contextualise these letters in this broader conception of the “recommendational habit”.

Moreover, the deference paid to a patron does not differ substantially from the respect shown by freeborn clients to their patrons (or “pseudo-patrons”). When Fronto recommended Gavius Clarus, a younger senator of lower rank than Fronto himself but bound to him by yearlong *familiaritas*, he mentioned that Gavius had devoted himself to him (*me curavit*) from a very young age by performing many appropriate services (*officia*). He continues by equating the deference of freeborn clients towards their patrons with the respect paid by freedmen to theirs (*sed paulatim amicitia nostra eo processit ut neque illum pigeret nec me puderet ea illum oboedire mihi, quae clientes, quae liberti fideles ac laboriosi obsequuntur*)¹⁵⁹. The link with and reverence towards a social superior in these cases was not considered discreditable, and even if it was, its undesirability was greatly made up for by the much more important advantage it produced: the establishment of a connection to an important individual or network. The same goes for one of Pliny's letters, in which he recommends Minicius Acilianus to Junius Mauricus as a marriage partner for the latter's niece. Pliny extensively praises the young man: he loves him (*me diligit*), and although he is only a little younger than Pliny himself, he respects him as his elder (*me reveretur ut senem*)¹⁶⁰. By subtly but explicitly referencing

¹⁵⁹ Fronto Ad Verum Imp. 2.7.2.

¹⁶⁰ Plin. Ep. 1.14.3.

his seniority (*est enim minor pauculis annis*), Pliny presents himself as a “pseudo-patron” of Minicius¹⁶¹. Besides his connection to Pliny, who vouches for him and who thus constitutes the strongest argument in the recommendation, Minicius’ other networks are in addition invoked throughout the subsequent passages (e.g. his connection his honest *patria* Brixia, his prominent father, ...). Pliny stressed his own experience and connection with the man (cf. dyadic learning and control), but also accentuated his ties to and embeddedness in other networks that would guarantee his trustworthiness.

Only by assuming that freedmen were a priori “different” due to their *macula servitutis*, can the claim that recommendations of freedmen fundamentally differed from recommendations of freeborn friends and clients be maintained (and even then only for the “patronal connection” argument). However, this premise not only results in a heavily biased and predetermined analysis of the actual source material (including unwarranted claims of a “specific vocabulary”), but it also betrays the fundamental circularity of the argument: the uniqueness of freedman recommendations is due to the inherent differentness of freedmen, for which these recommendations are at the same time “proof”.

¹⁶¹ On a similar note, see Sogno (2010), 58.

Chapter 6 Freedmen in “detached” meta-narratives

The previous chapters focussed predominantly on the genre of epistolography to reconstruct the “network embedded” contexts in which these documents were drafted, and in which freedmen operated on a daily basis. The network embeddedness of sources like letters and epitaphs, but especially their value for the study of freedman socialisation is, however, most clear when it is explicitly contrasted with “detached” sources. The current chapter aims to highlight these differences, to pinpoint where and how traces of embeddedness nonetheless survive in these sources, and – most importantly – to demonstrate how such glimpses can be useful for our purpose. This will be done in a first section, by drawing attention to literary passages in which direct speech of freedmen was (pretended to have been) truthfully integrated. The question as to how the “real” freedman’s voice can shed light on his socialisation and stratification in society at large, will be taken up in further detail in Chapter 8, where we treat the verse epitaphs ex-slaves composed for themselves and their relatives.

A more extensive second section focusses on the similarities and differences in the representation of freedmen in the “detached” works of Suetonius and Tacitus when compared to network embedded sources. These works have in common with Cicero’s letters that they originate from elite society and therefore reflect the views, prejudices, and ideology of this narrow stratum of Roman society. Habinek consistently draws attention to this well-known aspect of literary sources in his discussion of “the politics of Latin literature”, as already made clear in his introductory note: “Many of the characteristics of Latin literature can be attributed to its production by and for an elite that sought to maintain and expand its dominance over other sectors of the population (...)”¹. But such a broad observation greatly effaces fundamental differences between literary genres, by focussing entirely on authorship rather than on the performative

¹ Habinek (1998), 3.

function of these documents. This second section therefore aims to address this issue in detail, and to reassess the “detached” discourse on freedmen (with the Roman historians² as primary case study).

Together, these two sections approach our main question about the extent to which a servile past impacted the lives of Roman freedmen from two different angles. The main argument put forward is that even in the most vicious attempts at social distinction, sneers to (and overall condemnation of) freedmen were a result of a genre-specific “meta-narrative” – facilitating (or even necessitating) the rhetorical generalisation of concrete and individual instances of transgressive behaviour – rather than a consequence of an all-pervasive and omnipresent moral deficiency a priori attributed to ex-slaves outside of these narratives.

6.1 Echoes of freedmen’s “voices” in the literary record

6.1.1 Freed authors

Relatively few works from the pens of freedmen have survived. Harris has cogently argued that it were illiteracy and financial limitations that precluded a literary tradition of the lower classes as a whole³. Although clearly deserving some merit, this suggestion does not in itself explain the remarkable absence of wealthy and cultured freed authors in Latin literature. The situation of the Roman social historian is deplorable indeed when compared to the wealth of slave and freedman narratives written in 18th and 19th century America, and which often evoke sighs of envious frustration from ancient historians⁴. We know authors like Publilius Syrus, Terence, Epictetus, and (perhaps) Phaedrus to have been manumitted at least partially because of their literary talents⁵.

² We use “historians” throughout this chapter to denote Tacitus, Dio, and Livy in particular, but also Suetonius. Obviously, the latter is not truly a historian, but rather a biographer. Only in the interest of fluency, do we categorise him here under the heading of “historian”, thereby by no means suggesting that the genres of historiography or biography entirely overlapped.

³ Harris (1989), *passim*.

⁴ E.g. Hopkins (1993), 12 note 17; Bradley (1994), 7.

⁵ Christes (1979b) looks for traces of a servile past in the works of Publilius Syrus and Phaedrus. Bloomer (1997), Chapter 3 (p. 73-109), similarly analyses the “rhetoric of freedmen” in Phaedrus’ fables. Champlin (2005) has, however, convincingly questioned the *communis opinio* that Phaedrus was a freed slave, instead arguing that he was actually “a member of the Roman élite masquerading as a man of the people” (117). Dumont (1987), 609 compares the treatment of slaves and slavery in the comedies of Plautus and Terence. Interestingly, in Terence’s comedies, slaves are usually

But whenever these writers mention the condition of slaves or freedmen, they consistently adhere to the public transcript imposed by the slave-owning class, to which they – after all – now belonged themselves⁶. Publilius Syrus was an enslaved Syrian, but was set free by his Roman master after having shown great promise during his literary performances. His *Sententiae*, brief moralising maxims, regularly refer to or even address slaves. Instead of showing signs of sympathy, he advises them to settle in their roles and to accept their condition. “If you serve reluctantly”, he claims, “you will be miserable, but nonetheless still a slave” (*qui invitus servit, fit miser, servit tamen*), implying that one might as well make the best of this inexorable situation. Indeed: “If you serve wisely, you will have a share in your master’s rule” (*qui docte servit, partem dominatus tenet*)⁷.

Epictetus, a freed slave of Nero’s freedman Epaphroditus, had allegedly experienced the full extent of the cruelty slaves could be subjected to. Apparently, his master had slowly and willingly broken his legs for no apparent reason. Although the anecdote was very likely inspired by a wish to present Epictetus as a stoic martyr, this explanation for his disability was not too far-fetched for a third century audience⁸. Epictetus himself, like Publilius Syrus, certainly did not deny the cruelty of slavery – he in fact stresses it on many occasions – but he exhorts slaves to nonetheless accept this condition, philosophically arguing that it is only a temporary one, and that it is nothing compared to the rewards they would reap after a lifetime of dutiful subservience⁹. He even scorns the naiveté of slaves who thought that they would be better off after manumission, describes in detail the precarious situation a recently freed slave faced, and mocks a slave’s realisation from hindsight that he had unjustly despised the security his master’s protection provided¹⁰. This discourse has remarkable similarities with the public

depicted as less successful individuals when compared to their counterparts in Plautius. Dumont however concludes that “cette constatation n'a qu'une portée relative” as both writers differed not significantly in their description of slaves. Cf. already Amerasinghe (1950), which discusses the Terentian slaves in each play separately.

⁶ Finley (1980), 117; Kleijwegt (2006b), 92.

⁷ Publ. Syr. 596; 616.

⁸ The only authority for Epictetus’ cruel treatment is the account of the third century Church Father Origen of Alexandria (Orig. Contr. Cels. 7.53). Three centuries later, on the other hand, Simplicius (Comm. Epict. Ench. 13) stated that he was born a cripple. Cf. Weaver (1994), *passim* (esp. p. 475).

⁹ For Epictetus drawing attention to his own servile past, see for example Disc. 1.9.29, where Rufus taunts him with it (“Συμβήσεται σοι τοῦτο καὶ τοῦτο ὑπὸ τοῦ δεσπότου”); 1.19.20-1, where Epictetus is asked by some people what his master was doing (“εἶδες ἂν πῶς αὐτὸν ἐτίμα ὁ Ἐπαφρόδιτος: “τί πράσσει Φηλικίων ὁ ἀγαθός, φιλῶ σε;” εἶτα εἴ τις ἡμῶν ἐπύθετο “τί ποιεῖ αὐτός ...”). For Epictetus exhorting slaves to accept their present condition, see for example Disc. 1.9.16 (“ἄνθρωποι, ἐκδέξασθε τὸν θεόν. ὅταν ἐκεῖνος σημήνη καὶ ἀπολύσῃ ὑμᾶς ταύτης τῆς ὑπηρεσίας, τότε ἀπολύεσθε πρὸς αὐτόν· ἐπὶ δὲ τοῦ παρόντος ἀνάσχεσθε ἐνοικοῦντες ταύτην τὴν χώραν, εἰς ἣν ἐκεῖνος ὑμᾶς ἔταξεν”).

¹⁰ Disc. 4.1.33-5: “Ὁ δοῦλος εὐθὺς εὐχεται ἀφεθῆναι ἐλεύθερος; διὰ τί; δοκεῖτε, ὅτι τοῖς εἰκοστώναις ἐπιθυμεῖ δοῦναι ἀργύριον; οὐ· ἀλλ’ ὅτι φαντάζεται μέχρι νῦν διὰ τὸ μὴ τετυχηκέναι τούτου

discourse of slave-holders, which remained immune to change for centuries to come. A British observer of late 18th century Dominica, for example, wrote that the condition of slaves was “by no means unenviable and preferable to the situation of thousands of people in Great Britain, with all the accompaniments of their fancied liberties”. Similarly, an early 19th century plantation owner from the French colony of Saint-Domingue (the later Haiti) minimised the institution of slavery by arguing that slaves at least enjoyed the protection of their masters:

“L’esclave est moins à plaindre que ne le sont les paysans en France. Le premier, lorsqu’il est bon sujet, est aimé de son maître, il est assuré de son logement et de sa subsistance et s’il a une petite famille, elle est à la charge de son maître, qui en a tout soin possible”¹¹.

Paradoxically, then, not even freed Roman authors give any real insight into their own minds and opinions – unless, of course, we are to believe that a legal act suddenly and completely transformed the way they thought about slavery. Pretending precisely this was a popular strategy of socialisation and integration into the slave-owning classes, and is attested in epigraphic sources as well (cf. Chapter 8). It had the obvious advantage for those who had actually escaped slavery to accentuate their personal worthiness and merit, to the point of retroactively effacing the impact of this period of their lives. As such, the extant writings of freedmen were moulded and conditioned by the public transcript that proliferated the convenient ideology of slavery as a necessary evil from which worthy individuals could easily escape on their own merit¹². In fact, this adherence to the public transcript is undoubtedly also (at least in part) the reason for the survival of these works. Much more promising, in any case, are those instances – few in number as they may be – where freedmen “talk” to us via quotations of their letters or speech as recorded in norm-respecting discourse. These communicative acts were never intended to be recorded or publicly displayed, and are therefore much more likely to reveal a deviating point of view. It should be noted, however, that they were always deliberately selected and appropriated by an elite writer to clarify a freedman’s opinion

ἐμποδίζεσθαι καὶ δυσροεῖν. “ἂν ἀφεθῶ,” φησὶν, “εὐθὺς πᾶσα εὐροια, οὐδενὸς ἐπιστρέφομαι, πᾶσιν ὡς ἴσος καὶ ὁμοιος λαλῶ, πορεύομαι ὅπου θέλω, ἔρχομαι ὅθεν θέλω καὶ ὅπου θέλω”. The next passages (36-40) describe the recently freed, poor slave’s miseries. For a detailed discussion of Epictetus’ opinion on slavery, see Hershbell (1995). For the limited use of his works as emanations from a freedman’s mind, see MacLean (2012), 164. See also Plaut. Epidic. 721-30, which features a slave who would only “accept” manumission after his master had also promised him food (cf. Cas. 293).

¹¹ Atwood 1972 [1791], 256; Ducoeurjoly (1802), 83 (both cited in Fleischmann (2005), 26).¹² E.g. Cic. *Cat.* 4.16: “(...) sua virtute fortunam huius civitatis consecuti”.

¹² E.g. Cic. *Cat.* 4.16: “(...) sua virtute fortunam huius civitatis consecuti”.

or vision. As a consequence, they are always framed in a discourse that claimed the prerogative of interpretation, which usually added an extra layer to the citations, and which we must be very careful not to consider as authentic. Indeed, when direct speech (oral or written) of freedmen is recorded, these expressions are reconstructions by the elite author in whose work they feature; reconstructions that are contextually situated somewhere in between the two extremes of truthful citation on the one hand, and a tendentious – often malicious – reconstruction (and perhaps re-invention) on the other.

6.1.2 Freedmen expressions preserved in elite literature

Only on very rare occasions do elite authors cite (or pretend to cite) freedmen's words. An example of a relatively truthful citation is Cicero's quote – preserved in his correspondence with Atticus and already discussed earlier – of the freedman Antiochus' mysterious exclamation after he had found out that he, instead of his patron A. Gabinius, was going to be punished for the latter's crimes (*itaque dixit statim res p. lege maiestatis ουσσιμρισαμαφιη*)¹³. Pliny the Elder similarly quoted (or rather, paraphrased) the defence speech of the freedman G. Furius Chresimus, who had become the victim of widespread unpopularity (*invidia magna*) because his small plot of land had yielded a larger return than the surrounding fields. He was consequently accused of witchcraft, but managed to obtain his acquittal after he had cleverly taken recourse to a discourse that accentuated his assimilation to frugal and industrious Roman citizens (*veneficia mea, Quirites, haec sunt, nec possum vobis ostendere aut in forum adducere lucubrationes meas vigiliasque et sudores*)¹⁴. These and similar anecdotes, however, were never intended to reflect the freedman's actual thoughts or beliefs. Instead, they were – to different degrees – reconfigured to suit the narrator's purpose. For example, Pliny's portrayal of Chresimus – occurring in book XVIII, which is entirely dedicated to the question “how to run a farm” – served to show how rustic diligence was the most important element of

¹³ Cic. Att. 4.18.4. Cf. Chapter 4. The passage is corrupted.

¹⁴ The anecdote is narrated in Plin. NH 18.41-3. Poisoning or magically influencing the crops of a neighbour was considered a serious crime throughout the Republic. It had already been prohibited by the Twelve Tables (Sen. NQ 4.7.2) and became a popular *topos* in many literary genres (e.g. Verg. Ecl. 8.99; Tib. 1.8.19). Scholars do not agree on the authenticity of Chresimus' speech. Latte (1960), 6-7, for example, questions the veracity of the entire anecdote, whereas Forsythe (1994), 376ff thinks the process is likely to have taken place more or less in the way Pliny described it. Schultze (2011), 175-6 takes a position in between, arguing that the process is likely to be historical, but that Pliny's account “tweaked” it in order to serve a specific purpose. Dickie (2001), 138-9 has “grave doubts” about the speech's authenticity because it seems to serve Piso's (Pliny's source) purpose “all too neatly”.

success, and that the complacency of Chresimus' accusers was in fact the real *veneficium* in society¹⁵.

In many of these and similar anecdotes, the direct speech of freedmen is therefore not so much valuable for the information it contains, but for the motives of the writer in *choosing* this format. It is, for example, no coincidence that in Tacitus' historical works, every single one of these instances concerns imperial freedmen trying to manipulate a weak emperor. By having them explicitly express their thoughts, feelings, and schemes, Tacitus endows them with a discursive agency that all but matches their (alleged) actual influence in court. Thus when the imperial freedmen were upset about Messalina's affair with Silius – it constituted a threat to their own influence –, they did not express these feelings behind closed doors and among themselves, but openly and for everyone to hear (*non iam secretis conloquiis, sed aperte fremere*)¹⁶. The implication is that, under normal circumstances, these powerful individuals *would* concoct their schemes in secret, but the extraordinary urgency of the situation presented Tacitus with an opportunity to reveal to his readers how such talks would usually proceed. The train of thought of the freedmen is presented as follows: “While an actor [Mnester] had profaned the imperial bedchamber, humiliation might have been inflicted, but destruction had still been in the far distance. (...) The sequel to the new affair [between Messalina and Silius], however, would be much graver” (*dum histria cubiculum principis insultaverit, dedecus quidem inlatum, sed excidium procul afuisse (...) nec enim occultum, quid post tale matrimonium superesset*). The lack of pronouns (like Chresimus' *mea* and *vobis*) or of verbs in first person, as well as the tense of the verbs (e.g. an *imperfectum* subjunctive – *superesset* – rather than, for example, a *futurum* indicative – *supererit*) reveal that this is not a true direct speech, but rather a description of these concerns by Tacitus, who narrates from hindsight and reproduces or paraphrases rather than quotes these freedmen's actual words. Even more so than the citations by Cicero or Pliny the Elder, these passages are of very limited value to reconstruct these freedmen's *actual* “voices”.

This is confirmed by other passages where Tacitus does seem to imply that he could not personally confirm the veracity of what had been presented earlier as truthful expressions of ex-slaves. For example, when describing Narcissus' loyalty towards Claudius and Britannicus, and his opposition against Agrippina's schemes that threatened both of them, Tacitus writes that “Narcissus was said to have observed among his intimates” (*prompsisse inter proximos ferebatur*)¹⁷. The somewhat reticent claim is, however, immediately enhanced by the passage immediately following Narcissus'

¹⁵ Cf. Graf (1997), 63-4; Ogden (2002), 277-8. Andreau (1993), 195 used the anecdote to argue that “public opinion was not totally hostile either to the succes of the freedmen or to their enrichment”.

¹⁶ Tac. Ann. 11.28.

¹⁷ Tac. Ann. 12.65.

words: “this and the like he repeated frequently” (*haec atque talia dictitans*). This again shows that the content and “spirit” of what Narcissus used to say was more important than a literal rendering of his precise words, which would have obviously differed every time he expressed *talia*. Similarly, when his clients and freedmen were repeatedly exhorting Nero to take action against the old Tiberius and his favourite Sejanus (*dum a libertis et clientibus ... exstimulatur*), they told him that both the Roman people and the army would welcome him with open arms as their emperor (*velle id populum Romanum, cupere exercitus*)¹⁸. As an indication that this was only a brief summary – and not at all a citation of their actual words, as is also already clear from the tenses used – Tacitus once more adds that “Tiberius frequently listened to this and the like” (*haec atque talia audienti*).

Somewhat more reliable are the arguments put forward by Pallas as to why Claudius should listen to his wife and adopt Nero as his son. The freedman invokes the example of Augustus adopting and selecting Tiberius as successor, even though he had natural grand-sons, and that of Tiberius himself, who – despite having children of his own – chose to adopt Germanicus. By referencing these authoritative antecedents, Pallas hoped to steer Claudius to accept Agrippina’s proposal of adoption¹⁹. The emperor – of course – yielded to the pressure (*his evictus*) and, so Tacitus tells us, reproduced these very arguments in his speech to the senate (*habita apud senatum oratione eundem in quem a liberto acceperat modum*). This last mention is more than merely a sneer to Claudius’ inability to act on his own and to his habit of relying on his freedmen to deal with affairs as weighty as a senatorial address. It also serves to accentuate the authenticity of the story, since Tacitus implicitly claims to have found this information in the senate’s records (to which he, a senator himself, had access while writing the *Annals*). Whether this is actually true and, if so, whether the recorded arguments were in fact Pallas’, cannot be ascertained. At any rate, however, the anecdote does not provide us with much information about the interaction between freedmen and freeborn outside the highly unrepresentative context of the *familia Caesaris*.

There is only one Tacitean case, then, where a freedman is presented as truly speaking in first person. After having crafted a plan to subtly inform Claudius about the dangerous adultery of Messalina with Silius, we encounter Narcissus on his knees in front of the emperor, begging him to forgive him for only now having come forward with the news. He had remained silent out of respect for the imperial house and said (*ait*) that even now he would not reproach Messalina with her adulterous relations. He

¹⁸ Tac. Ann. 4.59.

¹⁹ Tac. Ann. 12.25: “sic apud divum Augustum, quamquam nepotibus subnixum, vixisse privignos; a Tiberio super propriam stirpem Germanicum adsumptum: se quoque accingeret iuvene partem curarum capessituro”.

only wanted the emperor to make sure that his reputation and that of his reign would not be tarnished by such illicit affairs. Tacitus then lets the freedman explain for himself: “Are you aware of your divorce?”, he [Narcissus] asked. ‘Because the people, the senate, and the army have seen her [Messalina’s] marriage with Silius; and, unless you act with speed, the new husband holds Rome’”. (*an discidium, inquit, tuum nosti? nam matrimonium Silii vidit populus et senatus et miles; ac ni propere agis, tenet urbem maritus*)²⁰. The speech-introducing verbs (*inquit* and *ait*), the verbs in second person by which Narcissus addresses his patron (*nostis* and *agis*), as well as the fact that Tacitus did not relate the statements as an omniscient narrator (like he usually does), are indications that Narcissus had actually uttered these words – or rather, that Tacitus wanted to imply that he had. Once again, Tacitus exceptionally increases the (discursive) agency of the freedman to highlight his ability to steer the emperor’s thoughts and actions via an elaborate scheme. Tacitus thus makes sure that we – contrary to Claudius – are aware that Narcissus had only his self-interest in mind in fabricating Messalina’s downfall. To any reader who accepts Tacitus’ suggested causality, the dramatic claim that Narcissus only came forward because he was afraid for his patron’s reputation, thus comes across as a feigned, hypocritical, and therefore shameful performance on the part of the freedman. It is this sentiment first and foremost that Tacitus cleverly enhanced by having the freedman speak in first person.

Of course, Tacitus had not witnessed any of these events (being only 12 years old when Nero ended his own life). Information about the actions and discourse of the imperial freedmen in these times, was therefore second-hand at best. Taken together with the lack of any “real” quotes (apart from Narcissus’ charade), and with the habit of rendering “direct” speech in third person, this observation reminds us to be very cautious when attributing to these utterances any historical value other than the one Tacitus wanted to credit them with. It is significant, however, that – when stripped of their “framing” by Tacitus – the thoughts and expressions attributed to the imperial freedmen are not nearly as wicked or depraved as the historian’s interpretation wants us to accept at face value. The imperial freedman who stuck their heads together during the affair between Messalina and Silius, for example, were inspired by a profound fear (*metus*), but although Tacitus attributes this first and foremost to their desire for self-preservation, a more friendly or even simply unbiased observer might as well have interpreted their initiative to thwart Messalina’s and Silius’ ambitions as a laudable act of loyalty. Pallas’ advice on the matter of adoption was sound and his arguments valid, even though Tacitus typically frames it in a joint freedman-wife conspiracy against the malleable emperor. Similarly, in both cases where he “speaks”, Narcissus is acting as a

²⁰ Tac. Ann. 11.30.

loyal defender of Claudius and his reputation. He is even willing to lay down his own life for him. To Tacitus, naturally, this was not a praiseworthy attitude of unconditional devotion but (in the case of his warning Claudius for Messalina) a ruse to dispose of a personal rival, and (in the case of his claim that he would sacrifice himself for his patron) a typical example of an imperial freedman's conscious but fundamentally insincere self-aggrandisement. Finally, Tacitus was undoubtedly exaggerating when he identified a sordid hope of advancement as the true motivation of Nero's freedmen and clients in encouraging their patron to act against Tiberius and Sejanus. But even if a selfish hope for promotion rather than a sincere advice to their patron had moved them to do so (and both possibilities need not be mutually exclusive), the inclusion of clients in addition to his personal freedmen indicates that these vices were not reserved – even by Tacitus – to the latter in particular, but were to be found in anyone associated with Nero. This is not to claim that *none* of these freedmen had their own advancement in mind when acting the way they did, but it is certainly suspicious that they *all* did so in Tacitus' versions of events. As we will discuss in more detail in a next section, this rendering of facts served his meta-narrative of decay and his general denunciation of monarchy. Before doing this, however, we draw attention to a particularly rare and interesting source (a letter written by a freedman), and analyse how aspects of network embeddedness were pragmatically employed by both this freedman and the elite author that quotes his letter (Cicero).

6.1.3 A “libertine” letter?

There are a few instances where the “voices” of freedmen *qua* freedmen (i.e. not as appropriators of an elite discourse or as semi-invented *personae* in a historian's narrative) are quoted in literary works. We might reasonably expect the most valuable traces of freedmen's voices to be found in the private letters they wrote. Needless to say, however, such documents did not survive – at least in the western part of the Roman territories – even though they must have existed in abundance. Whereas historians of American slavery can draw on letter collections from masters, slaves, *and* freedmen²¹, even Cicero's correspondence contains not one letter written by a freedman, although his many (response) letters to, for example, Tiro reveal a continuous and mutual exchange of communication.

This state of our source material renders all the more interesting the letter written by Verres' freedman Timarchides to Q. Apronius – tithe collector (*decumanus*) and associate of Verres –, which was partially cited by Cicero in his second *oratio* against

²¹ E.g. Starobin (1974); Blassingame (1977); Miller (1978).

Verres²². Its content is, however, grossly skewed by the derogative commentaries Cicero interjected after almost every single sentence, and by the framing of the letter in an overall hostile context. It is unsurprising that Cicero should want to present as gloomy a picture as possible of Timarchides, since the primary objective of the speech was of course to incriminate his patron Verres by association with this partner in crime²³. Even the very first line of the letter is ridiculed: “Timarchides, orderly of Verres, sends his greetings” (*Timarchides Verris accensus salutem dicit*). To an unbiased reader, this phrase seems rather conventional and innocent, apart – perhaps – from the omission of the addressee. Trapp cautiously suggests that the omission may have been a safety measure by Timarchides, but leaves open the possibility that Cicero had left out the addressee precisely to insinuate this²⁴. It seems very unlikely indeed, that Timarchides was reluctant to mention Apronius, but felt secure in describing all kinds of scandals and corruption in which he himself was involved (if that is what he actually did in the first place, cf. *infra*).

To Cicero *qua* prosecutor, in any case, the entire introductory sentence is a clear sign of the presumptuous attitude of Timarchides, proudly invoking his function as *accensus* in Verres’ entourage. He points out that formally mentioning their function was already becoming a habit among the highest ranking *apparitores* (*scribae*), but sarcastically exclaims that if now also mere *accensi* began to do this, the practice might as well be extended to even lower assistants like *lictores* and *viatores* (*iam hoc quidem non reprehendo quod adscribit 'accensus'; cur enim sibi hoc scribae soli sumant, 'L. Papirius scriba'? volo ego hoc esse commune accensorum, licitorum, viatorum*)²⁵. The position of *accensus* was, Cicero

²² Cic. Ver. 2.3.154-7. For an overview of the *dramatis personae* and a commentary on some of the more obscure passages, see Trapp (2003), 315-6. For (mostly selective) discussions of the letter and its use by Cicero, see Butler (2002), 47, 69-70, 81; Ramsey (2010), 164-5.

²³ Throughout the *Verrines*, Cicero regularly presents Timarchides as a representation of his patron. In one instance (Ver. 2.2.13), he does so very explicitly, by stating that he described the character of the freedman only “to show the prodigality (*nequitia*) of the man who holds such a person close to him”, drawing explicit attention to Timarchides’ undue position (*locus*) in Verres’ entourage (*exponam vobis breviter quid hominis sit, ut et istius nequitiam qui illum secum habuerit, eo praesertim numero ac loco*). Similarly, a trusted agent and manager of Verres’ dirty work (C. Claudius), is called *prope conlega Timarchidi*. The same man would later even be audacious enough not to call himself the colleague of Timarchides, but of Verres himself: “[Claudius] qui se non Timarchidi sed ipsius Verris conlegam et socium esse dicebat” (Ver. 2.2.108). Trapp (2003), 316 shows how the descriptions of Timarchides serve not only to incriminate the freedman, but also to extrapolate the image of corruption to all of Verres’ staff members. Moreover, Timarchides’ “naive pretentiousness” paradoxically transfers the blame from himself to the man “who allowed such misgovernment to flourish”. By means of comparison, see Cels (1972) for Cicero’s treatment of slaves throughout the *Verrines*.

²⁴ Trapp (2003), 315.

²⁵ Elsewhere, Cicero similarly describes even a *scriba* of Verres in a not all too flattering way as an *apparitor parva mercede populi conductus* (Ver. 2.3.182). In Ver. 2.3.171 Timarchides is oddly described

implies, not at all that prestigious to proclaim in such a fashion at the beginning of a letter. But the fact that Timarchides did so nonetheless, cleverly foreshadows the subsequent account of the man's twisted character. Every line in the letter, no matter how harmless, is similarly reinterpreted to serve Cicero's primary purpose. When Timarchides, for example, requests Apronius to diligently protect the reputation of his patron Verres (*fac diligentiam adhibeas, quod ad praetoris existimationem attine*), Cicero does not consider this an act of loyalty or even sound advice. Instead, he draws on his previous characterisation of Apronius as a corrupt official, and bitterly argues that Verres' reputation was in safe hands indeed, if he could rely on the care and influence of an Apronius (*bono praesidio munitur existimatio tua, siquidem in Aproni constituitur diligentia atque auctoritate*). When Timarchides follows up this request by a compliment to Apronius, Cicero again does not consider this an appropriate adherence to epistolary etiquette, but instead focusses on Timarchides' character. "You are virtuous and eloquent", Timarchides wrote (*habes virtutem, eloquentiam*). "What a splendid appraisal", Cicero comments, "especially coming from Timarchides! Who could not consider Apronius a pleasing person if he comes so highly recommended by Timarchides?" (*quam copiose laudatur Apronius a Timarchide, quam magnifice! cui ego ilium non putem placere oportere qui tanto opere Timarchidi probatus sit?*). Via an obvious yet witty circular argument, the wicked character of both men, a priori taken for granted after having been consistently rebuked in previous parts of the speech, is thus used to reframe every single phrase of the letter, and to serve Cicero's specific agenda.

When stripped from Cicero's biased notes and disparaging commentaries, the letter (or at least the passages that the orator deemed useful to quote) can be roughly reconstructed:

Timarchides Verris accensus salutem dicit. Fac diligentiam adhibeas, quod ad praetoris existimationem attine. Habes virtutem, eloquentiam. Habes sumptum unde facias. Scribas, apparitores recentis arripe. Cum L. Volteio, qui plurimum potest, caede, concide. Volo, mi frater, fraterculo tuo credas. In cohorte carus haberere. Quod cuique opus est, oppone. Te postulante omnes vincere solent. Scis Metellum sapientem esse. Si Volteium habebis, omnia ludibundus conficies. Inculcatum est Metello et Volteio te aratores evertis. Obtuderunt eius auris te socium praetoris fuisse. Fac sciat improbitatem aratorum; ipsi sudabunt, si di volunt.

as the *scriba* via whom Verres embezzled money from the Silician cities, but in 2.2.170 he is explicitly distinguished from an unnamed *scriba* of Verres ("aut scribae istius aut Timarchidi"). For *scribae*, see Badian (1989); Damon (1992), esp. p. 230. For the *apparitores* in general, see Purcell (1983).

Timarchides, orderly of Verres, sends his greetings. Take great care of the reputation of the praetor [= Verres]. You are virtuous and eloquent. You have the means to do so. Assail the new clerks and servants; L. Volteius can get a lot of things done: kill and strike down! I want you, my brother, to trust your own dear brother. You would be very popular among the staff-members. Give everyone what he needs. Everyone you back up usually gets what he desires. You know that Metellus is a clever one. If you manage to override Volteius, you will be able to accomplish anything without any trouble. Someone has convinced Metellus and Volteius that it was you who ruined the farmers. They continuously assaulted his ears with the claim that you were the praetor's associate. Make sure you convince him of the depravity of the farmers: if the gods favour us, then they will be punished instead of us.

We can only estimate the precise extent to which Cicero's selection and omission of passages has altered the tone, spirit, or even content of the letter, especially because the speech in which it occurs was not actually delivered in front of an audience that could challenge it. But at the very least, he assures us that the letter was really written in Timarchides' own hand (*Timarchidi manu scripta*)²⁶. Unless we assume that it was Timarchides' habit to write very concise and telegram-styled letters, it follows that Cicero moulded the letter into a collection of carefully selected phrases²⁷. Moreover, the suspiciously succinct sentences may also have served a para-textual purpose, in that they clearly contrast with Cicero's own elaborated and well-crafted sentences, thus at the same time "reflecting" Timarchides' limited literary capacities²⁸. In fact, the writing style thus attributed to Timarchides renders all the more pertinent Cicero's sarcastic remark (mentioned above) about the freedman considering himself an authority on eloquence.

What seems to be a collection of calculatingly chosen quotes is only made comprehensible by Cicero's comments that knit all of them together. Indeed, the context of, and the causality in, the resulting "letter" is established only through these tendentious commentaries, and should therefore be approached very critically. Sometimes, Cicero will even insinuate things that are not borne out of the "letter" at all. When he quotes Timarchides' advise to Apronius to oblige everyone (*quod cuique opus*

²⁶ Butler (2002), 132 note 70 argued that Cicero was thereby not only confirming the authenticity of the letter, but also suggesting that Timarchides' "own position [was] too low to enable him to dictate his letters to a secretary". This is perhaps going too far in ascribing to Cicero the role of malevolent editor.

²⁷ Pace Ramsey (2010), 158 who suggests that the letter was quoted "from beginning to end".

²⁸ On average, Cicero's commentaries are almost three times longer than the phrases quoted from Timarchides' letter (15 words/phrase versus 5,5 words/phrase).

est, oppone), it is Cicero – not the freedman – who suggests that this refers to large scale bribery practices. Indeed, the orator even has to add a sentence of his own – meaningfully starting with *ait* – to explain what Timarchides allegedly meant by this phrase (*ait omnia pecunia effici posse: dare, profundere oportere, si velis vincere*). A rendering of the whole passage in which it occurred would more likely have elucidated the phrase’s true meaning, but it is a distinct possibility that Cicero thought the “true” meaning to be much more “clearly” conveyed in his own words... Moreover, Cicero casually mentions that he does not consider it shocking that Timarchides should say all of these things to Apronius (what else would these degenerate souls have to talk about), but he is offended primarily by the fact that Timarchides gives the same wicked advice to his patron (*non hoc mihi tam molestum est Apronio suadere Timarchidem, quam quod hoc idem patrono suo praecipit*). Cicero conveniently invokes the person of Verres in a context of corruption, and states as a proven fact that Timarchides encouraged his patron’s depravity. Both claims, however, are Cicero’s, and have no footing whatsoever in the quoted passages of Timarchides’ letter.

Both the selective quotation, and the setting in which Cicero frames Timarchides – as well as the freedman’s “attested” interaction with Apronius, and his presumed (yet entirely ungrounded) criminal relation to Verres – seem to have inalterably tarnished the content and tone this letter would have originally had if it was quoted completely and uninterruptedly. In fact, a look at the mere vocabulary Cicero uses to describe Timarchides throughout his commentary on the letter sections is indicative (and this is not even accounting for the many implicit sneers)²⁹. He is, for example, twice referred to as a *fugitivus*. In yet another instance, Cicero rhetorically asks his audience “what immorality (*impudentia*) do you think he would have shown in a position of power (*dominatio*), when even while fleeing (*in fuga*) he is so depraved (*tam improbus*)?”³⁰. *Fugitivus* is a term any Roman listener or reader would have associated with a disobedient slave, but it is unlikely that Timarchides had in fact abandoned his patron. Instead, Cicero’s primary intention is – again – to depict *Verres* as removed from his

²⁹ A sneer that in itself contains no derogative terms or expressions is as likely (and perhaps even more so) to hit its mark. E.g. “Commendat Apronio Verrem, et hortatur ut inimicis eius resistat. Bono praesidio munitur existimatio tua, siquidem in Aproni constituitur diligentia atque auctoritate”. Cicero again uses his previous portrayal of Apronius to sarcastically attribute to him virtues that in itself are commendable (*diligentia* and *auctoritas*), but that in the case of Apronius receive a bitter connotation, since the tax collector uses them to the detriment of the Silician farmers.

³⁰ Cic. Ver. 2.3.155: “qua impudentia putatis eum in dominatione fuisse qui in fuga tam improbus sit?”.

position of power, and already on the run from an imminent prosecution³¹. It would be challenging to find a word that contrasts more with the lowest kind of slave (*fugitivus*) than *dominatio*. More than anything, the association is an implicit accusation directed against the person who allowed such conflicting and norm-reversing situations to persist. In a previous speech, Cicero had similarly called Timarchides a *fugitivus*, only to shockingly follow up this portrayal by a description of how the freedman had reigned over every Sicilian city for three years (*sed Timarchidem fugitivum omnibus oppidis per triennium scitote regnasse* and *in Timarchidi potestate sociorum populi Romani antiquissimorum atque amicissimorum liberos, matres familias, bona fortunasque omnis fuisse*)³². By this one phrase, then, Cicero wittily begrimes both Timarchides and Verres at the same time.

References to Timarchides' inherently twisted character (e.g. *nequitia* (2), *improbitas* (2), or *improbus*), as well as to the concrete manifestations of this wickedness (e.g. *furtum* or *malitia*) are spread out all over Cicero's commentary on the letter. Like *dominatio*, all of these vices boiled down to the undue influence Timarchides was able (read: allowed by Verres) to exert, and the extreme degree of insolence (*audacia*) the freedman thereby showed³³. Making sure not to let slip any opportunity to disparage Timarchides, Cicero naturally invoked his sordid greed (*lucrum, pecunia*)³⁴, and his blatant disrespect for honourable individuals like L. Caecilius Metellus, successor of Verres as governor of Sicily, and as such obviously outranking the freedman both in formal position and prestige (*hoc vero ferri iam non potest, inrideri viri optimi, L. Metelli, ingenium et contemni ac despici a fugitivo Timarchide*).

Nonetheless, despite the very tendentious rendering of the letter, a close reading of its quoted shreds is very interesting. Especially the sneer to Timarchides' "bragging" about being an *accensus* is telling in the light of our earlier observation that in network embedded contexts, this function could be invoked – just like freed status – as an indication of the trustworthiness of a dependant and of the correctness of the information he delivers (e.g. the case of Pausanias discussed in Chapter 4). In fact, Cicero himself regularly uses both terms (*accensus* and *libertus*) to accentuate the close connection between Timarchides and his patron Verres – the main target of his

³¹ The entire passage is part of Cicero's second *oratio* against Verres, which was never actually delivered, since the disgraced governor had already decided to go into exile after having undergone the first one. Cf. Trapp (2003), 316.

³² Cic. Ver. 2.2.136.

³³ These very same vices are, among many others, attributed to both Verres and Timarchides at the same time in Ver. 2.2.134: *nequitia* (3); *audacter*; *impudenter*; ...

³⁴ The theme of the greedy freedman occurs throughout the many descriptions of Timarchides in the *Verrines*. E.g. 2.2.133, where he is associated with avarice (*cupiditas*), bribes (*pretia*), money (*pecunia*, twice) and presented as actively and shamefully plundering people ("improbe praedatus esset") by his own labour (*labor*) and troubles (*molestia*).

speeches. For example, when he first introduces the freedman (earlier in the second book of the second plea), Cicero calls him the *libertus et accensus* who is Verres' most trusted agent and manager in all his affairs (*rerum huiusce modi omnium transactor et administer*)³⁵. Similarly, it is not just *Timarchides* who elsewhere subtly advises his patron on delicate matters, but *accensus Timarchides*³⁶. Cicero's very discussion of the notorious letter is introduced by *Venio nunc ad epistulam Timarchidi, liberti istius et accensi*³⁷. In all these cases, Cicero used the identity dimensions of *Timarchides* that would most clearly link his depravity to his patron(s). As argued in Chapters 4 and 5, both Cicero and his audience (or correspondents) were very sensitive to these cues. Towards the end of his discussion of *Timarchides*' letter, Cicero even climactically slips in *libertus* (once) and *libertus et accensus tuus* (twice). These occur in the commentary on *Timarchides*' mention (or, in Cicero's reading: "warning") that some people have linked *Apronius* to *Verres* (*obtulerunt eius auris te socium praetoris fuisse*). Cicero takes this phrase to mean that *Timarchides* was afraid of exposure, and presents it as proof of the accusations against *Verres*, since "clearly" his own freedman was at the time aware of his patron's mischiefs (*concedesne non hoc crimen nos in te confingere, sed iam pridem ad crimen aliquam defensionem libertum quaerere?*). If, of all people, his own *libertus* was looking to safeguard himself from potential future charges, then "surely" it is proved that *Verres* was and is guilty (*videsne hoc quam clarum sit et fuerit*). With a rhetorical crescendo, Cicero continues: "your own freedman and orderly (*libertus et accensus tuus*), your and your children's close assistant (*tibi ac liberis tuis omnibus in rebus coniunctus ac proximus*), writes *Apronius* that everybody has informed *Metellus* that you [*Verres*] were *Apronius*' partner in the tax-levy (*in decumis socium*)". Once more, this rendering of the, in essence much more neutral (or at any rate more neutrally worded) phrase in the original letter, again uses *libertus* and *accensus* to accentuate *Timarchides*' central role in his patron's trust network – even extending to the care over his children. *Timarchides*' "confession" thus incriminating *Verres* by implication, was a very well-crafted rhetorical strategy of Cicero that relied heavily on highlighting the close connection between both men. The use of network embedded terminology was the orator's most obvious way to achieve this³⁸.

³⁵ Cic. Ver. 2.2.69.

³⁶ Cic. Ver. 2.2.74.

³⁷ Cic. Ver. 2.3.154.

³⁸ Cicero ends the letter by gratuitously and unwarrantedly extrapolating that what he has "proved" for *Timarchides* to the entire entourage of *Verres* (*neque ego huius fugitivi, iudices, vobis epistulam recitasset, nisi ut ex ea totius familiae praecepta et instituta et disciplinam cognosceretis*). Earlier, *Timarchides* was already exaggeratedly called the *columen familiae vestrae* (Ver. 2.3.176).

In conclusion, Cicero clearly relies on the sensitivities of his readers to endow his interpretation of the letter with more credibility than an objective reading would have likely warranted. At the same time, however, it is beyond doubt that Timarchides' reason for describing himself as an *accensus* at the very beginning of the letter, was inspired by very similar concerns. He too would have known that this title would create a "horizon of expectation" and an atmosphere of trustworthiness, thus increasing the chances of his letter – and the advice it contained – to be more positively received by Apronius. Rather than an inappropriate accentuation of this formal function as a source of unwarranted pride – as Cicero would have it – Timarchides knew very well the implications of this exordium. Cicero thus on the one hand uses network embedded strategies – expected to be picked up by his readers, as they were by his correspondents – to inextricably associate Timarchides with Verres, but he ridicules and twists Timarchides' attempt at doing the exact same thing. If anything, then, this letter – regardless of the ways in which it was remodelled and interpreted by Cicero – indicates that at least one freedman used the rhetorical strategies of network embeddedness to his own advantage, i.e. by presenting himself as a crucial node of his patron's trust network. Little did he know how badly the attempt would backfire after its tendentious re-contextualisation by Cicero.

As announced earlier, the second part of this chapter focusses in more detail on the role and representation of freedmen in the works of Tacitus and Suetonius (conveniently referred to as "historians"). Throughout, we draw particular attention to the determining impact of the "detached" nature of these representations (and compare it, when relevant, with the network embedded correspondences). The main objective of this relatively extensive section is to reevaluate the value of these sources for our understanding of freedman socialisation by uncovering the functionality of *libertinitas* in these (and similarly detached) sources.

6.2 The Roman historians

Tacitus' and Suetonius' historical works are fervently cited in any study on Roman freedmen. However, most of these studies isolate single passages, and focus on the factual information they contain in order to support particular identity dimensions of freedmen (their influence under the Principate, the legal measures taken against them, their role in the famous conspiracies under the first emperors, etc). No attempt has ever been made to structurally ("holistically") assess the way in which these writers *discursively* featured "the freedman" in their narrative, thereby underestimating the

importance of this para-textual aspect of freedmen anecdotes. The basis of the following discussion is an exhaustive prosopographical database of all freedmen occurring in these works (Appendices 5 and 6). The methodology is therefore the same as that of the previous chapters (although this time typical “detached” sources are considered). It again allows the transcending of individual passages where Tacitus or Suetonius mention freedmen, and enables us to focus on global strategies of representation. The contrast between these and Cicero’s (as network embedded letter writer) will prove particularly useful in assessing the respective opinions on and features of the “literary” freedman. As such, the following discussion will be an account of *representation* rather than *historical factuality*, thereby clearly taking for granted the notion that the one cannot be coherently understood without a clear understanding of the other.

The most important reason why the historians were singled out as point of comparison, is that they – contrary to, for example, satirists or poets – set out to depict the events of their recent past in a more or less truthful way. Certainly, there is no scholar today who believes that Tacitus’ famous claim in the first section of his *Annals* (*tradere ... sine ira et studio*) actually reflects his true *modus operandi*. The notion that he was overestimating his own ability (or desire) to neutrally describe recent history *wie es eigentlich gewesen ist*, is a well-known caveat heeded by all scholars engaging with his works. But it is precisely this claim of objectivity that makes his works – and the writings of other historians like Livy or Dio – so particularly interesting for our purpose. Satire, in other words, was *meant* to exaggerate. As a consequence, the extent to which a reader would have recognised claims and depictions as truthful is very hard to establish from a modern perspective. Histories, on the other hand, although certainly no less influenced by biases related to intended readership or the worldview of their author, at least *disguised* the ways in which they presented their version of events. This could typically be done intentionally (omission or changing of facts) or unintentionally (biased and subjective renderings of facts). We will, by drawing attention to discourse and vocabulary, focus in particular on the latter. Indeed, it are precisely such patterns of concealment (and their deviation from or congruence with patterns in embedded sources) that truly reveal the attitudes, sentiments, and predilections of the author.

This section therefore mainly *compares* the works of Suetonius and Tacitus in order to trace these strategies, but it also focusses on the common *inter-textual* themes they both shared. Understanding the way in which such themes were appropriated and turned into true literary *topoi* is vital for the deconstruction of “detached” sources in general terms. Indeed, over time, inter-textual relations may become a compelling window through which reality was perceived, (re)consolidated, and represented in other literary works or even genres, growing as these did to fit the mask the shared *topoi* and inter-textual relations initially created. In short, by approaching the references to freedmen as performative “action statements” rather than as intentional distortions of reality by the historians, the gap that any literary narrative creates between the embedded origin

of an anecdote on the one hand, and the detached (or “plotted”) representation of it within said narrative on the other, can be bridged³⁹.

6.2.1 Moral decay and decline of freedom as meta-narratives

Tacitus regularly – and notoriously – uses the influence and power of (imperial) freedmen to accentuate the moral decay and the waning of freedom under the Principate. For the entrenched elites of Rome, *libertas* had always been inseparably connected to oligarchic rule, which ensured the predominance of the “best” elements in society⁴⁰. Both monarchy and (radical) equality would fundamentally undermine this freedom; the former by subjugating the highest classes to but one man, and the latter by diminishing aristocratic power through political participation from below. Ironically, under the emperors, imperial freedmen combined both dreaded alternatives to elite exclusivity. As trusted staff members of a *princeps*, they would not only represent, but also steer – in the senatorial minds at least – the (“bad”) emperors’ decisions, by abusing the lack of determination these leaders typically suffered from – again, according to senatorial consensus. Conversely, the democratic threat of freedmen had existed for a while in the Republic, the recurrent debates on the distribution of freedmen in the tribes and their resulting voting rights being the most obvious examples⁴¹.

Whereas patrician rule had ensured a continuous safeguarding of the status quo, an emperor looking for allies against the senate naturally turned to (his) freedmen as confidential collaborators. As the radical perpetuation of a process that had gradually increased the social and political emancipation of the lower classes in Rome throughout the previous centuries, the emperors claimed and monopolised the right to elevate individuals to status positions that would normally be strictly off limits. If this was not already clear in the case of imperial freedmen, grants of the golden ring or admission of sons of freedmen to the senate were prerogatives of the emperor that equally tarnished the *discrimina ordinum*. It took the emancipation of the lower orders – of which freedmen were the most conspicuous, controversial, and threatening component – to its extreme,

³⁹ Cf. Richlin (1984), 67 who does something very similar – though less explicitly – when she rejects a common sense reading of satirical representations as “exaggerated but basically realistic versions of their prototypes”.

⁴⁰ For Tacitus’ conception of *libertas* in particular, see Hammond (1963); Wirszubski (1968), 160-7; Ducos (1977); Vielberg (1987), 150-68; Morford (1991). For the importance attached to the notion of *libertas* from the perspective of late Republican patricians, see Arena (2006).

⁴¹ For (the evolution of) the distribution of freedmen in the tribes, see especially Taylor (1960), esp. p. 132-49; Treggiari (1969a), 37-52; Fabre (1981), 135-8; Millar (1995); Arena (2006); Mouritsen (2011), 76-9.

posing an unprecedented menace to the exclusivity of birth as the most important status determinant.

Because of the emperor's far-reaching prerogatives, even informal and ad hoc decisions could potentially uproot individual private patronage relations. For example, when Nero wanted to get rid of his rival Lucius Antistius Vetus – the former consul – he gratefully used the latter's corrupt freedman Fortunatus to stage the accusation. Vetus would have stood his ground, Tacitus implies, if not for the realisation that through Nero's intervention, he would have had to meet his freedman in court as an equal. Not able to stomach this prospect, he voluntarily forfeited his defence and left for the countryside (*quod ubi cognitum reo, seque et libertum pari sorte componi, Formianos in agros digreditur*)⁴². All the more despicable was such deracination of a patron-freedman relation when it was a consequence not of a decision of the emperor, but of one of his freedmen – in itself already exemplifying the reversal of traditional hierarchies. Dio, for example, notes how Claudius' freedmen engaged slaves and freedmen as informers against their own masters and patrons⁴³. As such, the monarchic system of government was not only dreaded for the top-down subjugation of traditional elites it imposed, but it also became inextricably linked with the scandalous intrusion of “undeserving” elements in influential positions of power – that is, from the elite writers' point of view.

Although these and similar privileges would remain out of reach for the absolute majority of Roman freedmen, the fact that some were thus promoted or unduly advantaged was considered not only a sign of the decaying morals and traditions under the Principate, but also a slippery slope for further degeneration. Hence the strong prejudices and attacks against the *class* of freedmen in general – not as actual usurpers or upstarts *per se*, but as a collective body of *potential* threats to the *discrimina ordinum*. Tacitus famously wrote that “the lack of status of freedmen is evidence of freedom” (*impares libertini libertatis argumentum sunt*), and described the unusual command of Nero's freedman Polyclitus in Britain as doomed from the start, because to the natives of the island, “the power of freedmen was yet unknown, since freedom still flourished among them” (*[hostes] apud quos flagrante etiam tum libertate nondum cognita libertinorum potentia erat*)⁴⁴. In both cases, freedom is contrasted to undue influence of freedmen. In these and similar one-liners, the historian interestingly makes use of *libertini*, and not, for example, *liberti Caesaris*. Although the lamentations clearly pertain primarily to the power of *imperial* freedmen, Tacitus' generalisation of freed influence to encompass the

⁴² Tac. Ann. 16.10.

⁴³ Dio 60.15.5: “Τῆς γὰρ ἀφορμῆς ταύτης ἢ τε Μεσσαλίνα καὶ ὁ Νάρκισσος, ὅσοι τε συνεξελεύθεροι αὐτοῦ, λαβόμενοι οὐδὲν ὅ τι τῶν δεινοτάτων οὐκ ἐποίησαν. Τά τε γὰρ ἄλλα καὶ τοῖς δούλοις τοῖς τε ἀπελευθέρους μηνυταῖς κατὰ τῶν δεσποτῶν αὐτῶν ἐχρῶντο”.

⁴⁴ Tac. Germ. 25.2; Ann. 14.39.2.

entire *ordo libertinorum*, exaggeratingly dramatizes the decay of traditional social hierarchies, and implies a further spread downwards of the power of imperial freedmen.

A logical corollary of the decline of freedom, was the conception of the new system of government as one that enslaved all to the emperor. As mentioned earlier, the metaphor of slavery applied to all who settled in this role of subordination⁴⁵. In fact, the very opening lines of the *Annals* famously situate the entire work in a process of transition from freedom to servile adulation⁴⁶. Servility was no longer a trait inherent solely in the lowest stratum of society, but structurally ingrained in its most prominent members as well. This is not to say that there were no glimpses of the old freedom left. His own father-in-law, naturally, was still able to obtain glory (*laus*) by modifying his behaviour to fit the context of his times, and even freedmen could still provide examples of bygone virtue. Even Domitian, for example, still had *optimi liberti* who showed great love (*amor*) and loyalty (*fides*) towards their patron⁴⁷. In more general terms too, Rome – especially under the “good” emperors – was still able to “produce much in the sphere of true nobility and the arts which posterity may well imitate”⁴⁸. Nor did Tacitus fail to see the shortcomings of a Republican system of government (*nec omnia apud priores meliora*). He does not shy away from accentuating the destructive feuds of Republican magnates (*certamina potentium*), the greed of public officials (*avaritia magistratuum*), and the legal system that was fundamentally distorted by force, favouritism, and money (*[leges] quae vi, ambitu, postremo pecunia turbabanur*)⁴⁹. He even occasionally refers to the fickle nature of a system characterised by the alternation of plebeian and patrician dominance⁵⁰. But although a concentration of power in one man would lead to a more firm and resolute government, the loss of freedom that it entailed was hardly worth it, as hindsight had taught – at least, again, from a top elite’s

⁴⁵ For Tacitus’ conception of servility of freeborn persons in the Principate, see Vielberg (1987), 80-128.

⁴⁶ Tac. Ann. 1: “libertatem et consulatum L. Brutus instituit ... donec gliscente adulatione detererentur”; 2: “ferocissimi per acies aut proscriptione cecidissent, ceteri nobilem, quanto quis servitio promptior, opibus et honoribus extollerentur ac novis ex rebus aucti, tuta et praesentia quam vetera et periculosa mallent”.

⁴⁷ Tac. Agr. 42.5: “Sciunt (...) posse etiam sub malis principibus magnos viros esse, obsequiumque ac modestiam, si industria ac vigor adsint, eo laudis excedere”; Tac. Agr. 41.4: “quibus sermonibus satis constat Domitiani quoque aures verberatas, dum optimus quisque libertorum amore et fide, pessimi malignitate et livore pronum deterioribus principem extimulabant”. For Tacitus appreciating positive traits of the lower orders, see Syme (1958), 532-3; Kajanto (1969), 58.

⁴⁸ Tac. Ann. 3.55: “nostra quoque aetas multa laudis et artium imitanda posteris tulit”.

⁴⁹ Tac. Ann. 1.2.

⁵⁰ E.g. Ann. 4.33: “Igitur ut olim plebe valida, vel cum patres pollerent, noscenda vulgi natura et quibus modis temperanter haberetur, senatusque et optimatium ingenia qui maxime perdidicerant, callidi temporum et sapientes credebantur”.

perspective. Or as one Tacitean scholar put it: “[I]f the Republic lost true equality early, it still had freedom at its end”⁵¹.

6.2.2 Freedmen in the works of Tacitus and Suetonius

6.2.2.1 The works of Tacitus and Suetonius

Suetonius and Tacitus, contemporaries and acquaintances of Pliny the Younger⁵², wrote their main historical works roughly around the same time. Tacitus’ *Historiae* – treating the period from 69 to 96 CE – appeared somewhere in between 104 and 109 CE. His *Annales* – describing the reigns of the earlier emperors, thus ranging from 14 to 68 CE – were published shortly after 116 CE. Suetonius’ *De vita Caesarum* was dedicated to the praetorian prefect Septicius Clarus, who held this command between 119 and 122, thus providing a rough date for its publication⁵³. Both Suetonius and Tacitus had access to several historical sources that are not preserved. With Pliny’s help, Suetonius was able to obtain the prominent positions of *a studiis* and *a bibliothecis* under Trajan. Further patronage from Septicius Clarus elevated him to one of the most influential posts available: the personal secretary in charge of the imperial correspondence (*ab epistulis*) under Hadrian⁵⁴. If the *Historia Augusta* is any reliable indication, Suetonius fell from grace somewhere around the year 122 CE⁵⁵. It is not known to what extent he had access to archival sources before or after this moment, but references to Augustus’ private correspondence and Tiberius’ autobiography suggest that he used at least these documents⁵⁶.

Tacitus, on the other hand, is very likely to have had continuous access to the records of the senate⁵⁷. However, the value of this source of information is – from a modern perspective at least – somewhat diminished by the historian’s consistently respected

⁵¹ Griffin (2009), 173.

⁵² As a somewhat older and higher ranking aristocrat – Pliny was a senator, Suetonius only a knight – Pliny provided his client with legal (Ep. 1.18) and private (Ep. 1.24; 10.94-5) advice, and secured for him a military tribunate (Ep. 3.8). They were close also intellectually, at least a few times exchanging thoughts and advice on literary matters (Ep. 5.10; 9.34). Cf. Bradley (1998), 3. For Pliny’s correspondence with and references to his friend Tacitus, see Ep. 1.6; 1.20; 2.1.6; 2.11.2; 4.15; 6.9; 6.16; 6.20; 7.20; 8.7; 9.10; 9.14.

⁵³For a general introduction to these works, see the overviews in Bradley (1998); Edwards (2008), vii-xxx; Syme (1958).

⁵⁴ Bradley (1998), 4-5.

⁵⁵ SHA, *Hadr.* 11.3.

⁵⁶ This does not, of course, prove that Suetonius had access to restricted archives, since these works are likely to have been published for a wider audience. See e.g. Aug. 51.3; Tib. 61.

⁵⁷ Syme (1984); (1988); Woodman (2004), xv-xix.

meta-narrative of “moral decay under the emperors”, which fundamentally coloured the interpretation and rendering of these records. Although Suetonius lacked similar access (especially after his ousting from the imperial court), and although his accounts often smack of juicy gossip rather than “objective” facts – if any such notion concerned him to begin with –, the *Lives* are less distorted by a Tacitean desire to present history as a structural opposition between idealised and archetypical good (“Republican”, freedom-loving) and bad (“Imperial”, slavishly obedient) forces⁵⁸.

Discussing the many similarities and contrasts between both authors and their works greatly exceeds the scope of our current intent. Their works are considered here to be broadly similar in the sense that they are “detached” from any network embeddedness (as defined in Chapter 4), and in that they contrast in this regard with the correspondences of Cicero and Fronto (and to a considerable degree also that of Pliny). Because they were written during the first two decades of the second century, it is important also to note the historical implications of the time-lapse that separates Cicero’s letters on the one hand, and Suetonius’ and Tacitus’ historical works on the other. Significant developments and changes had occurred as a consequence of the rise of Empire, with regard to both the legal status of freedmen (e.g. the introduction of *Iunian Latinitas*), and the role of ex-slaves in elite literature (cf. *supra*). Without ignoring this diachronic aspect of the comparison, the following discussions will focus on discursive representation and detailed case-studies, in the same way as was done for the Roman correspondences in the previous chapters. Before starting out this qualitative analysis, a brief look at the numbers and relative spread of ex-slaves seems advised. The next section will therefore in more detail expand on the impression offered in Chapter 3.

6.2.2.2 The freedmen: Suetonius

Individual freedmen

Of the 84 references to individual freedmen mentioned in Suetonius, 58 are to freedmen of an emperor⁵⁹. In addition, 13 passages concern freedmen belonging to an emperor’s relative (e.g. Augustus’ daughter Iulia, Nero’s aunt Domitia, Caligula’s sister and Nero’s

⁵⁸ Caligula desiring to appoint his horse consul (Cal. 55.3), or Nero singing while watching Rome burn (Nero 38.2) are among the more extreme examples.

⁵⁹ This number includes the three references to freedmen of Pompey, who was not, strictly speaking, an emperor – though the same could be argued for Caesar. His exceptional position as the first *consul sine collega* in 52 BCE, however, justifies his inclusion in this group. Either way, the number would not be dramatically altered by a stricter definition of “emperor” (81% instead of 84%).

mother Agrippina, etc.)⁶⁰ The large majority of freedmen (84%) is thus connected to the imperial household in a broad sense. The 13 remaining attestations are of private freedmen. Of these, 8 lack any reference to a patron. Throughout the entire *Lives*, then, Suetonius describes only 5 non-imperial freedmen in relation to their patron.

Of the 71 freedmen belonging to the imperial household, 33 feature in a negative context. 8 are described positively, 21 “neutrally”, and 9 received the categorisation “nuanced” as defined in Chapter 3. Of the 13 private freedmen, 3 are evaluated positively, 2 are referred to in a negative context, 5 in a neutral one, and the context of 3 passages is ambiguous. All these numbers (with further distinction between “truly imperial” and “imperial by association” for the imperial freedmen, and between “related to a patron” and “not related to a patron” for the private freedmen) are given in a more accessible format in Table 11. For the data underlying these numbers, see Appendix 5.

Table 11 Individual freedmen in Suetonius’ *De vita Caesarum*

Imperial freedmen								Private freedmen							
71								13							
Emperor (personal)				Emperor (relatives)				Mention patron				No mention patron			
58				13				5				8			
Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua
6	29	17	6	2	4	4	3	2	0	2	1	1	2	3	2

The first and most significant observation is the highly biased attention paid to imperial freedmen. A comparison with Cicero’s correspondence seems futile, since the discourse on imperial freedmen was of course – like the group itself – entirely absent. However, it can be argued that the Republican freedmen who occur in Cicero’s letters are in many ways the precursors of their later imperial counterparts. It has been rightly argued that the households of Republican governors and other office holders provided a template for the imperial *familia*. The latter was not a structure created *ex nihilo*, but rather a continuation of forms and practices that were deeply ingrained in the Republican system of government, and that centred around the use of a magistrate’s own personnel – often slaves and freedmen – in compensating for the lack of a formal state

⁶⁰ Technically, Pallas (like his brother Felix) is not Claudius’ own freedman, but a freedman of the emperor’s mother Antonia. For all practical means and purposes, however, both Claudius himself and the Roman historians considered the brothers as freedmen of the emperor. For this reason, we count them as such here.

bureaucracy⁶¹. Surely, Republican magistrates were formally supported by state salaried officials (*apparitores*)⁶². As indicated in Chapter 4, however, private couriers and messengers necessarily complemented the official *viatores* in facilitating not only public, but also private communications between office holders.

In Cicero's correspondence alone, we encounter his *scriba quaestorius* M. Tullius, his *accensus* Pausanias, Gabinius' *accensus* Antiochus, etc⁶³. M. Tullius and Pausanias are explicitly connected to Cicero's governorship in Cilicia, and Antiochus – as his name suggests – likely assisted his patron in the administration of Syria (making him the scapegoat for his patron's crimes there)⁶⁴. Antonius Hybrida could claim that Cicero had sent a freedman to help the governor collect taxes⁶⁵. Likewise, it is surely no coincidence that Q. Cicero freed his confidential slave Statius while he was *propraetor* in Asia. Besides having the authority – as a magistrate – to perform and validate the manumission, the value of Statius as an administrative assistant could not have been exploited optimally should he have remained a slave. This (not necessarily exclusively) pragmatic motive for the manumission, as well as Statius' influence over his patron, but especially the fact that both were clear for anyone to see, were the main reasons for Cicero's feeling *molestissimus* after the news reached his ears⁶⁶. Not only Quintus himself, but Statius too, should be aware of, and respect, the unwritten rules of behaviour, which had more to do with a respecting of hierarchies in general than with the legal status of magisterial assistants in particular. Even Tiro himself, for example, would warn his patron for addressing him in too familiar terms, which drew too much attention to his private influence⁶⁷.

None of these passages suggest that the employment of freedmen by Republican magistrates was considered anything else than common practice. The only condition was that the trust relation between patron and freedman translated itself in a restrained and controlled fashion to the public sphere. We already noted how *accensi* would ideally

⁶¹ McDermott (1972), 262; Millar (1977), 59-61; Rilinger (1997); Mouritsen (2011), 93.

⁶² For the social status, functions, and evolution of the *apparitores* as staff-members of magistrates, see the detailed account of Jones (1949) and the critical complements in Purcell (1983). More general overviews are offered by Treggiari (1969a), 153-9 and Wiseman (1971), 70-7.

⁶³ Fam. 3.7.4,5 (Pausanias); Att. 4.18.4 (Antiochus). For M. Tullius, see Chapter 3.

⁶⁴ See above and Chapter 4.

⁶⁵ Att. 1.12.2.

⁶⁶ Att. 2.18.4; 2.19.1; 6.2.1,2. For the expectation that magisterial assistants operated on the background, see Chapter 4.

⁶⁷ Cicero had headed a letter, with *Tullius Tironi*. Although he did so frequently, Tiro felt that the context and intended readership of this letter warranted certain restraint, Fam. 16.18.1. For the use of *Tullius Tironi suo*, see for example Fam. 16.2-4. In Fam. 16.5, the formula is strongly enhanced by replacing *suo* with *humanissimo et optimo*.

work behind closed doors and at any rate keep silence during public appearances⁶⁸. Similarly, it was socially accepted for magistrates to have freedmen as friends (*amici*), as long as such relation was not publicised beyond a very small circle of intimates. Indeed, throughout Cicero's correspondence, freedmen were called *amici* only in letters of recommendation (where genre requirements allowed for such digressions) or in letters written by or to intimate friends or family⁶⁹.

The change of scenery caused by the transition from Republic to Principate, led to the establishment of a single powerful household⁷⁰. Of course, magistrates were still appointed, and they too continued to make use of their own freedmen during their tenures as, for example, proconsuls and *legati Augusti*. However, the fact that there now existed an overarching centre of power – with its leader commanding a proverbial army of slaves and freedmen – reduced the importance and independence of these magistrates, who had only one man to thank for their appointment. Moreover, the emperor would even assign his own freedmen to assist (and keep an eye on) magistrates. When the imperial freedman Amazonicus and his brothers erected a tombstone for their deceased father Laeona, they proudly described him as a *verna* and *dispensator* who “assisted with the greatest care the praetor responsible for matters related to guardianship, for as long as he lived”. Much like Lentulus' Pausanias, who served as an *accensus* under various successive proconsuls of Cilicia (cf. Chapter 4), Laeona permanently (*in diem quoad vixit*) held the function of *dispensator*. Because the praetor would be a different man every year, the continuity Laeona provided not only ensured stability over the course of successive tenures, but it also enforced the emperor's hold on these and similar administrative posts⁷¹.

⁶⁸ Cf. Chapter 4.

⁶⁹ Recommendations: Fam. 13.16.2 (Apollonius); 13.23.1 (Anchialus, indirectly); 13.46 (Zoilus). To or by close intimates: Fam. 16.16.1 (Tiro, by Q. Cicero); Att. 5.9.1 (Eutyichides, to Atticus); 7.18.3; 10.16.1 (Dionysius, to Atticus). See also Chapter 7.

⁷⁰ Cf. Sailor (2008), 64 note 35.

⁷¹ CIL 10, 6093: “Laeonae / vern(ae) disp(ensatori) qui / vixit ann(os) LXVI / et est conversatus / summa sollicitudine / in diem quoad vixit / circa tutelam prae/tori Amazonicus / Augg(ustorum) lib(ertus) procurat(or) / [p]atri piissimo cum / [fr]atribus suis b(ene) m(erenti) f(ecerunt)”. Laeona's function has been variously interpreted. Some scholars considered him the *dispensator* of an imperial property (*praetorium*), e.g. Wiedemann (1996), 287. Arnaldi et al. (2013), 69-70 thought that the lack of further specification of Amazonicus' procuratorship indicates that he was in charge over the same *praetorium* as his father. However, *procurator* and *dispensator* were occupational titles often left unspecified by imperial slaves and freedmen (e.g. CIL 3, 2082; AE 1999, 287). Moreover, *praetori* is much more likely to be a dative of *praetor* than a (wrongly spelled) genitive of *praetorium*. Indeed, *Augg. lib* indicates a dating after the co-emperorship of Marcus Aurelius and Lucius Verus, and we know that the former had instituted a praetorship explicitly intended to deal with matters related to *tutela* (SHA Marc. Aur. 10: “praetorem tutelarem primus fecit”).

When a firm control over his personnel, and a manifest respect for hierarchies were already among the most valued features of a Republican magistrate, they became the criterion *par excellence* to evaluate or judge an emperor by. The extent, independence, and resulting influence of the *familia Caesaris*, would soon crystallise in a discourse, entailing a recurrent set of *topoi* and stereotypes, that defined and idealised a “good” emperor as a ruler who exercised firm control over his freedmen – the fewer the better⁷² – but a “bad one” as a weak and indulgent *servus libertorum*⁷³. This structural discourse differed from similar Republican concerns in that it featured imperial freedmen almost exclusively as representations and embodiments of the character and policy of an emperor, typically leaning to the pejorative extreme of the scale “good” - “bad”. The difference between (the treatment of) freedmen in Cicero’s correspondence, and those figuring in the historians’ works is therefore twofold.

Firstly, the ratio of “private” to “magistrate-assistant” (i.e. the later imperial freedman) is reversed in the former corpus when compared to the historiographies. Surely, several of Cicero’s correspondents were magistrates – this function often being one of the main reasons for writing them in the first place, especially in the case of recommendations. But besides the freedmen mentioned as assistants, messengers, or confidential agents in these contexts, a variety of ex-slaves are referred to in situations or functions that were entirely unrelated to the exercise of public office. Individuals like the architect Chrysippus, the teacher Dionysius, the sculptor Evander, the organiser of a feast Eutychedes, the many *librarii*, and the accountants of personal finances, are almost entirely lacking in the “detached” discourse of the historians.

Secondly, the ex-slaves that *could* cautiously be considered the precursors of the later imperial freedmen differ significantly from the latter in terms of their overall descriptions and evaluations, but especially in the way the discourse on them served the purpose not of critiquing society at large (i.e. the Principate’s system of government), but rather a single transgressive governor in particular. The condemnation of the influence and undue power of imperial freedmen was a direct attack against the emperor himself, but only insofar as the denunciation of the ruler served to discredit the monarchic system of government in general terms, a purpose that was lacking entirely in the denunciation of Republican freedmen like Antiochus or Statius.

Besides the difference in numbers between imperial freedmen and private freedmen in Suetonius’ *Lives*, their evaluation is similarly interesting. Whereas the negative evaluation of imperial freedmen (46%) clearly trumps a positive one (11%), the trend is

⁷² Tiberius received praise even from Tacitus for having but a small number of slaves and freedmen, Ann. 4.6: “Rari per Italiam Caesaris agri, modesta servitia, intra paucos libertos domus”.

⁷³ Plin. Pan. 88.1.

reversed in the case of private freedmen (15% and 23% respectively)⁷⁴. Without stressing the point too hard – the limited amount of attestations preclude any solid conclusions without further qualitative analysis – it may be significant that when a private freedman is mentioned in relation to a patron, this happens in a positive or at least neutral context, but never in a negative one. This trend is reminiscent of the observation that in Cicero’s letters, the explicit connection to a patron was a positive trait for couriers and messengers, and it may even indicate that concerns or accustomed habits related to “network embeddedness” – which the historians were undoubtedly familiar with in their *private* lives – also penetrated their *public*, detached discourse (cf. *infra*).

Specific and general plurals

All Suetonius’ references to a specific plural (as defined in Chapter 3) – 18 in total – are to freedmen of the imperial household⁷⁵. The general plurals have, by definition, no individual patron, as they are references to the “class” or group of freedmen in general. It is telling, however, that all nine references to a general plural occur in a passage that treats an emperor’s personal interaction with freedmen or his legislative attention to this “class”. The mentions of *libertini* in Augustus’ *Life* refer to the exceptional allowance of freedmen in the armed forces, to the emperor’s famous manumission laws, or to his upholding of traditional status boundaries in the theatre⁷⁶. Similarly, the references to *libertini* in the discussion of the emperors Claudius, Nero, and Domitian also explicitly describe freedmen as targets of imperial legislation⁷⁷.

Table 12 Specific and general plurals in Suetonius’ *De vita Caesarum*

Specific plural (SP)				General plural (GP)			
18 (all imperial)				9 (close connection to emperor)			
Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua
1	11	5	1	0	4	3	2

The close connection between the plural references to freedmen and the emperor highlights the almost metaphorical function of freedmen in Suetonius’ work. Whereas

⁷⁴ The latter group consists only of 13 attestations. A quantitative representation like this therefore merely allows us to compare trends, rather than to state absolute conclusions.

⁷⁵ Except for the freedmen of the condemned sisters of Caligula (Cal. 39.1), all of these belonged to an emperor personally.

⁷⁶ Aug. 16.1; 25.2, 40.3-4; 42.2; 44.1.

⁷⁷ Claud. 25.1; Nero 32.2; Dom. 7.2.

the narrative would on occasion include anecdotes about *individual* freedmen of private citizens, freedmen as a *group* were consistently presented as relating to, and representing, the imperial household or policy. Their evaluation in these contexts is again predominantly negative. The only “positive” passage refers to some *fidissimi liberti* Nero sent out to prepare a fleet in order to facilitate his escape from an imminent army insurgence⁷⁸. Significantly, their positive evaluation derives from them faithfully executing their patron’s orders, and as such disconnects this evaluation from the context in which imperial freedmen were usually featured (i.e. in positions of influence and power with direct bearing on the administration of the state).

This impression begs the question whether the negative evaluation of groups (or the “class”) of freedmen is not a consequence of their continuously stressed relation to the emperor (and their function as template for the latter’s evaluation), rather than of an ingrained belief of their moral inferiority. This was already suggested by the overview of individual freedmen, who received a predominantly negative evaluation when linked to the emperor, but who featured much more positively in the (limited amount of) attestations that linked them to a private patron. This point will be taken up in more detail below.

6.2.2.3 The freedmen: Tacitus

Individual freedmen

Tables 13 and 14 present the spread of attestations of individual freedmen in Tacitus’ *Historiae* and *Annales* in the same way Table 11 did for Suetonius’ *Vitae*. For the data underlying these numbers, see Appendix 6.

Table 13 Individual freedmen in Tacitus’ *Annales*

Imperial freedmen								Private freedmen							
67								15							
Emperor (personal)				Emperor (relatives)				Mention patron				No mention patron			
53				14				10				5			
Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua
0	37	5	11	1	9	2	2	2	5	2	1	1	4	0	0

⁷⁸ Nero 47.1.

Table 14 Individual freedmen in Tacitus' *Historiae*

Imperial freedmen								Private freedmen							
27								2							
Emperor (personal)				Emperor (relatives)				Mention patron				No mention patron			
27 ⁷⁹				0				2				0			
Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua
2	20	1	4	0	0	0	0	0	1	0	1	0	0	0	0

The spread of imperial and private freedmen is uncannily similar to that in Suetonius' work. Again, the former outnumber the latter at a ratio of 4-5 to 1 in the *Annals*, but in the *Histories*, the ratio increases to 13-14 to 1 (due to the almost complete neglect of private freedmen). The most significant nuance between the two authors is the qualitative evaluation of the freedmen mentioned. The distribution of pejoratively and positively described imperial freedmen in Suetonius (46% and 11% respectively) is even more polarised in the *Annals* (69% and 1%) and in the *Histories* (74% and 7%). Interestingly, Tacitus' references to private freedmen this time follow this trend instead of reversing it. Even though the contrast here is somewhat softened when compared to the imperial freedmen, 60% of the attestations of private freedmen in the *Annals* are still negatively contextualised, and only 20% positively⁸⁰. Like in the work of Suetonius, the context of a private patronage relationship traditionally provides the locus for more positive references to freedmen, but even this context does not escape manifest skewing by the meta-narrative of moral decay, which features much more prominently in Tacitus than in Suetonius (even to the point of obliterating the difference between patron-related mentions and non-patron-related mentions). This is again a point that will be taken up in detail below.

Specific and general plurals

Tables 15 and 16 present the spread of attestations of groups of freedmen in Tacitus' *Historiae* and *Annales* in the same way Table 12 did for Suetonius' *Vitae*.

⁷⁹ This number includes a reference to the freedman of a foreign king (Hist. 3.47-8). It excludes, however, the references to an unnamed freedman of Domitian (Hist. 3.74), who appears in a context before the rise to power of his patron, and who is therefore completely detached from the discourse on "imperial freedmen".

⁸⁰ Any quantitative rendering of the situation in the *Histories* (containing merely two mentions of a "private" freedman) is pointless. For what it is worth, however, the trend similarly continues, as the only private freedman who receives an explicit evaluation, is described in negative terms.

Table 15 Specific and general plurals in Tacitus' *Annales*

Specific plural (SP)								General plural (GP)			
22								-----			
Imperial				Private				-----			
14 ⁸¹				8				6			
Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua
1	6	4	3	1	3	3	1	0	5	0	1

Table 16 Specific and general plurals in Tacitus' *Historiae*

Specific plural (SP)								General plural (GP)			
12								-----			
Imperial				Private				-----			
9				3				3			
Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua	Pos	Neg	Neu	Nua
0	5	2	2	0	1	1	1	0	3	0	0

The mentions of groups of freedmen are similarly close in number to those in Suetonius (both corpora – or what is left of them – being of a roughly comparable size). Contrary to Suetonius, some specific plurals refer to private freedmen in both the *Annals* and the *Histories*, and most of the general plurals are not directly connected to the emperor. Nonetheless, nearly all of the SP and GP figure, much like the mentions of imperial freedmen, in a predominantly negative context. It could be argued, however, that this overall negative image is a consequence of Tacitus' agenda of presenting the Principate in as dire and pessimistic terms as possible, and of his resulting negative tone in general. In a sense then, the negative representation of freedmen – even individual and non-imperial ones – similarly derives from the emperor and the moral decay he personifies (cf. *infra*).

Besides Tacitus' typical meta-narrative as a distorting factor throughout his writings (not only the *Annals* or the *Histories*, but also the *Agricola* and the *Germania*), his social and legal status should also be taken into account. Contrary to Suetonius, Tacitus was a high-ranking Roman senator⁸². As a member of the highest echelon of elite society, he

⁸¹ This number again includes the reference to the *liberti regii* of Ptolemy, whose function as king was obviously similar to that of an emperor, at least in terms of the indulgence towards his freedmen in the eyes of Tacitus (Ann. 4.23).

⁸² He held the praetorship in 88 CE, the consulship roughly 10 years later, and the proconsulship of Asia in 112-113 CE (Ann. 11.11; Plin. Ep. 2.1.6). Suetonius, on the other hand, declined a military

belonged to the select group of aristocrats who were the most prominent target of the many Augustan laws aimed at firmly distinguishing the different *ordines*, and at safeguarding the *gradus dignitatis*. Rather than a novel invention of the early emperors, these measures were, as emanations of the self-imposed and eagerly consolidated discourse of distinction, confirmations of a well-established social practice that condemned relations and interactions between senators and the lower classes. Chapter 2 accentuated the fact that it was the sharply delineated body of senators rather than these lower classes (which were at any rate too broadly defined and conflated to allow for efficient legislation, including as they did actors, prostitutes, freedpersons, etc.) that were targeted by this strand of legislation. Although both the equestrian and the senatorial order contained members of widely diverging rank – a senator of lower standing could be conceived of as closer to a high-ranking knight than to a superior senator –, this difference between Tacitus (as a high-ranking senator) and Suetonius (as an unambitious knight) can partially explain the different nuances in both authors' works. However, it was especially Tacitus' meta-narrative of moral decay that typically framed freedmen in much more pejorative terms. Before proceeding, this point is illustrated in further detail in the next paragraphs, by a comparative case-study of both writers' treatment of two historical events: the disaster of Fidenae and the murder of Agrippina.

6.2.3 Tacitus versus Suetonius

6.2.3.1 The disaster of Fidenae: the *genus libertinum* responsible for the death of thousands?

In 27 CE an enormous disaster took place, the magnitude of which apparently prompted both Suetonius and Tacitus to dedicate an entire section to it in their historical works⁸³. In the Sabine town of Fidenae, the collapse of a theatre had caused the death of an extremely large amount of spectators. Suetonius speaks of more than 20,000 dead, whereas Tacitus more than doubles this number – although his figure of 50,000 also included those who were merely *debilitati*. The number is likely to be exaggerated, but the recently lifted ban on gladiatorial performances had certainly caused a flocking together (*adfluxere*) of a great mass of people prone to this kind of amusement (*aviditatum*). Tacitus presents the most dramatic picture. He begins his account of the *malum*

tribunate obtained for him by his patron Pliny the Younger, and focussed more on his forensic and literary endeavours than on obtaining public office (Oth. 10.1; Plin. Ep. 3.8).

⁸³ Tac. Ann. 4.62-3; Suet. Tib. 40.

inprovisum with the vivid description that everything happened so fast that no one truly realised what was happening until the damage was already done (*eius initium simul et finis exstitit*). He describes in horrific detail the gravity of the catastrophe, with a visualisation of the collapse, the suffering of those who had not been immediately killed, and their hastily arriving loved ones who at the sight of mutilated bodies and no longer recognisable faces underwent a different though similar kind of agony.

Before even specifying the nature of the disaster, Tacitus draws attention to the man responsible for it: “a certain Atilius of the freedman class” (*Atilius quidam libertini generis*). The man had allegedly neglected to lay proper foundations and had only superficially constructed the upper wooden structure. By describing Atilius as belonging to the *genus libertinus*, instead of simply calling him a *libert(in)us*, Tacitus at least rhetorically shifts blame from the individual Atilius to the entire “class” (*genus*) to which he belonged. It is therefore not surprising that the reasons Tacitus gives for this neglect markedly coincide with elite stereotypes against the lower classes. Indeed, Atilius was not only to blame for this neglect, but was even more to be despised for his motives for hastily building the theatre, which are thus discursively linked to the resulting disaster. Atilius, Tacitus presents as a certainty, had not built the structure as an act of evergetism, but only wanted to earn a quick and easy fortune (*ut qui non abundantia pecuniae nec municipali ambitione, sed in sordidam mercedem id negotium quasivisset*). When stripped from the ascribed motives and the strongly condemning discourse, the bare facts that remain are that an overcrowded theatre had collapsed, that a freedman had been responsible for its construction, and that the disaster claimed the lives of a large amount of people. Anything beyond these restored “action statements” is colouring by Tacitus, which is highly likely to have differed from Atilius’ unrecorded version of the story.

In this regard, the anecdote is very similar to a large scale accident near Lake Fucinus in 52 CE. Claudius’ freedman Narcissus had been responsible for a large drainage project: the tunnelling of the Monte Salviano, situated between the lake and the nearby river Liris. When the gates were opened – in order to lower the water level of the lake – the burst of water swept away nearby constructions and frightened the large audience which had just before enjoyed a naval battle on the lake (no casualties are reported). The emperor was understandably distressed by the disturbance of his show. His wife Agrippina took advantage of the disaster by accusing (*incusare*) Narcissus – her long standing rival for influence over Claudius. As the *minister operis*, she argued, Narcissus was entirely responsible for the *incuria operis*. Narcissus, moreover, had not built a feeble construction out of ignorance, but rather to embezzle some of the funds reserved for it:

it was his *cupido* and his desire for *praeda* that had caused the accident⁸⁴. Although the motivations ascribed to Narcissus are uncoincidentally the same as those of Atilius, Tacitus implies that the accusation was ungrounded and merely invented to besmirch Narcissus' reputation with the emperor (*Agrippina trepidatione principis usa*). Interestingly, moreover, (Tacitus') Agrippina does not explicitly invoke any inherent or essential baseness of the freedman (like Atilius' *genus*) as the cause for his vices, but attributes them to individual character flaws.

The uproar in the aftermath of the disaster in Fidenae was so strong that the senate felt compelled to enact legislation to prevent anything of the kind from happening again. Tacitus provides a detailed account of the resulting *senatus consultum*: henceforth, no one with a fortune less than HS 400,000 was allowed to organise a gladiatorial show, and amphitheatres had to be inspected before opening⁸⁵. He ends the account with a mention of Atilius' punishment, as he was driven in exile. The bar of HS 400,000 is probably not coincidentally identical to the census requirement for knights. By symbolically insinuating the equestrian status of future organisers of shows, the senate may have followed Tacitus' interpretation that Atilius' low status was somehow responsible for his greed. Freedmen could not under normal circumstances obtain equestrian status, and the choice of HS 400,000 instead of any other number, was likely inspired by the desire to accentuate this unbridgeable gap, as if the census requirement also endowed a possessor with the moral dignity and correct motivations required to organise theatrical shows. Of course, the measure did not *actually* prevent people below the rank of knight from organising shows. The bar was a financial one, not a status-related one, and certainly did not target people *libertini generis* as a rule. Again stripped to its bare "action statements", the senate's reaction was primarily intended to prevent the organising of shows by people who were considered irresponsible or unable to do so, that is, "poor" people looking for quick and easy ways to enrich themselves. The assumption that this was also Atilius' motive again derives from Tacitus' rendering of the story, although a similar opinion may have played a part in the senate's decree. In any case, the senate's reaction clearly made no reference to Atilius' legal status – Tacitus surely would not have neglected to mention any. It merely made sure that only "respectable" individuals, of whom it could be safely assumed that their actions were intent on gaining prestige rather than money, and who were in that sense to be distinguished from poor and sordid people *in general*, were allowed to organise

⁸⁴ Tac. Ann. 12.57: "Simul Agrippina trepidatione principis usa ministrum operis Narcissum incusat cupidinis ac praedarum".

⁸⁵ Tac. Ann. 4.63: "cautumque in posterum senatus consulto ne quis gladiatorium munus ederet cui minor quadringentorum milium res neve amphitheatrum imponeretur nisi solo firmitatis spectatae".

gladiatorial shows. As such, the measure was a result of the intertwining of two closely related issues that continuously featured in the elite's discourse of distinction, namely a rooted prejudice against lucrative labour, and the moral notions attached to wealth and status boundaries.

Suetonius' account of the story differs markedly from Tacitus'. A first clear difference is the length of the passage dedicated to the affair, which is roughly 9 times shorter than Tacitus'. Suetonius does similarly refer to the collapse of the theatre as a *clades*, provides the name of the city, and gives a rough estimate of victims, but the similarities with Tacitus' account do not extend beyond such basic information necessary to merely contextualise the event. Remarkably lacking – besides a horrific description of destruction, mutilated bodies, and mourning – is a reference to Atilius and his freed status, or to the subsequent *senatus consultum*. These omissions point to a significant difference in editorial choices between the two authors. Suetonius, of course, was restrained from expanding too much on the event, since he was writing the *Life* of Tiberius, and was therefore interested primarily in the emperor's reaction to the catastrophe. Whereas such genre-related concerns may at least partially explain why Tacitus devoted much more attention to these details, it seems rash to attribute to them every difference between the writers. Indeed, taking into account Tacitus' meta-narrative of moral decay and pessimistic prospects for the future in general, the explicit descriptions of horror and despair become almost logical. A much stronger focus on Atilius, his status, and the reaction of the senate stemmed from a more pertinent concern for the collapse of status boundaries under the Principate, and for the increasingly manifest danger of the ability of wealth to mediate and compensate for a lack of birth. It is meaningful that the senators – to which Tacitus in his own time belonged – rather than Tiberius are discursively credited with the initiative of taking action against the greedy, sordid poor. Both Tacitus' agenda as a historian, as well as his belonging to the “true protectors” of the *gradus dignitatis* and the *discrimina ordinum*, go a long way in explaining the differences between his and Suetonius' account of Atilius' role in the disaster of Fidenae.

6.2.3.2 The murder of Agrippina: the *ingenium libertinum* responsible for the death of an empress-mother?

The treatment of Anicetus in both writers' works is similarly illuminating. That this freedman was living proof for the expression *nomen est omen* (Ανίκητος being Greek for “invincible”) is clear from his remarkably resilient career. He occupied positions such as tutor of the young Nero, prefect of the Misenian fleet, specialised “hitman” responsible

for the deaths of both Nero's mother Agrippina and (indirectly) his wife Octavia, and finally wealthy exile in Sardinia. He features prominently in Tacitus' account in all these capacities, but only once – and only in passing – in Suetonius⁸⁶.

Suetonius is thus remarkably less descriptive when it comes to Anicetus' role in imperial intrigues. First and foremost, he entirely omits the freedman's role in Agrippina's assassination. In Suetonius' history, it was Nero *himself* who – after the previous attempts on his mother's life had failed miserably – came up with the plan of sabotaging Agrippina's ship, the name of Anicetus being omitted entirely⁸⁷. In Tacitus' account, on the contrary, the idea is very explicitly attributed to Anicetus. He thereby provided a solution for the emperor, who had consistently failed in his attempts to kill his mother. The freedman is given very explicit (discursive) agency by Tacitus: "Anicetus came up with a witty idea" (*obtulit ingenium Anicetus libertus*), "he taught the emperor the possibility of a collapsible ship" (*ergo navem posse componi docet*), and "his ingenuity was pleasing" (*placuit sollertia*). Tacitus even has the freedman explain his plan in direct speech⁸⁸.

Similarly, after it became clear that Agrippina was not killed in the naval "accident", it was Anicetus himself who again eagerly asked to be put in charge of a follow-up plan (*qui nihil cunctatus poscit summam sceleris*). Once more, Tacitus presents the emperor as merely nodding to, and agreeing with his freedman, this time even explicitly accentuating that it was Anicetus' agency that gave Nero an empire (*ad eam vocem Nero illo sibi die dari imperium actoremque tanti muneris libertum profitetur*)⁸⁹. The next section features Anicetus as an active participant in Agrippina's murder, surrounding her villa (*Anicetus villam statione circumdat*), dragging of her slaves (*obvios servorum abripit*), and eventually standing by watching how she was clubbed to death⁹⁰. Anicetus' role is not only accentuated by the many verbs of which he is the only subject, but also by the fact that Agrippina addresses him personally in her last moments (*respicit Anicetum ... ac, si ad*

⁸⁶ Tac. Ann. 14.3; 14.7-8; 14.62; Suet. Nero 35.2. Woods (2006) suggests that the Anicetus of Tac. Hist. 3.47-8 (the commander of a Pontic fleet who turned into a "barbarian pirate") should be identified with Agrippina's assassin (the *praefectus* of the Misenian fleet), but that the Anicetus who was Nero's tutor and who "confessed" to an adulterous relation with Octavia (so Nero could dismiss her, Ann. 14.62) is another individual altogether. However, not only is the existence of two Aniceti with similar occupations (fleet commander and "pirate") not at all problematic, but of the barbarian "pirate" is said that he was *praepotens* in the court of his patron Polemo II (the king of Pontus) before the Roman conquest reduced the kingdom to a province; a description that hardly seems to apply to Anicetus-the-assassin.

⁸⁷ Suet. Nero 34.2.

⁸⁸ Tac. Ann. 14.3-4. Cf. *supra*.

⁸⁹ Tac. Ann. 14.7.

⁹⁰ Tac. Ann. 14.8.

visendum venisset, refotam nuntiaret, sin facinus patraturus, nihil se de filio credere; non imperatum parricidium)⁹¹.

Anicetus' perfidious dedication was remembered a few years later when Nero, inflamed by a love for Poppaea Sabina, wanted to get rid of his wife Octavia. Nero intended to incriminate her in an adulterous relation and was looking for someone who would be readily believed as being capable of committing such a heinous crime. Anicetus, as perpetrator of the earlier matricide (*maternae nexis patrator*), had initially been rewarded by Nero, but soon became a cause of distress, since he constantly reminded the emperor of his own crimes (*malorum facinorum ministri quasi exprobrantes aspiciuntur*). Besides Anicetus as an irritating personification of the emperor's own wickedness, the freedman's proven efficacy (*operae priores*), as well as the added bonus that he (and by association also Octavia) could be accused of treason (*crimen rerum novarum*) in addition to mere adultery, constituted – according to Tacitus – the three main reasons for Nero's choice of Anicetus⁹². The emperor reminded the freedman of how he had single-handedly rescued him once before from his mother (*solum incolumitati principis adversus insidiantem matrem subvenisse*), and how the removal of Octavia would prove to be an even greater help (*locum haud minoris gratiae instare, si coniugem infensam depelleret*). He threatened him with execution should he refuse, but promised him secret rewards (*occulta sed magna praemia*) in addition to a pleasant place of retirement (*secessus amoenos*). In this instance, it is explicitly the emperor who is depicted as the prime instigator of the intrigue, and as covering up his tracks afterwards, by publicly “punishing” (“exiling”) the adulterer.

This is indeed also the impression Suetonius provides. His account of Nero's entrapment of Octavia is the only passage in which Anicetus is mentioned, but the historian merely describes him as the *paedagogus* Nero appointed to make the false confession (*Anicetum paedagogum suum indicem subiecerit, qui fingeret et dolo stupratam a se fateretur*)⁹³. Suetonius is again much more sparse with details, omitting Anicetus' freed status, his past transgressions, the emperor's motivations for turning to him (again), his rewards and “exile” to Sardinia, etc. He does, nonetheless, find common ground with Tacitus in that it was the emperor who took the initiative for Octavia's framing.

Thus, Suetonius does not insinuate that Anicetus was chosen for his inherent wickedness (or even for his past crimes), implying that the only reason for Nero's choice was that he was a reliable *paedagogus*, who merely executed the orders given by his

⁹¹ Dio 62.13.5 provides a very similar account of Agrippina's “last words”, even accentuating their addressee by explicitly including his name: “παῖε, ἔφη, ταύτην, Ἀνίκητε, παῖε, ὅτι Νέρωνα ἔτεκεν”.

⁹² Tac. Ann. 14.63: Nero later promulgated an edict saying that Octavia had seduced Anicetus to gain influence over his Misenian fleet.

⁹³ Suet. 35.3

master. Tacitus, on the other hand, typically complements the emperor's agency with that of Anicetus himself. Indeed, after having been given the order, the freedman – “with inbred perversity and an ease communicated by former crimes” (*insita vaecordia et facilitate priorum flagitiorum*) – enthusiastically exaggerated and confessed more than he was ordered to (*plura etiam quam iussum erat fingit fateturque*). The description adds nothing to the story, except for the fact that it highlights in a typical Tacitean fashion the freedman's individual wickedness. This difference between the two authors is most clear when we look at the semantic scope of the respective descriptions of Anicetus. Suetonius, as mentioned, only connects to the individual his function as *paedagogus*, whereas Tacitus repeats his (semi-)formal positions of power (e.g. as the commander of the Misenian fleet and personal go-to hitman of the emperor). Moreover, the specific vocabulary used by Suetonius to describe the freedman and his actions is limited to terms relating to the invented confession of adultery (*index, fingere, dolus*). In Tacitus' account, however, a lexical analysis not only highlights Anicetus' inherent wickedness (*scelus* (3), *odium* (2), *crimen, facinus, flagitium*), but also his own initiative (*ingenium, sollertia*) and malevolent agency in all kinds of matters (*auctor muneris, percussor, minister malorum facinorum, patrator maternae necis*).

Once again, then, Suetonius is primarily interested in the emperor's actions, paying only minimal attention to the role of imperial freedmen in court intrigues, and when they do appear in the narrative, no need is felt to stress their freed status – their closeness to the emperor in general terms (e.g. as *paedagogus*) being the only trait worth mentioning. Tacitus, on the other hand, not only draws explicit attention to Anicetus' freed status, but actively portrays him as the mastermind behind many of these intrigues, and even as initiating or single-handedly executing some of them. Tacitus' preoccupation with presenting the imperial court (read: the Principate) as an infestation of depravity, as well as with the important role of freedmen as its instigators and enforcers, colours his descriptions of freedmen in a much more pervasive way than is the case in Suetonius' version of events.

Finally, to focus all attention on Anicetus' explicit agency in designing the plot against Agrippina, Tacitus significantly omits any reference to Nero's other influential preceptor: Seneca. Seneca appears only briefly as doubtfully contemplating what to do after Agrippina had survived the initial shipwreck⁹⁴. Tacitus even suggests that he may not have been aware of any plot against Agrippina at all until that moment (*nisi quid Burrus et Seneca; quos statim acciverat, incertum experiens an et ante gnaros*). Seneca's subsequent advise to Nero is anything but resolute (*post Seneca hactenus promptius, ut respiceret Burrum ac sciscitaretur, an militi imperanda caedes esset*). In Dio's account, on the

⁹⁴ Tac. Ann. 14.7.3.

contrary, Seneca features prominently as an accomplice throughout the anecdote of the collapsing ship. In fact, Dio explicitly states that it was Seneca, together with Nero and his mistress Sabina, who – on visiting a spectacular naval show in the theatre – came up with the original idea themselves, omitting any reference to Anicetus⁹⁵. Dio does mention the freedman in the following passage, but he is there introduced only after the plan had been concocted and the ship built. It was to him Nero, on the destined night, entrusted his mother to ensure her “safe” return home (παρέδωκεν αὐτὴν Ἀνικήτῳ ἀπελευθέρῳ ὡς καὶ κομιοῦντι οἴκαδε ἐπὶ τοῦ πλοίου οὗ κατεσκευάκει). Although he is thus implicitly connected to the plot, Dio greatly downplays his role (at least if we take Tacitus as a yardstick), and he certainly does not present the entire scheme as springing from Anicetus’ *ingenium* or *sollertia*. This is not to say that the Greek historian is more positively inclined towards the individual, as he too – like Tacitus – describes Anicetus as ultimately leading the band of assassins that would dismiss Agrippina for good⁹⁶.

A comparison of the historians *does* indicate, however, that Tacitus as a rule accentuated the agency and the depravity of freedmen, holding them accountable for some of the most shocking events of their time. A less biased narrator may have omitted an evaluative remark about Atilius’ or Anicetus’ character and motives. Indeed, both anecdotes could be interpreted – when stripped from the historians’ emplotment – as telling the stories of an entrepreneurial freedman, engaging his economic capital to the benefit of his community (and his own symbolic capital), and of a trusted *paedagogus* following up on his patron’s instructions. The recontextualisation of their actions (and the subsequent condemnation) by later generations of historians was, however, greatly inclined towards a negative presentation. This begs the question whether a “good” freedman could exist at all in Tacitus’ or Suetonius’ (discursive) universe.

6.2.4 Always the “bad” freedman: the contradictory nature of a freedman’s obligations

It clearly did not really matter what an individual freedman did or did not do, when the author relating his story already has his mind made up about the “moral” of the story, or about the “meta-narrative” to which the anecdote should contribute. Even with the sneers to imperial freedmen taken out of the equation, any assertive, proactive, and somehow “independent” freedman was likely to be presented as shamefully ignorant of, or even willingly transgressing the pattern of expectation laid out for him by (elite) society. After the future emperor Vitellius had heavily indebted himself to various

⁹⁵ Dio 62.12.1-2.

⁹⁶ Dio 62.13.2-5.

creditors, for example, he had to resort to rather dubious means to pay them off. He once even brought an action for damages against a freedman who had allegedly kicked him. Suetonius, who mentions the anecdote, clearly implies that this reason was invented by Vitellius (*quasi calce ab eo percussus*), but does not necessarily condemn the prosecution altogether. After all, the freedman had been inappropriately persistent in demanding the settlement of his debt with Vitellius (*cum libertino cuidam acerbius debitum repositenti iniuriarum formulam intendisset*)⁹⁷. The depravity of Vitellius' act derived not from the punishment of the freedman *an sich*, but from the fact that Vitellius made him pay *disproportionally* for the minor insult (*nec aliter quam extortis quinquaginta sestertiis remisisset*). Although a sole focus on the false accusation would have accentuated Vitellius' character, Suetonius does not let the opportunity slip to draw attention to the “inappropriate assertiveness” of the freedman, whose desire for coin typically made him forget social hierarchy and status boundaries in the interaction with men far above his own station.

Contrarily, a failure to fully seize the opportunities that came with manumission, was considered a consequence of laziness or even inherent worthlessness, which could be rhetorically connected even to freedpersons' offspring. Dio thus describes Vedius Pollio as a man who “has done nothing worthy of remembrance” and who “has performed no noteworthy deeds”, connecting this failure – perhaps explicitly if we read a causal connotation in γάρ – to his being the offspring of freed parents (ἐξ ἀπελευθέρων ἐγγόνει), an origin that apparently could not even be compensated by his elevation to equestrian status⁹⁸. The only reason for mentioning him, Dio remarks, was his extreme wealth and his cruelty towards his slaves. His freed father Vedius Rufus seems to have done much better for himself, if we are to take Horace's word for it. Not only did he possess, cultivate, and profit from his extensive landed property (“a thousand Falernian acres”), he moreover obtained the gold ring and the privileges of equestrian status that accompanied it, eventually even rising to the post of *tribunus militum*⁹⁹. Significantly, both Rufus' overt success (i.e. “usurpation”) and his son's alleged lazy inactivity were equally condemned – by Horace and Dio respectively –, with both vices being in no unclear terms associated with their servile descent. It is hard to imagine a course of action that would have completely agreed with the strong

⁹⁷ Suet. Vit. 7.2.

⁹⁸ Dio 54.23.1: “κάν τῷ αὐτῷ τούτῳ ἔτει Οὐήδιος Πωλίων ἀπέθανεν, ἀνὴρ ἄλλως μὲν οὐδὲν μνήμης ἄξιον παρασχόμενος (καὶ γὰρ ἐξ ἀπελευθέρων ἐγγόνει καὶ ἐν τοῖς ἵππευσιν ἐξητάζετο καὶ λαμπρὸν οὐδὲν εἰργάσατο), ἐπὶ δὲ δὴ τῷ πλούτῳ τῇ τε ὠμότητι ὀνομαστότατος γενόμενος, ὥστε καὶ ἐς ἱστορίας λόγον ἐσελθεῖν”.

⁹⁹ Hor. Ep. 4. For Rufus as Pollio's father, see Kirbihler (2007).

moralising expectations of these elite writers, and that would not have given cause to disparaging statements like these.

As a *libertus*, a freedman was supposed to behave subserviently and reverentially toward his patron, the various manifestations of which were usually conveniently captured by the term *obsequium*. As a formally freed *libertinus*, however, he was at the same time expected to have internalised Roman virtues and to behave according to the respectability and duties of a citizen. These ideals would occasionally conflict with one another. Suetonius, for example, mentions a patron killing his freedman for refusing to drink as lavishly as he had asked him to¹⁰⁰. With his refusal, the freedman was almost paradoxically meeting the demands of frugality expected from a virtuous citizen, but at the same time ignoring his patron's wishes. The anecdote starts off a series of cases that accentuate the wickedness of Nero's father Domitius (the patron), and is included precisely to draw attention to the "genetic roots" of Nero's own depravity. Importantly, although the freedman had disobeyed his patron, it was the latter who incurred infamy as a result of his cruel reaction. Suetonius clearly accounted for the freedman's right to refuse dishonourable requests, even if it meant disobedience to a patron. In this case, the respectability any citizen was entitled to according to the public transcript of equality, trumped patronal arbitrariness. Suetonius thereby adhered to a principle that was well established in Roman law as well. Indeed, patrons were legally prohibited from imposing *operae* if these happened to be incongruent with, or harmful to, a freedman's way of life (*institutum vitae*), and the law automatically annulled the *operae* of a freedwoman who had been elevated to a rank (*dignitas*) that would render the execution of such *operae* improper or degrading (*inconveniens*)¹⁰¹.

Similarly, a few decades earlier, Phoebe – a freedwoman of Augustus' daughter Iulia – had been praised by that emperor for opting for the only righteous way out of the dilemma that was forced upon her by the immoral conduct of her patroness. Because she would neither (or no longer¹⁰²) violate her respectability by participating in Iulia's depravities, nor blatantly abscond her patroness, her choice for suicide was considered highly commendable, prompting Augustus to exclaim that he would rather have had

¹⁰⁰ Suet. Nero 5.1.

¹⁰¹ Dig. 38.1.17: "Nec audiendus est patronus, si poscit operas, quas vel aetas recusat vel infirmitas corporis non patiatur vel quibus institutum vel propositum vitae minuitur"; 38.1.34: "sed si liberta, quae operas promisit, ad eam dignitatem perveniat, ut inconveniens sit praestare patrono operas, ipso iure hae intercedit". Perry (2014) stresses this respectability throughout his work (e.g. 93, 133).

¹⁰² She was already *una ex consciis liberta* of Iulia's (Suet. Aug. 65.2), thus perhaps having been involved in previous misconduct. Be that as it may, her suicide still shines as an example of moral virtue, the freedwoman not being able to live with herself under these circumstances.

Phoebe as a daughter than Iulia¹⁰³. Ironically, these freedpersons feature as exceptional examples of virtue and responsibility in a context where moral debauchery ruled supreme, but all of them paid the price for their correct behaviour.

Honourable behaviour within the private relationship with a patron provided for the historians the only viable alternative to the practice of presenting freedmen as wicked individuals. These positive attestations thereby reflect much more strongly the network embedded context in which the actions of these freedmen were fundamentally rooted. As such, this praiseworthy behaviour is particularly reminiscent of the overall appreciation of freedmen in, for example, Cicero's letters. Because tracing network embeddedness in the detached discourse of the historians will be the aim of a next section, we will limit ourselves here to a couple of examples illuminating how the usually a priori "bad" freedman could be described positively as a consequence of the individual loyalty to his patron.

Especially when his patron had committed a crime, a freedman who was aware of the mischief found himself in a precarious position; torn between remaining silent to protect his patron, or coming forward as a witness. The freedman Titus Vinius Philopoemen, for example, hid his patron, and thereby saved his life, since he had been added to the list of proscribed men. That such reverence was particularly appreciated, is clear from Augustus not only granting Philopoemen amnesty, but even rewarding him with equestrian rank¹⁰⁴. Likewise, an unnamed freedman of the plebeian tribune Octavius Sagitta confessed to a capital crime that was actually his patron's¹⁰⁵. Although the freedman thus obfuscated the truth of the affair and obstructed justice, even Tacitus had to admit that he was impressed by the *magnitudo exempli*, praising the freedman's loyalty toward his patron.

An emperor of whom one would perhaps expect it the least – given his reputation among later historians – even went so far as to encourage noble action by rewarding similar exemplary behaviour (*bona exempla*). Indeed, Caligula abundantly rewarded a freedwoman (*mulier libertina*) for having kept silence – even under the most cruel torture – about the (unspecified) crime of her patron (*scelus patroni*)¹⁰⁶. Legally, of course, a freedperson could not be forced to give evidence against his or her patron¹⁰⁷. The only exceptions concerned schemes endangering the state. It is significant that the first manumission procedure that conferred citizenship on freed slaves (*manumission*

¹⁰³ Suet. Aug. 65.2: "(...) maluisse se ait Phoebes patrem fuisse".

¹⁰⁴ Suet. Aug. 27.2.

¹⁰⁵ Tac. Ann. 13.44.

¹⁰⁶ Suet. Cal. 16.4.

¹⁰⁷ Dig. 2.4.4.1; 2.4.12,13; 22.5.4. Cf. Fabre (1981), 219–21.

vindicta) allegedly derived its name from a slave (Vindicius) who had been given his freedom in return for the betrayal of his master's conspiracy against the vulnerable new Republic¹⁰⁸.

In Tacitus' universe, however, even these freedmen would be fiercely condemned. This condemnation ultimately derived from the historian's conviction that any conspiracy against an emperor was either beneficial to all, or at least not worth betraying your patron for. In 65 CE, the famous Pisonian conspiracy against Nero's life was carefully, though not very efficiently, planned. Most of the conspirators we are told the names of, were senators and knights, but a plot of this magnitude could hardly be kept secret from outsiders¹⁰⁹. Nonetheless, Tacitus narrates, it was not betrayed until the day before the actual assassination was planned, despite "the many ranks, classes, ages and sexes, rich and poor people that were involved". Typically, he implies that the betrayal originated from one of the conspirators' freedmen (Flavius Scaevinus' Milichus). The blatant hostility with which Tacitus describes Milichus' decision to lay bare the plot – he includes vile descriptions of his very nature, which Tacitus held responsible for the lack of loyalty (*fides*) – contrasts sharply with the general appreciation for Vindicius' very similar actions. Of course, Vindicius was saving the Republic, Milichus merely a depraved emperor.

Tacitus immediately invokes Milichus' *servilis animus* and typically presents his interpretation of the freedman's actions as the one and only true account of his motivations. It was – in a remarkable though entirely expected parallel to Atilius' reasons for constructing an unstable theatre – not a feeling of civic responsibility that inspired Milichus to warn Nero, but a realisation of the rewards of treason (*praemia perfidiae*) and the unbounded wealth and power (*inmensa pecunia et potentia*) that would befall him if he did¹¹⁰. Supposedly, all of this made him forget instantly the safety of his patron and the memory of the freedom he had received (*cessit fas et salus patroni et acceptae libertatis memoria*). Of course, Tacitus stresses, he was supported in this depravity by his wife, whose feminine and base advice (*consilium muliebre ac deterius*)

¹⁰⁸ Liv. 2.4-5. Cf. Plut. Publ. 7.5. Cf. Kleijwegt (2009), who situates Livy's anecdote in the broader Augustan program of restoring Rome to its bygone moral standards. An alternative tradition ascribes the enfranchisement of freedmen to Servius Tullius (Dion. Halic. 4.24.3-4). For our purposes, it matters little to what degree the anecdote actually reflected reality. Semi-literal interpretations are likely too naive (e.g. Schumacher (1982), 46ff). The story behind it – a slave rightfully obtaining freedom and citizenship after having saved the Republic by laying down information against his patron – was in any case considered both plausible and agreeable in Livy's time.

¹⁰⁹ Tac. 15.49-50; Dio 62.24. The nearly successful assassination attempt has been the subject of extensive modern enquiry, e.g. Schumacher (1982), 148-9; Griffin (1984), 166-70; Rudich (1993), 87-122; Rutledge (2001), 166-70.

¹¹⁰ Tac. Ann. 15.54.

added the extra motivation of fear, since a discovery of the plot by any other means than his own betrayal would undoubtedly result in Milichus' destruction (as he would be considered an accomplice)¹¹¹. Indeed, so she warned her husband, there were plenty of other slaves and freedmen who were potentially contemplating the exact same course of action (*multosque adstittisse libertos ac servos, qui eadem viderint*). The talks between Milichus and his wife are set in a private context, and it is highly doubtful that Tacitus is relating actual facts, and not merely adding details to enhance the emplotment of his narrative. By having the wife point out the many potential *proditores* in Scaevinus' household, the historian cleverly insinuates that any household could – if the opportunity arose – turn itself against its *pater familias*.

Although it is very “Tacitean” to thus invoke the decay of morality and private relations of *fides* and *obsequium*, the notion of slaves and freedmen always being at least potentially harmful to their master or patron was deeply ingrained in the elite's minds. A popular *proverbium*, which stated that one has as many enemies as one has slaves (*quot servi tot hostes*), remained in vogue for many centuries, and Cicero tried to move his audience by claiming that every significant family counted among its members at least some wicked slaves or freedmen (*tamen in tanta felicitate nemo potest esse in magna familia, qui neminem neque servum neque libertum improbum habeat*)¹¹². Moreover, the extreme provisions of the *senatus consultum Silanianum* of 10 CE enabled the torture and execution of all the servile dependents of a murdered master, likewise reflecting the belief that every one of them at least potentially cherished a latent hatred for his condition and for the person immediately responsible for it¹¹³. However, these beliefs stemmed predominantly from the realisation that the forced suppression of liberty in their dependents could lead to almost no other outcome than a constant tension between master and dependent. When quoting the above mentioned *proverbium*, for example, Seneca meaningfully adds that “we do not a priori have these enemies (i.e. slaves), but we make them for ourselves” (*non habemus illos hostes sed facimus*) by our cruel (*crudelis*) and inhuman (*inhumanus*) behaviour, since we treat them not as men (*homines*) but as beasts of burden (*iumenta*)¹¹⁴.

¹¹¹ Fear, rather than sincere support, is also what motivated (according to Tacitus) the monetary support of *libertini* for the emperor Vitellius in 69 CE (Tac. Hist. 3.58). Here too, *metus* serves to preclude the attribution of this support to any honourable consideration.

¹¹² Sen. Ep. 47.5; Macr. Sat. 1.11.13; Cic. Rosc. Am. 22. For the “mutual hostility of master and slave”, see Hopkins (1978), 120ff.

¹¹³ Tac. Ann. 13.32; 14.44. Cf. Barrow (1928), 56; Buckland (1970), 95-7.

¹¹⁴ Sen. Ep. 47.5. Seneca's claims are heavily influenced by his stoic conviction that slaves are fundamentally equal to free men – at least in a philosophical sense (Ben. 3.28.1). But the idea that slaves are entitled to at least some kind of human treatment is amply attested in all literary genres (e.g. Cic. Off. 1.41; Juv. Sat. 14.16-7). Cf. Den Boer (1979), 89-92; Mourtsen (2011), 14ff (including references).

Regardless, Milichus' motives – Tacitus makes sure to accentuate – derived not at all from such maltreatment by his patron. As a valued confidant of his patron, his position within the household was arguably a very comfortable one (this is at least, again, the background Tacitus pictures). No natural dissatisfaction with his condition, but mere greed and prodigality moved the freedman to betray the man who had granted him everything. As a result of Milichus' betrayal, Scaevinus was summoned to Nero's court. There, he vigorously defended himself, giving plausible explanations for his "suspicious" behaviour, and ultimately turning his entire defence into an *ad hominem* argument against his freedman. It was the deceit of this freedman (*fraus liberti*) and his inherent criminal nature (*intestabilis et consceleratus*) that had inspired the accusation, the freedman conveniently acting as both informer (*index*) and witness (*testis*) of the case¹¹⁵. Despite his strong resistance, Scaevinus' involvement was eventually unveiled through conflicting accounts of a fellow-conspirator, who was at the same time being interrogated. The plot was gradually dismantled, and Milichus richly rewarded for his contribution to the emperor's safety, even receiving the title of Saviour (*Conservator*)¹¹⁶.

For Tacitus, however, Milichus was the true villain of the entire affair, having shown remarkable contempt for his obligations in opting to save a depraved emperor at the expense of his patron. The freedman's concrete actions – as presented by Tacitus – make his behaviour seem all the more wicked, since he does not merely inform the emperor of the conspiracy, but actively incriminates Scaevinus by explicitly demanding him to be summoned, by presenting material evidence, and by engaging in a personal duel of mutual accusations. When stripped from Tacitus' rhetorical representations of the man and his motives, however, Milichus' decisions may just as well have been inspired by concerns unrelated to such "servile inclinations". Neither, it could be argued, was his wife wrong in instilling *metus* in her husband and thus encouraging the *proditio*. After all, it had only been a few years since the freedmen of the murdered Pedanius Secundus had but narrowly escaped exile for not having been able to inform their patron of the assassination¹¹⁷. The question of the accountability of freedmen for the murder of their patron (and *in extenso* for tacit complicity in an assassination attempt on the emperor) was greatly disputed at the time, and both Milichus and his wife had very good reasons

¹¹⁵ Tac. Ann. 15.55.

¹¹⁶ Tac. Ann. 15.71. If the *Augusti libertus* Epaphroditus of AE 1915, 45 is to be identified with Nero's *a libellis* of the same name who had allowed Milichus access to the emperor (in order to reveal the plot), he too was amply rewarded (receiving *hastae purae* and *coronae aureae*), cf. Constans (1914); Eck (1976).

¹¹⁷ Tac. Ann. 14.45

to fear the consequences of the plot's premature discovery¹¹⁸. Although some scholars blatantly reproduce the Tacitean interpretation of events in their account, a concern for his own (and his family's) well-being may have been a much more profound motivation than a mere servile inclination toward immediate *praemia*¹¹⁹. By comparison, Suetonius and Dio entirely omit any reference to Milichus or to his part in the discovery of the Pisonian conspiracy. The Greek historian does make a reference to how faithless friends and house servants constituted a threat to men who blindly trusted them, but the passage describes the aftermath of the plot's discovery. With Nero on his guard, any and every accusation – whether true or not – was considered a threat to the emperor; a loaded atmosphere dishonest dependents (ex-slaves are not singled out) would use to falsely enrich themselves¹²⁰.

In addition to Milichus, Tacitus prominently features another important agent in his account of the Pisonian conspiracy: Epicharis, unsurprisingly also a freedwoman. Besides Nero's lover Acte, this Epicharis is the only female ex-slave in the *Annals*, and according to some scholars “one of the most fascinating characters” of the entire work¹²¹. While the conspirators are depicted as lingering irresolutely, “a certain Epicharis” (*Epicharis quaedam*) takes firm action. Contrary to Milichus, she supports the conspiracy, even trying to entice the powerful commander of the Misenian in the scheme. Her motives are unclear, but Tacitus makes sure we do not imagine any upright concern as prime mover, casually mentioning that she “had never previously shown interest in anything honourable (*res honestae*)”¹²². That this was not a sneer to her legal status *per se*, is clear from the fact that freeborn women too could be depicted in these exact same terms elsewhere¹²³. In fact, when Tacitus first introduces Epicharis, he does not even describe her as a freedwoman. Neither do Dio – in his brief reference to the

¹¹⁸ It was not until Trajan's reign that freedmen became officially liable under the Silanian decree mentioned earlier (Dig. 29.5.10.1), but as the case of Pedanius Secundus had illustrated, they were never truly out of harm's way in these instances. Cf. Plin. Ep. 8.14.12-26.

¹¹⁹ Cf. Rutledge (2001), 169 who rightly criticises Rudich (1993), 103.

¹²⁰ Dio 62.24.4: “Καὶ διὰ τοῦτ' ἐς τὰ μάλιστα οἱ τε φίλοι οἱ πονηροὶ καὶ οἰκέται τινῶν ἤνθησαν· τοὺς μὲν γὰρ ἀλλοτρίους τοὺς τε ἐχθροὺς ὑποπτεύοντες ἐφυλάσσοντο, πρὸς δὲ δὴ τοὺς συνόντας καὶ ἄκοντες ἐγυμνοῦντο”. The circumstances facilitated rather than caused such ungrounded accusations. Even prior to the Pisonian conspiracy, imperial freedmen would incriminate either personal rivals or simply men whom the emperor wanted to get rid of. The freedman Graptus, for example – *usu et senecta Tiberio abusque domum principum edoctus* – invented a *mendacium* and successfully accused the innocent Faustus Cornelius Sulla of conspiring against the emperor (Tac. Ann. 13.47).

¹²¹ For Epicharis, see Pagán (2000), 364-6; (2004), 78-83 (the quote is from p. 76); Späth (2012), 448-50 (from a gender-specific perspective).

¹²² Tac. Ann. 15.51.

¹²³ E.g. Tac. Ann. 11.37.4: “nihil honestum inerat” (about Messalina).

woman (Ἄξιον δὲ μνησθῆναι καὶ γυναικὸς τινος Ἐπιχάριτος)¹²⁴ – or Suetonius (who does not mention her at all).

Epicharis' attempts at recruiting more conspirators eventually led to her capture and imprisonment. However, with actual evidence of her guilt lacking, she escaped worst punishment – at least for the time being. It is noteworthy that there is no trace of Epicharis' patron(ess) throughout Tacitus' narrative (or any other historian's for that matter). It is possible that s/he had died or relinquished immediate control over the freedwoman, as is perhaps suggested by her considerable freedom in moving around on her own, as well as by the fact that Tacitus does not present her later refusal to betray her fellow-conspirators as an act of loyalty to a patron(ess)¹²⁵.

Only in a later instance – when Nero summons Epicharis to question her again after Milichus had revealed the plot – is her legal status made clear. Despite being cruelly tortured, she refused to give information about her fellow-conspirators, thus famously evoking a rare remark of reluctant sympathy from Tacitus: “An emancipated slave and a woman, by shielding, under this dire coercion, men unconnected with her and all but unknown, she had set an example which shone the brighter at a time when persons freeborn and male, Roman knights and senators, untouched by the torture, were betraying each his nearest and his dearest”¹²⁶. Tacitus seems torn between his initial depiction of Epicharis as the dishonourable, scheming woman on the one hand, and the usefulness of her exceptional virtuous taciturnity for once more drawing attention to the vicissitudes under the Principate on the other¹²⁷. The power of the passage derives not only from morally elevating a freedwoman over knights and even senators, but also from the rare – and therefore all the more conspicuous – deviation Epicharis represents from the persistent, pejorative Tacitean image of people of her (legal) condition.

Her gender served a very similar function, being accentuated much more often than her freed status. Whereas her sex (*mulier*, *femina*), as well as her *muliebre corpus* are mentioned on multiple occasions, she is described as a *libertina* only once – and even then in explicit conjunction with *mulier*¹²⁸. In fact, another comparison with freeborn women indicates that similar behaviour by them was regarded as an equally admirable *exemplum*. A Ligurian woman (*femina*), for example, who refused to give up her son's

¹²⁴ Dio 62.27.3.

¹²⁵ E.g. Ann. 15.51: “(...) ac postremum lenitudinis eorum pertaesa et in Campania agens (...)” and the next note.

¹²⁶ Tac. Ann. 15.57: “(...) clariore exemplo libertina mulier in tanta necessitate alienos ac prope ignotos protegendo, cum ingenui et viri et equites Romani senatoresque intacti tormentis carissima suorum quisque pignorum proderent”. As Pagán (2000), 365 has noted, Epicharis' steadfastness is reflected also in her final decision to kill herself, despite barely having any strength left to do so.

¹²⁷ Martin (1981), 183.

¹²⁸ Tac. Ann. 15.51 (*mulier*); 15.57 (*libertina mulier*; *muliebre corpus*, *femina*)

hiding place to Otho's soldiers – fearing that they would enslave him as a war captive – endured gruesome terrors (*per cruciatus interrogarent*) and even paid for her silence with her own life¹²⁹. Like the *clarius exemplum* of Epicharis, hers too was a *praeclarum exemplum*. The fact that such determination was shown by a woman evoked the praises of Tacitus in both cases, although Epicharis' legal status allowed him to accentuate her unexpected virtue even further.

Suetonius occasionally applies the same discursive strategy. When he presents an unnamed freedwoman (*mulier libertina*) as the recipient of an enormous reward by the emperor Caligula because she had kept silence about her patron's crime under the most cruel torture (cf. *supra*), this is considered an unexpected though highly commendable example of virtue (*Quoque magis nullius non boni exempli fautor videretur, mulieri libertinae octingenta donavit, quod excruciatu gravissimis tormentis de scelere patroni reticuisset*)¹³⁰. By amply rewarding it, Caligula wanted to present himself as a *fautor boni exempli*, the implication being that it was rare (and therefore noteworthy) enough an occasion to serve as a locus for imperial self-aggrandising. Once again, the exemplary behaviour of a woman is invoked to highlight the character of another person or group of persons¹³¹. In both Epicharis' and this unnamed *mulier libertina*'s case, freed status does not serve primarily to disparage these women themselves, but rather to draw attention to individuals or situations that are thereby placed at the centre of attention (Nero and the Principate's moral decay, and Caligula's vain attempts at self-promotion respectively). Moreover, both passages not only share the central theme ("the virtuous freedwoman"), but they also invoke the exact same pleonasm to do so: *mulier libertina*. The explicit – and strictly speaking unnecessary – inclusion of *mulier* once more indicates that not only (or primarily) legal status, but especially gender provided the anecdotes with their exemplary power.

The same pattern is manifest in the works of other historians too. When Livy, for example, introduced Hispala Fecenia in his account of the Bacchanalia, he merely called her "a freedwoman well known around the Aventine" (*Hispalam indidem ex Auentino libertinam, non ignotam vicinia*)¹³². When he has this Hispala try to downplay her own significance as a witness in front of a consul, however, Livy draws explicit attention to her being but a woman, and to her testimony being not all that valuable as a consequence. The phrase by which this is done meaningfully starts out with *mulier*, but

¹²⁹ Tac. Hist. 2.13.

¹³⁰ Suet. Cal. 16.4.

¹³¹ Pagán (2004), 82 already observed that the examples of Epicharis and the unnamed Ligurian woman served to incriminate another party (i.e. weak aristocrats and Otho's soldiers respectively).

¹³² Liv. 39.12.1.

the focus on her gender is similarly enhanced by calling her not merely a *libertina* anymore, but a *mulier libertina* (i.e. *libertina* as an adjective rather than a noun)¹³³. In both Suetonius' and Livy's accounts, the preference for accentuating gender rather than legal status is also confirmed by the fact that *mulier* typically precedes the adjective *libertina*. Contrastingly, in the majority of cases (throughout Latin literature) where *libertinus/-a* is used to further specify a noun, this word order is reversed, suggesting that its exceptional rendering in relation to these *mulieres* was deliberate¹³⁴. Finally, it will come as no surprise that Tacitus – despite drawing ample attention to Epicharis' femininity – still prioritises her status (*libertina mulier* instead of *mulier libertina*). That this is more than merely a stylistic difference between authors, is clear from the observation that on other occasions, where Tacitus *does* want to accentuate an identity dimension different than status, he *does* – like the other historians – change word order¹³⁵. In other words, although Tacitus too recognises the value of Epicharis' gender for his narrative, he – more than other historians – sticks to his habit of accentuating freed status as well.

Although Epicharis was not torn between loyalty to a patron and civic responsibility to preserve the emperor's safety, she was put in a similar situation when she was made to choose between her fellow-conspirators and the emperor. Unlike Milichus, who chose the latter over his patron, Epicharus decided to protect the conspirators. Both, however, were condemned; Epicharis was exposed to gruesome tortures, leaving violent suicide as her only remaining course of action, and Milichus may well have been rewarded in the short term, but his “servile nature” would remain forever tainted by the hostile senatorial tradition of which Tacitus was no doubt one of the most vigorous proponents. In a sense, then, it did not matter which course of action either Milichus or Epicharis took, since their decision would be disparaged either by senatorial or by imperial supporters, that is, as a betrayer of his patron or as an accomplice in a plot against “the state”. Milichus and Epicharis, in other words, would have been “bad freedpersons” either way.

A similar paradox arose when a patron asked his freedman to assist him in his suicide. Once again, the general guideline for any freedman was to obey his patron's wishes.

¹³³ Liv. 39.13.2: “Mulier haud dubie, id quod erat, Aebutium indicem arcani rata esse, ad pedes Sulpiciae procidit, et eam primo orare coepit, ne mulieris libertinae cum amatore sermonem in rem non seriam modo sed capitalem etiam uerti uellet”.

¹³⁴ Examples are legion: Cic. Balb. 28 (*Cn. Publicio Menandro, libertino homine*); 56 (*de libertino homine, Soterico Marcio*); Sest. 97 (*sunt etiam libertini optimates*); Catil. 3.15 (*P. Umbrenum, libertinum hominem*); Ver. 2.1.124 (*libertinus homo sit heres*); Hor. Sat. 1.6.6, 45-6 (*libertino patre natum*); Ep. 1.20.20 (*libertino natum patre*); ...

¹³⁵ E.g. Ann. 15.72 (see also note 204 below).

Especially Velleius Paterculus' History is filled with attestations of slaves and freedmen obeying their patrons' last command¹³⁶. There was, however, a thin line between being praised for assisting a patron this way, and being accused of murdering him. Thus Epaphroditus, who was suspected of having held the blade that killed Nero, was later executed by Domitian for his role in his patron's demise. Domitian was well aware that Epaphroditus had acted *bona fide* and on Nero's own orders, but he wanted to instil in his household the conviction that killing a patron was never justified, not even after an explicit command¹³⁷. On the other hand, refusing to assist a patron in his suicide was considered an act of insubordination, but a slave who – knowing his master all too well – administered a non-lethal dose of poison, was later thanked for his assertiveness and given his freedom¹³⁸. Contrarily, freedmen were obliged to help their patron when he was under attack (or at least cry out for help), but a freedman of Tiberius who witnessed Caligula strangling his patron, was crucified precisely for doing so¹³⁹. Although obeying a patron was thus theoretically the right thing to do for a freedman, it was not necessarily the safest option, as this brief overview of conflicting expectations indicates. Once again, we are inclined to “understand” Milichus' motives not as sprouting from his moral inferiority, but from his pragmatic inclination to self-preservation – although these two explanations may not have been as clearly distinct from one another for Tacitus as they are for a modern reader.

Surely, the expectation of deference did not require as extreme a manifestation of self-sacrifice as that shown by Publius Catienus Philotimus, who – despite having inherited his ex-master's entire estate – threw himself on his patron's funerary pyre because he could not stand the loss. Nor was the manifest devotion of Agrippina's freedman Mnester (who also ended his life after the death of his patroness) the standard to which freedpersons were held. Unsurprisingly, however, Tacitus implies that Mnester's actions may have had more to do with his fear now that his protector had passed than with a true *caritas in patronam*¹⁴⁰. In any case, these freedmen are only known to us because they were recorded by the ancient historians, who were attracted by these extraordinary actions, which were therefore deemed worthy of

¹³⁶ E.g. 2.6.6; 2.69.2 (slaves); 2.70.2; 2.71.2 (freedmen).

¹³⁷ Dio 63.27.3; 63.29; 67.14. Suet. Nero 49.3; Dom. 14.4: “utque domesticis persuaderet, ne bono quidem exemplo audendam esse patroni necem, Epaphroditum a libellis capitali poena condemnavit, quod post destitutionem Nero in adipiscenda morte manu eius adiutus existimabatur”.

¹³⁸ Suet. Nero 2.3: “medicumque manumiserit, quod sibi prudens ac sciens minus noxium temperasset”.

¹³⁹ Suet. Cal. 12.2: “liberto, qui ob atrocitatem facinoris exclamaverat, confestim in crucem acto”.

¹⁴⁰ Plin. NH 7.122; Tac. Ann. 14.9.

commemoration. But more importantly, it was again the patronage relationship that provided the locus for honourable behaviour in freedmen.

This observation indicates that traces of network embeddedness are still clearly discernible in the detached works. However, Jean Andraeu's generalising adage that it was the *libertus* rather than the *libertinus* that worried the elites, is much less reflected in the histories than in, for example, Cicero's letters¹⁴¹. Although we would certainly agree with Andraeu's general conclusion (cf. Chapter 2), the fact that the discourse of the detached sources focusses much more strongly on the *libertinus* as a constant threat to both elite and society at large, reminds us that these works greatly generalise concrete cases of usurpation or misdemeanour (usually by imperial freedmen). This consistent generalisation was a rhetorical strategy within the meta-narrative of moral decay, intended to readily provide the writer with a convenient shorthand set of stereotypes, that would immediately contextualise the passage in question within the framework of "usurpation from below" or "moral deprivation". Indeed, as we have noted, especially Tacitus was very prone to use *libertinitas* in this manner (e.g. his representation of Atilius and Anicetus), although the notion could conversely be resorted to also to accentuate unusual and unexpected virtue (e.g. Epicharis). Whereas the previous sections painted a picture of this ambivalent function of freedmen in (mainly) Tacitus' and Suetonius' works, it is the dynamic interaction of detached and network embedded sources that will be further explored in the next sections, in order to elucidate the meta-narrative that was imposed on the representation of freedmen. Whereas a sole focus on *isolated* passages may yield specific information on certain historical themes, appreciating the way the meta-narrative *in general* moulded and reconfigured the original network embeddedness of each instance of freedman agency, goes a long way in better understanding

6.3 Detached versus embedded sources

6.3.1 Traces of network embeddedness in the historians' public discourse

Although Tacitus' and Suetonius' works are "detached" in the sense that they were not created in a communicative context that directly impacted their personal relations or

¹⁴¹ Andraeu (1993), 196.

networks, traces of such context are still very much discernible. Several mentions of freedmen, for example, clearly reflect the existence of trust networks, even after they were re-contextualised by their framing in a meta-narrative. In these contexts, libertination – as noted in Chapters 4 and 5 – was not intended as a disparaging identification of an ex-slave, but rather as a strategy to accentuate social capital. The historians consistently took for granted their readers’ sensitivity towards cues related to this network embedded nature of the patron-freedman relationship, and occasionally used it to their advantage. The first subsection below will further elaborate on this point by showing how the intimacy of a private patronage relation was employed by Suetonius to create a framework in which agency could be more effectively praised or denounced. The second subsection will draw attention to those cases where (imperial) freedmen feature in a context very reminiscent of the freedmen in Cicero’s correspondence. These are consistently presented in a positive light, once again confirming that it was the meta-narrative of historical discourse, rather than an ingrained belief in libertine inferiority that lay at the heart of the generally condescending tone of the works of (in casu) Tacitus and Suetonius.

6.3.1.1 Private relations and public appearance

Imperial freedmen feature in Suetonius’ narrative only if they have a direct bearing on an emperor’s decisions or personal life. Especially in the early *Lives*, they are unambiguously considered yardsticks for the first rulers’ morals and firmness. When the objective is to present Caesar as a strict manager of his household (and *in extenso* of the state), for example, Suetonius narrates the story of how he had one of his favourite freedmen (*liberti gratissimi*) executed because he had committed adultery with the wife of a knight¹⁴². Caesar’s sternness is furthermore enhanced by the added statement that he had decided to do this without external pressure, as no formal complaint was made against the freedman. The culprit meaningfully remains unnamed, suggesting that his identity did not matter insofar as it did not contribute to his role in the *exemplum*. In fact, a focus on the individual may even draw attention away from the central point of the story: Caesar’s reaction to the affair. The mention of libertination in this case is thus meant primarily to accentuate the private bond between Caesar and his freedman, as well as Caesar’s sacrifice in willingly condemning one of his most trusted dependents to death. Although the adultery would have been considered aggravated because of the status difference between the freedman and the knight’s wife, the crime in itself is in no

¹⁴² Suet. Iul. 48. The anecdote follows a similar example of strictness on the part of Caesar as *pater familias* (he had his baker put in chains because he served him and his guests a different kind of bread).

way presented as related to an inherent mischievousness deriving from the perpetrator's legal status. Both the offender and his crime merely provide a framework for the description of Caesar, since the voluntary decision to condemn to death even a beloved freedman would have struck – as Suetonius knew – a sensitive chord with his audience.

Interestingly, the condemnation of one's own freedman after a public offence is almost elevated to a *topos* when it recurs in other *Lives*. Augustus, for example, “merely” imprisons a slave who had insulted him (the offence not affecting anyone other than the emperor himself), but he ordered the suicide of – again – a favourite freedman (*libertus acceptissimus*), who had – again – committed adultery with a Roman matron¹⁴³. Once more, by sacrificing even his closest freedman, the emperor is presented as a guardian of public morals in particular (both cases are not coincidentally sexual offences), and as respecting social hierarchies in general (showcasing that freedmen could not aspire undue influence under his reign).

A similar sternness was – perhaps surprisingly – displayed by the emperor Domitian. Not only did he piously tear down the tomb of the son of one of his freedmen because the latter had appropriated building material designated for the temple of Jupiter Capitolinus, but he also ordered the bones and ashes of the deceased to be thrown in the sea¹⁴⁴. Again, the implication is that any transgression – especially one that was potentially detrimental to the state's divine protection – would be penalised by the emperor, even if this meant severely punishing his own freedmen. Once again, then, an imperial freedman features in a negative context, but once again the allusion serves to describe his patron, who voluntarily sacrifices, in a way, valuable social and economic capital to the benefit of the state (and, indirectly, of his own symbolic capital). None of these freedmen is named, nor does even one of them receive a disparaging characterisation from Suetonius. The passages are about the emperor, not about the freedmen.

Conversely, when Suetonius' narrative treats a “bad” emperor (or a “bad” period during the reign of an emperor), his wicked indulgence and despised morals are highlighted by invoking the depravity of his interaction with his freedmen – be it by drawing attention to the gravity of the wantonness exhibited, or by using particularly vile descriptions to do so (or both). Indeed, Suetonius' depiction of a “weak” emperor's reaction to transgressions similar to the ones outlined above is illuminating. In 24 CE, Urgulanilla (Claudius' ex-wife of five months) gave birth to a daughter Claudia who – it was known or suspected at the time – was not Claudius' but his freedman Boter's

¹⁴³ Suet. Aug. 67. The anecdote again features in a more extensive treatment of Augustus as *patronus dominusque non minus severus quam facilis et clemens*. Cf. the discussion of Thallus in Chapter 4.

¹⁴⁴ Suet. Dom. 8.5.

(*libertus suus Boter*)¹⁴⁵. Although Claudius, confused as always¹⁴⁶, initially reared Claudia as his own child, he soon cast her out of his house and disowned her. Any reader is left wondering how (and especially if) the actual adulterers were punished. Claudius, typically under the influence of his wives and freedmen – at least in the historians’ discourse¹⁴⁷ – failed to show the firmness of a Caesar or Augustus, and the implication is that Boter got away *even* with adultery with Claudius’ own wife (Suetonius smoothly making sure to indicate that the adultery had taken place before Claudius and Urgulanilla divorced)¹⁴⁸. By his indulgence, the emperor showed a manifest lack of control over both his wife and his freedman. Indeed, besides freedmen, the influence of women too could be conveniently invoked to accentuate the reversal of traditional order (i.e. by depicting the emperor as a subordinate to the kinds of people that were at least theoretically the farthest removed from formal power)¹⁴⁹.

Similarly, Nero’s submission to the freedwoman Acte was described in derogative terms, since the emperor added insult to injury by pretending to be formally married to her (*Acten libertam paulum afuit quin iusto sibi matrimonio coniungeret*)¹⁵⁰. Whereas Suetonius draws attention primarily to the illicitness of the bond in general terms, Tacitus is typically more “detached” when he focusses mainly on Acte’s individual servility. He has Agrippina call her a *liberta aemula*, a *nurus ancilla*, and other similar insults (*aliaque eundem*). Tacitus himself repeatedly defines her as a *muliercula* or a *paelex ancilla*, and besides describing her relationship with Nero as a *contubernium servile* – thoroughly *abiectum et sordidum* – he contrasts it with the high descent (*nobilitas*) and

¹⁴⁵ Suet. Claud. 27.1.

¹⁴⁶ This is, of course, the classical interpretation. Modern scholars generally believe that Claudius willingly allowed his freedmen to hold considerable power, e.g. Millar (1967), 15; (1992), 74-7; Levick (1990), 83.

¹⁴⁷ The negative image of Claudius extends well beyond Tacitus’ and Suetonius’ narratives, and is the near universal interpretation of the emperor’s personality and reign in Roman and Greek historical traditions. Cf. Syme (1958), 259-60, 436-7; Momigliano (1961), 77-9; Malloch (2009), 116ff (note 4 containing many more references). Examples of this tradition are legion: Sen. Apoc. 6.2: “putares omnes illius esse libertos: adeo illum nemo curabat”; Suet. Claud. 25.5 (the Principate is reigned *arbitrio non tam suo quam uxorum libertorumque*); 29.1 (Claudius as *addictus his [libertis] uxoribusque*); Vit. 2.5 (idem). Cf. Dio 60.2.4: “Περιφανέστατα γὰρ τῶν ὁμοίων ἐδουλοκρατήθη τε ἄμα καὶ ἐγυναικοκρατήθη”; 60.14.1: “Αἴτιοι δὲ τούτου οἱ τε Καισάρειοι καὶ ἡ Μεσσαλίνα ἐγένοντο”; 60.28.2: “Δουλεύοντα μέντοι αὐτὸν τῇ τε γυναικὶ καὶ τοῖς ἀπελευθέροις ὀρῶντες ἤσχαλλον”; 60.31.8: “Ὅτι οὕτω ταῖς γυναιξὶν ὁ Κλαύδιος ἐδεδούλωτο ὥστ’ ἀμφοτέρους τοὺς γὰμ βροὺς δι’ αὐτὰς ἀποκτεῖναι”. Narcissus was perhaps the most detested of them all (Dio 60.33.6; Juv. 14.328-31; Sen. Apoc. 13.2; Tac. Ann. 11.37-8; 13.1; Suet. Claud. 28; 37.2).

¹⁴⁸ He mentions that Claudia was born five months after the divorce (*ante quintum mensem divortii natam*). Suet. Claud. 26.2 already identified Urgulanilla’s scandalous lewdness as the reason for the divorce (*ob libidinum probra*).

¹⁴⁹ For Tacitus’ analysis of female power in the Principate, see Marshall (1984-1986); Joshel (1997); Ginsburg (2006); Santoro L’Hoir (2006), Chapter 3 (p. 111-157)

¹⁵⁰ Suet. Nero 28.1.

proved honour (*probitas*) of Octavia whom Nero was about to divorce¹⁵¹. The contrast with the exalted Octavia, as well as terms like *abiectum* and *sordidum* are indications that Tacitus was presenting as great a gap as possible between aristocratic matrons and this *liberta*, in order to highlight Nero's depravity in completely disregarding traditional concerns of status and standing. He behaves just like Martial who, though well aware of the importance of hierarchy in choosing a partner (i.e. of prioritising an *ingenua* over a *libertina* over a *serva*), would still prefer the latter if she happened to be more attractive than an *ingenua* or *libertina*¹⁵². The description of the relationship as a *contubernium servile*, however, should not necessarily be seen as a direct reference to Acte's servile past. Indeed, of Nero's freeborn lovers – and even his mother – it could be similarly said that they enslaved (καταδουλώω) the emperor by enticing him sexually¹⁵³. Nero not only failed to condemn inappropriate unions, but even encouraged them by establishing one himself. Of course, there was considered nothing wrong with an intimate bond between an emperor and his freedmen – Augustus rightly held many of them in high honour and close intimacy (*multos libertorum in honore et usu maximo habuit*)¹⁵⁴ – and marriages between patrons and freedwomen were very common, if the epigraphic record is any indication. But like senators, Nero was supposed to uphold the rigid *gradus dignitatis*, which at least in theory prevented the lower classes from mingling with the top elite.

Whereas the first two emperors would spontaneously punish their own close freedmen for usurping privileges above their station, a “bad” emperor like Claudius thus encouraged and even bestowed such privileges himself: the *hasta pura* to Posides, the command over a province and several cohorts to Felix, equestrian and praetorian *insignia* to Narcissus and Pallas, etc. He furthermore famously allowed his freedmen to amass great wealth by plunder, and his *ab studiis* to walk in between the consuls¹⁵⁵. The *ab studiis* was – like the *ab epistulis*, the *ab libellis*, and the *ab rationibus* – a freedman whose function became increasingly associated with the power that was informally invested in them by the emperor. As noted earlier, Nero was thus able to eliminate his rival Torquatus Silanus on the grounds that he called his intimate freedmen *ab epistulis*, *ab libellis*, etc. Because Silanus belonged not only to the Junian *gens*, but was also a direct descendant of Augustus, the act of “usurping” the titles of the business of empire (*nomina summae curae et meditamenta*) could be invoked as a subversive and dangerous

¹⁵¹ Tac. Ann. 13.12-3; 13.46.

¹⁵² Mart. 3.33: “Ingenuam malo, sed si tamen illa negetur, libertina mihi proxima condicio est: extremo est ancilla loco: sed vincet utramque, si facie nobis haec erit ingenua”.

¹⁵³ Dio 62.11.3.

¹⁵⁴ Suet. Aug. 67.1.

¹⁵⁵ Suet. Claud. 28.

threat to the current emperor¹⁵⁶. Once more, the private relationship between freedmen and their patron (and its extending into the realm of public affairs) served as a locus for accentuating the depravity of the emperor, without describing the freedmen themselves as inherently immoral (especially the *intimi liberti* of Torquatus were elevated, even by Tacitus, to innocent victims of a cruel regime, as they were executed in the wake of the charges against their patron).

Finally, one of the few “good” imperial freedpersons during Claudius’ reign was the unnamed *liberta et ornatrix* of the emperor’s mother, whom Claudius praised for always having regarded him as her patron. It is no coincidence that the freedwoman’s commendable behaviour pertained to her private (network embedded) relation with Claudius. In its entirety, however, the passage serves to illustrate that the pious conduct was very exceptional. Indeed, Suetonius has Claudius exclaim that he appreciated the freedwoman’s devotion even more fervently because there were many in his household who did *not* consider him their patron¹⁵⁷. The anecdote, though at first sight a rare exception to Claudius’ subordination to his dependents – thus serves to ridicule the emperor by having him rejoice about the fact that at least one of his freedpersons (and she is not even really his) was loyal and reverential towards him, accentuating his complete lack of control in all the other cases.

6.3.1.2 Imperial freedmen as non-usurping domestic assistants

Besides serving as *exempla* to highlight an emperor’s character, imperial freedmen also occur in contexts that are reminiscent of ex-slaves’ roles and functions in the household, as continuously evoked in “embedded” sources. The opinion of a certain freedman Iulius Marathus on Augustus’ looks is cited by Suetonius, who accentuates the authority of the statement by referring to the freedman’s role as the emperor’s confidential assistant (*a memoria*)¹⁵⁸. It is possible – and at the very least implied by Suetonius – that Marathus’ flattering account of Augustus (he overestimated the emperor’s stature) was due to the freedman’s *reverentia* towards his patron. Likewise, Augustus used one of his freedmen as a stooge during a public auction. Having mutilated his sons in order to prevent them from having to serve in the military, a knight was convicted by the emperor and sold at the auction. However, when Augustus noticed that some *publicani* showed interest in the sale, and fearing that the knight would thereby be

¹⁵⁶ Tac. Ann. 15.35. Nero disposed of Torquatus’ nephew Lucius Silanus in the exact same way (Ann. 16.8). Tacitus had already insinuated that the charge against Torquatus was ungrounded, but called the accusation in Lucius’ case simply *insania et falsa*.

¹⁵⁷ Suet. Claud. 40.2: “Haec, inquit, matris meae liberta et ornatrix fuit, sed me patronum semper existimavit; hoc ideo dixi, quod quidam sunt adhuc in domo mea, qui me patronum non putant”.

¹⁵⁸ Suet. Aug. 79.2.

humiliated too severely, Augustus intervened and adjudged him to one of his freedmen instead (*liberto suo addixit*), thus ensuring that the knight would retain a *de facto* liberty¹⁵⁹. Once again, the emperor relies on his personal trust networks, in a way very familiar to Cicero's management of his household. Cicero too, for example, made use of Philotimus to secretly buy the exiled Milo's estate when it was publicly auctioned¹⁶⁰.

Many other freedmen of the first emperors similarly feature in a personal trust relation with their patron. As a parallel to Cicero's relying on the house of one of Lepidus' freedmen to have a place to sleep while travelling, Augustus too regularly took recourse to his freedmen's domains when he visited the suburbs (*huc transibat aut in alicuius libertorum suburbanum*)¹⁶¹. Likewise, both Augustus and Tiberius were assisted in the writing of their testament by loyal freedmen: the former by *liberti Polybius et Hilarion*, the latter by an unnamed *libertus*¹⁶². On Augustus' passing, Tiberius even had the emperor's will read out loud by a freedman (*recitavit per libertum*) in front of the senate. This choice is all the more significant, since of the signers of the *testamentum*, only those of senatorial status were admitted to the senate house in order to confirm its authenticity (the rest of them had to do so outside)¹⁶³. The contrast between the freed reader and the senatorial audience and witnesses could hardly be greater, and suggests that Tiberius had knowingly and willingly selected the freedman for the job. Although his patron is not mentioned explicitly, it is more than likely that he had belonged to Augustus, and that he had been chosen to read the will precisely because of this connection. The use of a trusted freedman, it was expected, carried extra weight, due to the "corporate authority"¹⁶⁴ he added to the testament. Just like Cicero's use of Atticus' freedmen when sending official reports to Rome – endowing these documents with some of their patron's symbolic capital – so the presentation of a freedman of Augustus would endow the will with the deceased emperor's authority. It is again noteworthy in this regard, that the freedman remains anonymous, the connection to his patron being the primary focus of the narrative.

¹⁵⁹ Suet. Aug. 24.1.

¹⁶⁰ Cic. Fam. 8.3.2; Att. 5.8.2-3; 6.4.3; 6.5.1-2; 6.7.1; 6.9.2; 7.1.1,9.

¹⁶¹ Cic. Fam. 7.18.3; Suet. Aug. 72.2.

¹⁶² Suet. Aug. 101.1; Tib. 76. The subsequent description of Tiberius' relying on people of the lowest condition (*humilissimi*) to sign his will, undoubtedly stems from a hostile tradition instigated by Caligula who wanted to declare void the provisions contained in it. Cf. Dio 59.1.2.

¹⁶³ Suet. Tib. 23: "Inlatum deinde Augusti testamentum, non admissis signatoribus nisi senatorii ordinis, ceteris extra curiam signa agnoscentibus, recitavit per libertum".

¹⁶⁴ Gurd (2007). Cf. the discussion in Chapter 4.

Finally, Agrippina's *libertus intimissimus* Agermus was relied upon to deliver a delicate message to Nero during the final standoff between the emperor and his mother¹⁶⁵. After the attempt on Agrippina's life had failed (cf. supra), the empress-mother suspected her son of foul play, but thought it better to feign ignorance. She therefore appointed Agermus as courier to deliver to her son (*misitque libertum Agermum*)¹⁶⁶ the message that she had survived "the accident", pretending not to realise Nero's involvement in the attempt. Agermus, apparently unaware of the danger of his delicate mission, joyfully reported the news to Nero (*cum gaudio nuntiantem*)¹⁶⁷, who saw right through Agrippina's deceit and had *nuntius Agermus*¹⁶⁸ arrested on the charge of trying to assassinate the emperor¹⁶⁹. Agermus' somewhat naïve happiness, as well as his wrongful condemnation and Tacitus' explicit mention that his guilt was absolutely inconceivable¹⁷⁰, are clearly meant to evoke sympathy for the freedman, who was after all merely executing his patroness' orders. Indeed, the repeated use of *libertination* and even *nuntius*, is reminiscent to Cicero's habit of accentuating the freedman's embeddedness in his patron's trust network.

Even the much more negatively presented reigns of the later emperors (from Caligula onwards) contain similar attestations of loyal freedmen. Nero's freedman Phaon (*Phaon libertus*) offered his suburban villa to his patron when the latter was fleeing for his life. He also vainly tried to persuade him to hide underground, and used his own network of couriers to provide Nero with the latest information of the insurgence against him¹⁷¹. Similarly, on learning that imperial envy had given rise to an assassination plot against Rubellius Plautus – in Asia at the time –, one of his loyal freedmen set out immediately to warn his patron, surpassing the appointed executioner in both zeal and speed¹⁷². The assumed bond of trust between a freedman and his patron is also clear from the fact that the ex-praetor Minucius Thermus was executed after an unnamed freedman of his

¹⁶⁵ Tac. Ann. 14.10. Dio does neither mention Agermus' name nor his status (Dio 62.13.4). He merely notes that Agrippina informed (*εὐαγγελίζομαι*) Nero of her survival, and that the emperor in response incriminated the messenger (*Ἀκούσας δὲ ταῦθ' ὁ Νέρων οὐκ ἔκαρτέρησεν, ἀλλὰ καὶ τὸν πεμφθέντα ὡς ἐπὶ τῆ αὐτοῦ σφαγῆ ἤκοντα ἐκόλασε ...*), as reported more extensively in Tacitus (cf. infra).

¹⁶⁶ Tac. Ann. 14.6.

¹⁶⁷ Suet. Nero 34.3.

¹⁶⁸ Tac. Ann. 14.7.

¹⁶⁹ Nero dropped a blade at the freedman's feet during his audience with the emperor, thus achieving in a very underhand and perverse way what the freedman Anicetus had recently done through immediate and decisive action. Cf. Morris (1969), 101.

¹⁷⁰ Tac. Ann. 14.11: "quod fortuitum fuisse, quis adeo hebes inveniretur, ut crederet? Aut a muliere naufraga missum cum telo unum, qui cohortes et classes imperatoris perfringeret?"

¹⁷¹ Suet. Nero 48.1,3; 49.2.

¹⁷² Tac. Ann. 14.58. Plautus, however, ignored the advice thus brought to him by his freedman – Tacitus provides a couple of plausible reasons why – and was executed anyway.

had brought charges against Nero's favourite Tigellinus¹⁷³. We are not told explicitly whether the accusation was actually ordered or inspired by Thermus himself, but Tacitus – calling the patron's death *inmerita* – typically presents the case as if the latter had fallen victim to the actions of his freedman. Even if he had not directly ordered the accusation, the imperial court clearly deemed Thermus' relation to his freedman a justified ground for prosecution.

The close bond between freedman and patron – attested so vividly in embedded sources – is reflected also in the historians' stories about freedmen honouring their patron even after the latter had died. For example, one of Otho's freedmen, conveying his patron's last wishes to the senate, silenced suspicious members of that body with an account of his patron's nobility, courage, and virtue during his last moments¹⁷⁴. Even more dramatic are the anecdotes relating the aftermath of Galba's assassination. As an admirable act of reverence, an unnamed *libertus* of Patrobius Neronianus (himself a freedman of Nero) bought the severed head of the gruesomely treated Galba – at the considerable price of one hundred *aurei* –, only to throw it away at the spot where his patron had been executed by the emperor, thus posthumously avenging him¹⁷⁵. However, as yet another act of devotion, a freed *dispensator* of Galba subsequently recovered it, reunited it with the rest of his patron's body, and consigned all the remains to Galba's private sepulchre¹⁷⁶.

6.3.1.3 Preliminary conclusion

Although Tacitus and Suetonius did not produce their works in a network embedded context, their "histories", as observed above, still occasionally reflect the embeddedness of freedmen in imperial and private trust networks. Both these freedmen's functions (as couriers, confidential secretaries, agents, ...) and their discursive rendering by the historians (a strong connection between the use of libertination and a context of trustworthiness) attest to this. Especially Suetonius reveals traces of libertination's highly positive connotation known from Cicero's letters (cf. Chapters 4 and 5). In Tacitus, this practice is discernible too, albeit much more obfuscated by the overlay of the more pervasive meta-narrative. Suetonius, for example, only once calls Narcissus a *libertus*, but the passage in which he does, meaningfully constitutes the only neutral (i.e. not pejorative) description of the freedman (fulfilling his domestic – "network

¹⁷³ Tac. Ann. 16.20.

¹⁷⁴ Tac. Hist. 2.53.

¹⁷⁵ Suet. Galba 20.2; Tac. Hist. 1.49. Haynes (2003), 50 notes the irony in the connection thus made between Nero's and Galba's death.

¹⁷⁶ This Argivus is not explicitly identified as a freedman in Suetonius, but both Plutarch (Galba 28.3) and Tacitus (Hist. 1.49) describe him as such.

embedded” – duty of bringing in a physician to examine Britannicus)¹⁷⁷. Anicetus is similarly not called a *libertus* explicitly, because its positive connotations did not fit in the context in which he was mentioned. The same goes for the sexually transgressive Mnester, described by Suetonius merely as a *pantomimus*, but known to have been a freedman because Tacitus’ meta-narrative uses this status to rhetorically extrapolate his behaviour to that of the class of ex-slaves (cf. *infra*). Contrarily, the good Phaon, and Claudius’ only loyal freedwoman receive the epithet *libertus/-a* to accentuate their embeddedness in their patron’s trust network. Finally, the favourite freedmen executed as an example of imperial strictness were explicitly called *liberti* (and remained unnamed so as to draw attention to this libertination) in order to accentuate the sacrifice the emperor made by punishing them.

Moreover, every single one of the imperial freedmen who were – rather exceptionally – depicted in a positive light, derives this positive description from his position within the private relation with his patron, the emperor¹⁷⁸. Similarly, the rare positive mentions of *private* freedmen are related exclusively to their role as faithful subordinates in a patronage relation¹⁷⁹. All of these freedmen show a remarkable reverence towards their patron, and are entirely disconnected from the dominant themes of the despised influence or of usurpation by freedmen in the public sphere. All differences between private freedmen and imperial freedmen thus vanish when they are mentioned in a private context: a good freedman was simply an ex-slave that aided his patron when necessary, without transgressing social boundaries. The narrative, in these cases, zooms in on this dimension of their persona, whereas negative mentions would typically focus on the propensity for usurpation and undue influence. Once again, then, these instances reveal the underlying embeddedness of the patronage-freedman relation, which a focus on the public appearances of (especially) imperial freedmen deliberately ignored – in function of the meta-narrative of moral decay and social transgression.

The next section mainly consists of two cases studies, which will focus in more detail on the use of libertination, and more specifically on the deliberate choice of a writer to use either *libertus* (the freedman in relation to his patron) or *libertinus* (the freedman as member of the class of ex-slaves in society at large). It will adopt an explicitly

¹⁷⁷ Suet. Tit. 2.

¹⁷⁸ Most of these attestations have already been included in the discussion above: Suet. Aug. 67.1; Cal. 12.2; Claud. 40.2; Nero 47.1; 48.1,3; 49.3; Galba 20.2; Tac. Ann. 14.9; Hist. 1.49; 2.53.

¹⁷⁹ Idem: Suet. Aug. 27.2; Cal. 16.4; Tac. Ann. 13.44; 14.58. The only exceptions are Antonius Musa in Suet. Aug. 59 (although his service to Augustus was very similar to that of a loyal freedman to his patron, cf. Dio 53.30.3), and Epicharis (cf. *supra*).

comparative perspective, in order to accentuate the similarities and differences in these choices between network embedded and detached writers.

6.4 *Liberti versus libertini*

The fact that attestations of *libertus* heavily outnumber those of *libertinus* in any literary corpus, reflects the centrality of the patronage relation in the discourse on freedmen. It is significant, however, that in the detached narrative of the historians, this contrast is slightly weakened when compared to the network embedded social practice of letter-writing, where descriptions of a freedman or freedmen are almost exclusively framed in the context of a patronage relation. Indeed, neither Pliny nor Fronto refer to *libertini* in their letters, and even the much more extensive Ciceronian correspondence contains only two mentions.

6.4.1 *Libertini* in Cicero's correspondence

In a letter from 50 BCE, Cicero used *libertinus* during one of his many praises of Atticus' freedman Dionysius. After an enumeration of the man's virtues, he decided to add an extra description rarely ever attributed to freedmen (*vir bonus*). He even explicitly stressed this transgressive praise by pointing out that he deemed Dionysius worthy of such appraisal, despite his being a *libertinus* (*ac, ne libertinum laudare videar, plane virum bonum*)¹⁸⁰. Since this passage is treated in detail in the next chapter as a point of departure for the discussion of the "freedman discourse", we will focus here only on the other reference to *libertinus* in Cicero's correspondence.

Interestingly, this occurs in a context that quite harshly evokes the reversal of social hierarchies – or at least the undesirability and potential threat of such a reversal. In the summer of 60 BCE, a motion of Cato that – if enacted – would allow for the prosecution of bribed jurors, caused a clash between the Senate and the order of knights. Cicero – ever intent on maintaining peace and concord – sided with the knights. Naturally, the fact that Atticus (a prominent knight himself) is the addressee of the letter, may explain

¹⁸⁰ Cic. Att. 7.4.1.

at least in part Cicero's confession of having opposed the virtuous – though in his eyes unrealistic – proposal¹⁸¹.

Despite his sympathy for the knights, however, Cicero was not entirely uncritical as to their reaction to the quarrel, which at least in some cases seems to have amounted to blackmail. Indeed, we are told that at least some *publicani* were starting to neglect their duties (*quid impudentius publicanis renuntiantibus?*)¹⁸². Cicero realised that concessions would have to be made in order to appease the knights, but the clash had clearly shaken his belief in an idealised cooperation between the orders. “Are we then to keep these fellows as mercenaries?”, he rhetorically asks, immediately answering his own question by defeatistically concluding that this may in fact be the only solution. The only alternative would be to rely on domestic dependents, but putting that much confidence in people of that station was unacceptable to Cicero: “Or should we take orders from our freedmen, even our slaves?” (*an libertinis atque etiam servis serviamus*).

Obviously, and as noted earlier, Cicero had no problem whatsoever with freedmen in positions of trust and responsibility. What he did not particularly like the prospect of, however, was freedmen in a general sense – indeed, *libertini* – occupying such posts as a *rule* (much like equestrians quasi-monopolised the *publicani* contracts). The (Loeb) translation of *libertinis atque etiam servis* as “our freedmen, even our slaves” may therefore add a subtle layer of interpretation that does not *per se* reflect the spirit of Cicero's statement. He did not mind *his* freedmen, *Atticus'* freedmen, or the freedmen of any other *responsible* aristocrat occupying administrative, procuratorial, and financial functions (provided they respected the conventional decorum of not doing so too manifestly or “independently”). If he had meant to express such a sentiment, he would much more likely have resorted to a description of these dependents as *liberti nostri*, like he did on several other occasions.

During his defence of Milo, for example, Cicero had complained that Clodius – running for praetor at the time – had planned the promulgation of a law that would

¹⁸¹ Cic. Att. 2.1.8: “equites curiae bellum – non mihi, nam ego dissensi”. Atticus was a knight by choice, since “upgrading” to senatorial status would prevent him from continuing his lucrative business. Berry (2003) suggests that equestrian support is likely to have been a crucial factor in Cicero's successful forensic career.

¹⁸² Cf. also Cic. Mur. 62. See Liv. 39.44.8 for a similar disturbance with the *publicani* in 184 BCE, not coincidentally caused by Cato's homonymous great-grandfather. *Publicani* fulfilled a variety of tasks, including the construction of public buildings, the supervision of state property, the collection of taxes, etc. (Polyb. 6.17.1-6; Dion. Halik. 6.17.2; Dig. 39.4.12.3). Although they are occasionally described as dutiful allies of the state in times of crisis (e.g. Val. Max. 5.6.8), they were often associated with fraud (*fraudis*), dishonest practices (*malae artes*) and greed (*avaritia*) in the later Republican period, e.g. Liv. 25.1.4; 25.3.8; 25.5.1; 45.18.4. For detailed studies on the *publicani* (and the later semi-formalised *ordo publicanorum*), see Badian (1972), Milazzo (1993); Malmendier (2002).

make Cicero and his audience subjects to their slaves (*incidebantur iam domi leges, quae nos servis nostris addicerent*)¹⁸³. Referring to the same proposal, he dramatically exclaimed that such laws would turn their slaves into freedmen of Clodius (*lege nova ... servos nostros libertos suos effecisset*)¹⁸⁴. The use of *liberti* in this last passage is clearly rhetorical, conveniently drawing on the established categories of slaves and freedmen (and the transformation manumission implied), rather than constituting a representation of what would really happen should the laws be passed. Surely, no legal measure was being prepared that would turn private slaves into *actual* freedmen of Clodius. In this case, Cicero feared – and wanted to instil the same unease in his audience – that patrons would lose their *private* rights over their freedmen, since a novel distribution of freedmen over the thirty-five tribes – the likely content of Clodius’ *leges novae* – would endow the entire class with a much larger impact on the voting process, and consequently diminish that of their patrons (hence *leges quae nos servis nostris addicerent*). At the same time, these freedmen would have but one man to thank for this increased influence, which might in turn endanger patronal loyalty in favour of loyalty towards Clodius (hence *servos nostros libertos suos effecisset*). The use of *liberti* (and its connotation) rather than *libertini* was intended to upset Cicero’s audience by explicitly invoking the immediate consequences for *private* patronage relations, and the sudden surge in power Clodius would subsequently be able to benefit from. As such, the threatening danger of Clodius’ reforms was made felt much more profound than would have been the case if Cicero had merely talked about “classes” in more general terms.

This is, however, precisely what he did in his letter to Atticus about the *publicani*. It is important to note, though, that Cicero is here not talking about freedmen merely taking up administrative functions or gaining increased – equal – voting rights. The verb of his second rhetorical question is very explicitly *servire* (*libertinis serviamus*), the semantic scope of which – despite the contextual similarity in meaning – must have struck a much more sensitive chord than *addicere*. The depravity attached to the notion of (servile) subservience to freedmen would transform into an outright literary *topos* under the empire (reaching its absolute culmination in the historical tradition on Claudius’ reign, cf. *supra*), but it was already a dreaded condition in the late Republic. Transformed into an ingrained and structural practice, the appointment of freedmen and slaves to positions of influence or formal power – originally detrimental only to an individual’s reputation – would be nothing short of disastrous. Cicero’s remark, in other words, expressed a pungent fear that would prove to be justified in the decades to come.

¹⁸³ Cic. Mil. 87. See also Chapter 2.

¹⁸⁴ Cic. Mil. 89.

Moreover, the gravity and intended impact of an alternative expression like *libertis serviamus* would have been mediated by the positive connotation of an idealised patron-freedman bond, and the ideology of cooperation and mutual support it was inseparably associated with. Atticus had his own favourite dependents, the daily intercourse with whom would not have been consistently framed in terms of discrepancies in legal status¹⁸⁵. Submission to freedmen in a *private* sphere was – to a certain degree – acceptable. In fact, our understanding of Cicero’s interactions with his favourite freedman Tiro can in no insignificant way be improved by framing it as a praxis of submissive manipulation, as a short digression clarifies.

Scholarship on Cicero’s relation with Tiro has been traditionally split between two hugely diverging opinions (cf. also Chapter 7). One of these, proposing a very literal reading of Cicero’s letters to his freedman, considers the relationship as entirely tensionless and wholly amiable¹⁸⁶. On the other hand, Cicero’s repeated exhortations for Tiro to join his patron again – after having to stay behind due to severe illnesses – have been interpreted as a form of (moral) blackmail¹⁸⁷. The argument that features prominently in these and similar opinions centres around a letter written by Cicero on 12 April 53 BCE, in which he wrote that if Tiro appeased his master’s troubled mind (i.e. by getting better), the latter would in turn “free” him from all his worries (*liberare*)¹⁸⁸. Fabre even speaks of a *double* blackmail, suggesting that Tiro’s prolonged absences were deliberately organised by the freedman to exact this kind of concession¹⁸⁹.

As an intermediate, and more nuanced position in between these two interpretations, the framework of submissive manipulation goes a long way in elucidating the practices

¹⁸⁵ E.g. Alexis – whether slave or freedman – who was an *imago Tironis* (Cic. Att. 12.10). Conversely, Tiro was Cicero’s Alexis (*meus Alexis*) in Att. 5.20.9.

¹⁸⁶ Thus Treggiari (1969a), 219: “the worst Cicero could be accused of was feather-bedding his freedman, and the worst fault of Tiro an excessive devotion to his patron’s family”; (1969b), 200: “In the short notes from Cicero to Tiro before the manumission, asking him to hurry up and get well so that his master may free him from all care, and in the warm congratulatory letter of Q. Cicero afterwards, wishing his brother happiness in the affection and accomplishments of his new freedman, who had been unworthy of the status of slave, we can see clearly the sincere sympathy which existed between Tiro and Cicero and even the rest of the family”. McDermott (1972), 263 considered the correspondence between Cicero and Tiro as evidence for the “essential nobility” of the former’s character, and even saw Tiro’s “over-zealous work for his patron” as the main reason for his many illnesses (261).

¹⁸⁷ Smadja (1976), 102.

¹⁸⁸ Cic. Fam. 16.15.1: “Incredibili sum sollicitudine de tua valetudine; qua si me liberaris, ego te omni cura liberabo”. The remark is explicitly repeated five days later when Cicero states that his promise (of manumission) will be carried out at the agreed time: “Nostra ad diem dicta<m> fiet (...)” (Fam. 16.10.2).

¹⁸⁹ Fabre (1981), 245 note 306: “Il est possible cependant, qu’en 53, il y ait double chantage: à la guérison, de la part de Cicéron, à la liberté, de la part de Tiron”.

of social negotiation that underlie Cicero's letters to Tiro. Gramling and Forsyth have elaborated the concept of submissive manipulation in a theoretical contribution that explores the ways in which stigma can be exploited¹⁹⁰. They noted that "flattery and other forms of submissive manipulation are weapons" and that these "may be used to improve one's standing in an exchange relationship. (...) individuals who have perfected submissive manipulation (...) may voluntarily acquire an inferior status in order to more effectively wield this weapon".

Applied to the relationship between Cicero and Tiro, the notion of submissive manipulation may partially explain Cicero's aggrandising Tiro's role in both his private and professional life. The famous enumeration of Tiro's *innumerabilia officia* to his patron in all sorts of domains, Cicero's claim that – without Tiro at his side – all his literary activity stagnated, or the explicit attempts by Cicero to minimise the distance in social status to Tiro (e.g. by addressing him in ways that purposely breached social hierarchies) are but the top of the iceberg¹⁹¹. Rather than a form of moral blackmail, however, Cicero's and Tiro's actions, behaviour, and discourse should be framed in an on-going process of social negotiation in which both Cicero and Tiro took part, and which characterises the interaction between unequal partners in general¹⁹². This is a well-known tenet of Social Exchange Theory, and contrasts with a more "dramaturgical approach" that typically focusses only or primarily on outward manifestations of interactions, rather than on personal motivations or the "subjective evaluation of outcomes in various situations"¹⁹³. Blackmail suggests a perfidious intent and a rational or even conscious strategy. Seen as a dialectic process of social negotiation, however, Tiro's and Cicero's actions, discourse, and behaviour reflect both men's attempts at optimising the outcomes of their exchanges. In any case, the practice of submissive manipulation indicates that it was not uncommon – in a *private* context – to diminish the social distance between patron and freedman.

Using *libertis servire* in his letter about the *publicani*, then, may not have seemed to Cicero the most efficient way to paint the picture of freedmen gaining control over their patrons. *Libertinis servire*, on the other hand, implied a general reversal of hierarchies and a fundamental defilement of the *discrimina ordinum*. It meant that Atticus, Cicero,

¹⁹⁰ Gramling & Forsyth (1987), esp. 409-410. The study is a modern sociological one, disconnected from ancient history (let alone the relation between Cicero and Tiro).

¹⁹¹ Cic. Fam. 16.4.3: "Innumerabilia tua sunt in me officia, domestica, forensia, urbana, provincialia, in re privata, in publica, in studiis, in litteris nostris (...)"; Fam. 16.10.2: "Litterulae meae sive nostrae tui desiderio oblanguerunt (...). ei [Pomponio] cupienti audire nostra dixi sine te omnia mea muta esse"; 16.18 (Tiro complains about too familiar an address by Cicero).

¹⁹² See Fleischmann (2005), 62ff for an interesting comparison with New World slavery.

¹⁹³ For these and similar critiques on the "dramaturgical approach" by social exchange theorists, see Singelmann (1972); Gramling & Forsyth (1987), 402-3 (including references).

and their peers would be subjected not only to *their liberti*, but also to the class of *libertini*, i.e. including *liberti alieni* whose influence over aristocrats other than their own patron could not be justified by the closed and idealised context of a patronage relation.

Finally, the letter about the *publicani* meaningfully makes a distinction between freedmen and slaves. Although manifest subordination to freedmen was considered detestable, it is significant that such domination was somehow considered still not quite as bad (or at least “differently” bad) as subjugation to slaves. In the phrase *an libertinis atque etiam servis serviamus*, “atque etiam” not only explicitly separates both groups, but it also insinuates that being suppressed by slaves was worse still than slaving under freedmen. The distinction is of course mainly a rhetorical one, as both situations would be equally condemned in the strongest of terms. Moreover, the primary target of the expression are the *libertini*, not the *servi*. Whereas it would be a big – and rather unimaginable – leap indeed to one day wake up in a Rome where slaves were given a quasi-monopoly on farming taxes, the prospect of freedmen rising to such levels of public responsibility was much less utopian. By including *servi*, Cicero cranks up the drama of the passage by insinuating that structurally allowing freedmen to these positions was a slippery slope to be avoided: “if we allow freedmen to surpass us, how long before our slaves would begin to do so too?”.

Like Suetonius and Tacitus would do much more consistently some 150 years later, Cicero used the class of freedmen to address the thorny issue of potential power usurpation or even reversal. It is the only instance where this theme is taken up in a letter, and it is certainly no coincidence that it is in such a context that the very rare *libertini* is used. The anecdote shows that fondness, affection, and trust in private patronage relations was not incompatible with a much more hostile discourse when status boundaries were under threat, and it begs the (unfortunately insoluble) question what the private correspondence of a Tacitus or Suetonius would have looked like. In any case, Cicero’s rhetorical rant was a warning to the elite, not a condemnation of freedmen. The historians typically elaborated on this theme, but firmly rooted it in their meta-narrative of moral decay and individual depravity. Whereas Cicero thought it sufficient merely to present potential libertine influence as a slippery slope to servile subjugation, the historians considered this process completed in their time, barely (discursively) distinguishing between slaves and freedmen at all in terms of immorality and corruption.

6.4.2 *Libertini* in Tacitus’ and Suetonius’ works

Although their combined works are of a similar order of magnitude as Cicero’s entire correspondence, the historical accounts of Tacitus and Suetonius feature many more references to *libertini*: 14 in the *Vitae*, 9 in the *Annals*, but only 2 in the *Histories*. We

suggested earlier that this structural distinction is a corollary of the non-embeddedness of these works, and more specifically of the generalising meta-narrative imposed on the historians' version of events. A closer look at the contexts in which the references to *libertini* appeared, confirms this suggestion.

Certainly, in some cases, the narrative simply required a description of a single freedman as a *libertinus*, since his occurrence was entirely disconnected from the relation to his patron. In an attempt to damage the young Caesar's reputation, a rumour was spread during his first campaign in Asia (81 BCE). While on a mission to procure a fleet, he had allegedly lingered so long at the court of Nicomedes of Bithynia that he was suspected of having prostituted himself to the king¹⁹⁴. The rumour gained credibility when Caesar – after the completion of his mission – immediately returned to Nicomedes. Caesar himself had apparently provided an “excuse” for this second visit to Bithynia: he had had to collect a debt for a freed client of his (*quem rumore auxit intra paucos rursus dies repetita Bithynia per causam exigendae pecuniae, quae deberetur cuidam libertino clienti suo*). The use of *libertinus* may simply be due to the fact that it was not his own freedman's business Caesar was taking care of¹⁹⁵. But a reasonable question to ask, is why Suetonius felt the need to explicitly include the legal status of Caesar's client in the first place. The anecdote would have coped just fine with a mere *cliens suus* in giving Caesar his reason to travel to Bithynia again. One possible explanation is that Suetonius, through a more detailed description, tried to endow his gossip with extra authority. It could also simply have been the common way to refer to clients. Indeed, throughout the *Vitae*, mentions of clients are usually accompanied by a further specification. When Suetonius mentions elsewhere that the young Caesar was devoted to his *clientes*, the example he gives describes the client (a certain Masintha) as a *nobilis iuuenis*¹⁹⁶. When Tiberius requested citizenship for one of his dependents, the latter is described as his *cliens Graecus*¹⁹⁷. And when Augustus defended one of his clients (a certain Scutarius), Suetonius makes sure to describe him as having been an *evocatus suus*¹⁹⁸. In all these cases the additional description is placed after the introduction of the dependent as a client, thus retaining a strong focus on *cliens* as primary salient identity dimension of the individual. In Caesar's case, however, Suetonius' discursive rendering of the passage puts greater emphasis on *libertino* than on *client suo*, a deviation from the normal practice too conspicuous to ignore.

¹⁹⁴ Suet. Iul. 2.

¹⁹⁵ This is of course confirmed by this *libertinus* also being Caesar's *cliens*.

¹⁹⁶ Suet. Iul. 71: “Studium et fides erga clientis ne iuveni quidem defuerunt. Masintham nobilem iuuenem, cum adversus Hiempsalem regem tam enixe defendisset (...)”.

¹⁹⁷ Suet. Aug. 40.3: “Tiberio pro cliente Graeco petenti rescripsit”.

¹⁹⁸ Suet. Aug. 56.4: “Affuit et clientibus, sicut Scutario cuidam evocato quondam suo, qui postulabatur iniuriarum”.

In an attempt to cast doubt on Caesar's true motivations, Suetonius insinuated that going through all these trouble only to fulfil obligations to a client – a freedman, of all people – is rather implausible. The likelihood of the rumour therefore derived not only from Caesar returning to Nicomedes' court when he did not *need* to anymore, but especially from doing so under a somewhat obscure pretext. It would have been a different story entirely, if the man Caesar went out of his way for to please, had been a freeborn client (*ingenuus*), or even his own freedman (*libertus*). The use of *libertinus* – and its prominent place in the client's identification – serves to discursively cast a shadow over Caesar's motives by implying that this elaborate deference towards a mere *libertus alienus* was suspicious.

This is not the only instance where this strategy is applied. When evaluating Claudius' legalisation of incestuous marriages – the emperor had to do so in order to marry his brother's daughter – Suetonius spoke to the feelings of aversion he expected from his readers, when he remarked that only two men actually made use of this new possibility. Things *quae ad id tempus incesta habebantur*, Suetonius argued, would not suddenly be socially accepted after forced legalisation. “None were found to follow [Claudius'] example save a freedman and a *primipilus* (*non repertis qui sequerentur exemplum, except libertino quodam et altero primipilari*)¹⁹⁹. It is almost predictable that Suetonius should give the example of a *libertinus* to further accentuate the depravity of such incestuous unions, but the juxtaposition to a chief centurion precludes a conclusion that the mention of a *libertinus* was included solely or primarily to rhetorically endow Claudius' decision with an aura of wickedness. Since Claudius personally attended both marriages – typically attracted by such displays of immorality, the narrative implies – the parties involved would surely have been the subjects of widespread gossip and notoriety. It therefore comes as a surprise that Suetonius does not include the men's names (just like he had omitted the name of Caesar's *libertinus cliens*). In both instances, the mention of a proper name would have added more detail, and thus more credibility, to Suetonius' stories, but an overriding concern prompted their omission nonetheless. What we are left with to conclude then, is that credibility was less of a concern to the historian than drawing attention to the individuals' legal status²⁰⁰. The implication is that men of all station are corrupted under Claudius (who is the main subject of the anecdote, just like Caesar was in the previous one); freedmen, of course, in the first place – literally and figuratively – but even responsible commanders. In a sense, the anecdote represents the general theme of Suetonius' narrative of

¹⁹⁹ Suet. Claud. 26.3.

²⁰⁰ Although *primipilus* does not carry the same weight as *libertinus* or *ingenuus* in determining legal status, the necessity of free birth to serve in the legions – and certainly to become a chief centurion – would be known to Suetonius' readers.

Claudius' *Life*: moral decay has its roots in the emperor's depravity, but subsequently spreads out even to what is supposed to be the respectable stratum of society. The position of the *libertinus* after Claudius and before the centurion presents him (and by *libertinus*, the entire *ordo* is implied) as the facilitating channel through which this happened. As such, the anecdote also discursively brings home Suetonius' message.

A connection to a *libertinus* – as opposed to a *libertus* – casted, no matter how far-fetched, a shadow over one's reputation – at least in the discourse of the historians, which structurally presented (mainly through generalisation of individual cases of usurpation and alleged depravity) the class of freedmen as a marker of moral decay throughout its narrative (cf. *supra*). This could happen indirectly (like in the case of Caesar's client, where the status is merely meant to cast doubt over the reason for Caesar's efforts) or directly (like in the case where a freedman was the first to follow the immoral *exemplum* of Claudius). The effect was naturally enhanced, if the freedman was biologically related to the person under attack. Especially emperors and other leading figures were the targets *par excellence* of this “guilty by association” type of slander. We noted earlier how Mark Antony was disparaged by Cicero for having children by the daughter of a freedman²⁰¹. The same Mark Antony in turn resorted to similar accusations during his attempts to tarnish Octavian's reputation. The latter's grandfather, he habitually exclaimed, was only a freedman and a rope-maker; his grandfather but a money-changer (*M. Antonius libertinum ei proavum exprobrat, restionem e pago Thurino, avum argentarium*)²⁰². Very similarly, in his critical evaluation of the contradicting accounts of the emperor Vitellius' origins, Suetonius gives as evidence for the view that his *origo* was *nova et obscura atque etiam sordida*, the claim of many that the founder of the family was a freedman, a cobbler, and his son even an informer, who married the daughter of a baker (*contra plures auctorem generis libertinum prodiderunt, Cassius Severus nec minus alii eundem et sutorem veteramentarium, cuius filius sectionibus et cognituris uberius compendium nactus, ex muliere vulgari, Antiochi cuiusdam furnariam exercentis filia, equitem R. genuerit*)²⁰³. Tacitus likewise describes Nymphidius Sabinus – Tigellinus' colleague as praetorian prefect under Nero – as the “son of a freedwoman who had prostituted her handsome person among the slaves and freedmen of emperors” (*igitur matre libertina ortus quae corpus decorum inter servos libertosque principum vulgaverat*)²⁰⁴. It is significant that the

²⁰¹ Cic. Att. 16.11.1; Phil. 2.3. Cf. notes 62-3 in Chapter 4.

²⁰² Suet. Aug. 2.3. Unsurprisingly, Octavian's own version of his family tree paints an entirely different picture (*ipse Augustus nihil amplius quam equestri familia ortum se scribit vetere ac locuplete, et in qua primus senator pater suus fuerit*).

²⁰³ Suet. Vit. 2.1.

²⁰⁴ Tac. Ann. 15.72.

historian gives pride of place to Sabinus' mother, rather than his father²⁰⁵. Moreover, the explicit mention of *mater* seems redundant when *libertina ortus* would have already conveyed the exact same meaning. By again using a pleonasm, Tacitus subtly accentuated the bond of blood between Sabinus and the *libertina* (cf. supra). The confession of Tacitus that the woman was actually rather beautiful, makes her behaviour – i.e. wasting this beauty by *vulgare* her *corpus decorum* to mere slaves and freedmen – all the more shameful, and presents it as a clear sign of her moral wantonness. *Libertinitas* would naturally add more colour (and from Tacitus' perspective perhaps even some explanatory power) to this behaviour, although the historian may have been labelling her as a freedwoman not because she was one herself, but because she had a freed father²⁰⁶. Be that as it may, the duly stressed maternal bond with Sabinus served to foreshadow and explain the latter's own depravity, which is “clearly” genetically transferred onto him.

In all these cases too, freed status is not invoked to insult the freedmen in particular, but rather to damage their descendants' reputations as lacking an extensive family tree. Importantly, this descent is consistently juxtaposed to menial occupations, indecent marriages, or other immoral behaviour unrelated to these persons' legal status (e.g. acting as an informer). These additional identity dimensions all share with a lower legal status their instrumentality for an elite historian's discourse of distinction. When Antony tried to disparage the *maternal* ancestors of Octavian as well, he invoked the African birth of his great-grandfather, and his professions of perfumer and baker. Others referenced – in even more hostile terms – his grandfather's hands, which were “stained with filthy lucre” (*manibus collybo decoloratis*)²⁰⁷. This side of the family had no immediate freed ancestors, but the ideological prejudices against foreigners, manual labour, and menial pursuit of profit provided alternatives arguably at least as

²⁰⁵ Tacitus afterwards notes that Sabinus himself spread the rumour that he was the biological son of Caligula. Although he makes no claims of veracity for this rumour, the historian also does not deny it (an adulterous relationship between an emperor and a freedwoman would fit very well into his meta-narrative of moral decay under the *principes*). Plutarch, on the other hand, explicitly refutes Sabinus' claim, and instead mentions a gladiator named Martianus as his father (Galb. 9.1-2).

²⁰⁶ Plutarch (Galb. 9.1) does not describe the mother as a freedwoman as explicitly, but instead as a “woman of comely appearance, and a daughter of the imperial freedman Callistus and a menial sempstress” (Ἐγνώκει γὰρ ὁ Γάϊος, ὡς ἔοικε, τὴν τεκοῦσαν αὐτὸν ἔτι μειράκιον ὧν οὐκ ἀειδῆ τὴν ὄψιν οὕσαν, ἐκ δ' ἀκεστρίας ἐπιμισθίου Καλλίστω, Καίσαρος ἀπελευθέρω, γεγεννημένην). If we are to believe this account, Tacitus may have been unjustly describing Sabinus' mother as a freedwoman. All that mattered for Tacitus, was that she was at least connected to *libertinitas* through her freed father Callistus.

²⁰⁷ Suet. Aug. 4.2: “Verum idem Antonius, despiciens etiam maternam Augusti originem, proavum eius Afri generis fuisse et modo unguentariam tabernam modo pistrinum Ariciae exercuisse obicit. (...) hanc [maternam farinam] finxit manibus collybo decoloratis Nerulonensis mensarius”.

disparaging, but at any rate achieving the very same purpose as allusions to servile descent would.

If status at birth was something no one could control, public or exaggerated connections with freedpersons other than your own (i.e. *libertini* instead of *liberti*) were all the more despised if they were established voluntarily. The emperor Vitellius' father initially received praise from Suetonius for having been an honest and active man (*vir innocens ac industrius*), but had undermined his own reputation by too close an association with a freedwoman (*libertina*)²⁰⁸. In fact, he fell madly in love with this woman (an *amor perinfamis*), and worshipped her to the point of believing that her spittle had healing powers. Since she was not a freedwoman of his own (*liberta*), this was a particularly transgressive violation of status boundaries. But the vilest aspect of the relationship pertained to Lucius not even trying to conceal his surrender to this woman's charms, but instead publicly showcasing it (*ne clam quidem aut raro, sed cotidie ac palam*). Once more, the freed mistress is not herself a target of vituperation, but rather serves as a means to disparage associated nobles. The same goes for Otho's *avances* towards a *libertina aulica gratiosa* in order to obtain Nero's sympathy and friendship²⁰⁹. Especially her advanced age and her almost being decrepit (*anus ac paene decrepita*) is what makes the affair particularly shameful for the future emperor, but the fact that – in thus abasing himself – he also neglects traditional status boundaries, adds even more colour to the scandal.

Contrarily, the strict maintenance of status boundaries was under other circumstances a tool to positively depict someone. Since (rich and influential) freedmen were the most visible and threatening component of aspiring middling groups – though greatly magnified and overrepresented in elite literature – they provided a suitable metaphor for a self-identification as stern and noble. A correct treatment of one's own *liberti* was obviously a key pillar of this discourse, but especially leading figures would extrapolate this self-image as an attitude towards the whole class of *libertini*, i.e. much like the historians used such generalisation to cast the entire class of freedmen in the position of “the other”, against whom self-profiling (and -aggrandising) could be most successfully achieved.

Obsession with social distinction and exclusivity was a concern all the more outspoken in the highest echelons of the elites. As noted before, for example, the Augustan marriage laws prohibited only senators from marrying freedmen, not knights, decurions, etc. According to this “logic”, an emperor should ideally be even more strict in maintaining social hierarchies, and all the more reluctant to publicly associate with

²⁰⁸ Suet. Vit. 2.4.

²⁰⁹ Suet. Otho 2.2.

freedmen in any way. On dinner parties, Augustus would always pay close attention to the rank and personality of his guests (*convivabatur ... non sine magno ordinum hominumque dilectu*). As the only example of this attention to status, Suetonius famously quotes Valerius Messala, who wrote that the emperor never invited a *freedman* to his table (*neminem umquam libertinorum adhibitatem*). It is very meaningful that the only exception he made was for Menas, who had betrayed his own patron (Augustus' enemy Sextus Pompey). But even in this case (*sed*), Augustus had felt it necessary to first bestow on Menas fictional *freeborn* status (*asserto in ingenuitatem*)²¹⁰. In comparison, when Pliny talked about his equal treatment of freedmen on his dinner parties, he consistently used *liberti* rather than *libertini* to refer to them²¹¹. For Pliny, the anecdote was about the correct behaviour of a host towards his and his guests' freedmen in a private ("network embedded") sphere. For Suetonius, the story was about a "good" emperor who rigidly respected social hierarchy, and who thereby served as a model for how society as a whole should be structured.

To round up this chapter, we will highlight some of the points made in this section via a final case study (the expulsion of "libertine" Jews from Rome), which serves as a parallel to the discussion of Cicero's exceptional use of *libertini* in his letter to Atticus.

6.4.2.1 4000 *libertini generis*

Tacitus writes that during Tiberius' reign (19 CE), a *senatus consultum* was passed, decreeing that 4000 people *libertini generis*, who were tainted (*infecta*) with the Egyptian and Jewish superstition – as he calls it – and who were of military age, had been sent to Sardinia to suppress brigandage there²¹². Tacitus' expression *libertini generis* has given rise to considerable debate. Merrill, in a thorough discussion of the entire anecdote, suggested that it was a synonym not of "*libertini*" but of "*libertini* and their offspring". The interpretation was accepted by a few later scholars, but no unanimity exists as to the true meaning of the expression. A recurring argument is that if *libertini generis* were solely ex-slaves, the amount of 4000 freed Jews would be suspiciously large²¹³. Radin, however, already argued that these 4000 need not have been "Jews by birth", but could also have included proselytes of the "Egyptian and Jewish rites", a suggestion all the more likely if we take the Jews' extraordinary success in converting the city's population

²¹⁰ Suet. Aug. 74.

²¹¹ Plin. Ep. 2.6.2.

²¹² Tac. Ann. 2.85: "Actum et de sacris Aegyptiis Iudaicisque pellendis factumque patrum consultum ut quattuor milia libertini generis ea superstitione infecta quis idonea aetas in insulam Sardiniam veherentur, coercendis illic latrocinii (...)"

²¹³ Merrill (1919), esp. 366f; followed by, for example, Levinskaya (2004), 109 note 14.

as the primary reason for their expulsion²¹⁴. An identification as merely “descendants of freedmen” – influenced by Suetonius’ isolated claim that by *libertini* sons of slaves were once meant – is certainly flawed²¹⁵. Based on an analysis of the occurrences of the very same expression (both in Tacitus and in other Latin writers), it seems very plausible that Tacitus meant people of freed condition only²¹⁶.

In any case, Tacitus contrasts these 4000 *libertini generis* who were sent to Sardinia, with an unspecified group of *ceteri*, who apparently received a more lenient punishment for their superstitious adherence – being merely ordered to leave Italy if they did not renounce their unholy rites (*ceteri cederent Italia nisi certam ante diem profanes ritus excuissent*)²¹⁷. It is tempting to see the discrimination in punishment as a result of the *ceteri* not being *libertini generis*, but the other historians clearly imply that the *ceteri* (or *reliqui*) were simply those “Jews” who were not able to serve as soldiers. Suetonius, for example, contrasts the Jews of military age sent to Sardinia with the less harshly punished “others of that same race or of similar beliefs”²¹⁸.

In addition, Tacitus presents his own interpretation of the decree as truthful, when he claims that the senators were motivated by a contemptuous belief that, even if all 4000 were to succumb to the pestilent climate of Sardinia, it would only be a cheap loss (*vile damnum*)²¹⁹. It would be an almost ludicrous stretch of the imagination to believe that a senatorial decree invoked the freed status of trespassers (in addition to their “wicked beliefs”) to soften the blow of their potential demise. This would amount to a gross violation of the respectability first- (and especially second-) generation citizens were at least in principle entitled to, and would be unprecedented in its blatant and formal discrimination against a class that was supposed to add lustre to Rome by increasing her citizen body²²⁰. It therefore seems likely that *vile damnum* was either a purely Tacitean description, or a reference merely to the religious beliefs of the 4000 (though Tacitus also rhetorically connects it to their *libertinitas*).

²¹⁴ For this alternative view (that considers *libertini generis* as referring solely to ex-slaves themselves), see Radin (1915), 307-8; Williams (1989), 770ff.

²¹⁵ Suet. Claud. 24. The most recent edition of the LCL translation of the *Annals* (going back to John Jackson’s translation of 1931) wrongfully interprets the passage in this way.

²¹⁶ Cf. already Radin (1915), 308, who claimed that “the phrase is not used in Latin of those who were of servile origin, but solely of those who were themselves emancipated slaves”.

²¹⁷ All non-Tacitean versions of the event agree that the expulsion was much more likely from Rome, and not from the whole of Italy, cf. *infra*.

²¹⁸ Suet. Tib. 36.

²¹⁹ Tac. Ann. 2.85: “(...) et, si ob gravitatem caeli interissent, vile damnum”. Suet. Tib. 36 similarly describes the not so attractive destination of the military aged Jews (*Iudaeorum iuventutem per speciem sacramenti in provincias gravioris caeli distribuit*), but does not go so far as to describe the measure as almost intended to condemn them to death.

²²⁰ Plin. Ep. 7.32; IG 9, 517.

If the sheer number of historians who mention the expulsion of these “superstitious Jews” is any indication, the event was clearly considered noteworthy. Suetonius and Seneca the Younger refer – like Tacitus – to the exiles as tainted by a superstition²²¹. Josephus and Dio more explicitly frame the decision in a general wave of expulsion of Jews from the city of Rome²²². However, none of these writers makes any reference to the legal status of these 4000 men. The omission of legal status in all other historical traditions is undoubtedly significant, especially when we take into account that Tacitus regularly uses a reference to freed status as a tool to pejoratively present persons and events²²³. Although Tacitus invokes the authority of the *senatus consultum* when he describes the 4000 as *libertini generis*²²⁴, it would appear that the primary reason for him to mention their status is to present them as the utmost depraved individuals. It is probably too harsh a judgment to conclude that Tacitus made up the description deceitfully, but it certainly is plausible that he wanted to metaphorically attribute to the “infected Jews” the wickedness of ex-slaves his readers would be (and would become increasingly) accustomed to. In any case, all other authors agree that the fundamental reason for the expulsion of the Jews was their belief – or *superstitio*. That the 4000 were singled out to suppress brigandage in Sardinia was due only to their suitable age, their legal status being of no significance to any other author besides Tacitus.

6.5 Conclusion

“Everything that can be used to tell a lie”. For Umberto Eco, this is the most basic definition of semiotics (and thus of language, narration, and discourse)²²⁵. Surely,

²²¹ Suet. Tib. 36: “Externas caerimonias, Aegyptios Iudaicosque ritus compescuit, coactis qui superstitione ea tenebantur religiosas vestes cum instrumento omni comburere”; Sen. Ep. 108.22: “alienigenatum sacra movebantur et inter argumenta superstitionis ponebatur quorundam animalium abstinencia”.

²²² Jos. Ant. 18.3.5: “καὶ ὁ Τιβέριος, ἀποσημαίνει γὰρ πρὸς αὐτὸν φίλος ὢν Σατορνῖνος τῆς Φουλβίας ἀνὴρ ἐπισκήψει τῆς γυναικός, κελεύει πᾶν τὸ Ἰουδαϊκὸν τῆς Ῥώμης ἀπελθεῖν. οἱ δὲ ὑπατοὶ τετρακισχιλίους ἀνθρώπους ἐξ αὐτῶν στρατολογήσαντες ἔπεμψαν εἰς Σαρδῶ τὴν νῆσον. πλείστους δὲ ἐκόλασαν μὴ θέλοντας στρατεύεσθαι διὰ φυλακὴν τῶν πατρίων νόμων”; Dio 57.18.5a: “Τῶν τε Ἰουδαίων πολλῶν ἐς τὴν Ῥώμην συνελθόντων καὶ συχνοῦς τῶν ἐπιχωρίων ἐς τὰ σφέτερα ἔθη μεθιστάντων, τοὺς πλείονας ἐξήλασεν”.

²²³ Cf. note 206 above.

²²⁴ Tacitus’ discursive rendering explicitly attributed the selection of people *libertini generis* to the *patrum consultum* (*factumque patrum consultum ut quattuor milia libertini generis ... veherentur*).

²²⁵ Eco (1976), 7.

Tacitus' and Suetonius' works were no "lies" in any literal sense of the word, but they were biased and compelling representations of reality nonetheless. They typically present stereotypes and ideological beliefs as "natural", and thereby create a meta-narrative with its own independent logic, that is both predetermined and detached from any empirical basis.

Being *ingratus*, *sceleratus*, or unduly powerful were personal traits of individual (imperial) freedmen, rather than features of the class of *libertini* as a whole. However, by rhetorically attributing these defects to a *servilis animus*, or a *libertinum genus*, the historians – especially Tacitus – ensure that the danger emanating from these individuals is presented not only as merely threatening the exclusivity of the top elite, but also as menacing the "natural" order of society at large. When the historians talk about *libertini*, they do not so much talk about individual freedmen in embedded contexts, but about a contextualised representation of an abstract category that suited both their attempts at distinction, and their meta-narrative of moral decay.

Moreover, when derogating freedmen, Tacitus shares with Cicero the strategy of blaming inherent traits rather than structural inequality. The concrete acts and behaviour of freedmen are (rhetorically) attributed to a lack of social or even cognitive skills, instead of acknowledging the possibility that unjust treatment or an oppressing imposition of patronal demands were the cause of these tensions. The motives for misbehaviour were a priori attributed to the perpetrator, because other explanations did not fit the taken for granted (elite) notion that a freedman should at all times oblige his patron. This is the case for Milichus – whose betrayal was framed exclusively as a personal defect rather than as a reasonable concern for his own well-being – but also, for example, for Atticus' Dionysius – whose fall-out with Cicero was not merely due to the man's incapacity to reciprocate or to show gratitude (as Cicero would frame it), but rather to Cicero's too excessively demanding his services²²⁶. The conclusion of a modern study on (contemporary) criminals can be transposed, *mutatis mutandis*, to this ancient reality: "By employing a language of individual pathology, offenders' failure to conform is presented as a reflection o[f] their inadequacies rather than those of the social system" (i.c. the patronage relation)²²⁷. Whereas in Cicero's case, these rants were primarily caused by an emotional reaction (e.g. Dionysius' or Chrysippus'

²²⁶ Cf. Treggiari (1969b), 201: "Dionysius was in the awkward position of having to maintain cordial relations with Cicero and Atticus simultaneously while his private affairs also demanded his attention. He was guilty merely of not putting Cicero's interests before his own in time of civil war". Cicero seems to have been much more considerate with regard to Tiro's personal business, e.g. Fam. 16.23.2: "nec tamen te avoco a syngrapha".

²²⁷ Mayr (2008c), 52-3.

condemnation²²⁸), for Tacitus, they were part of a much more deliberate strategy to protect the existing social hierarchy (i.e. by criminalising its adversaries or the people that undermined it).

Recognising the independent agency of freedpersons, and adhering to the public transcript that prescribed ex-slaves' equality as free men (and citizens) was – as noted in the theoretical framework – advantageous also for the elites. In case of individual transgression by a freedman, this agency and freedom could be invoked to ascribe to the trespasser all responsibility for the “crime”, and to justify the “righteous” indignation of the patron in question. Cicero does this in isolated, concrete, and very rare instances in his letters, but Tacitus considers all freedmen as inherently incapable of keeping up their end of the bargain in the social contract that was the public transcript of equality. It is but a small step from there to try and deny freedmen principle equality altogether, as at least a group of senators had in fact tried to do²²⁹. Unconditionally assisting your patron or living a virtuous life may well have been idealistic expectations for ex-slaves, but “detached” historical sources betray very little interest in discriminating between virtuous and non-virtuous freedmen, except when it concerned particularly extreme manifestations of either side of the spectrum.

The narratives of freed authors did not fundamentally differ from those of freeborn writers with respect to their treatment of slavery, slaves, and freedmen. The fact that freedmen apparently did not write autobiographies or similar accounts of their past – in strong contrast with their 19th century US counterparts – does not reflect a sense of shame or a desire to conceal this past (cf. Chapter 2). In fact, the narratives of American freedmen are permeated by cues to personal degradation and perpetual stigmatisation. These biographies served primarily to “write off” this sense of inferiority, even though they became a much more pragmatic tool of abolitionists in their attempts to overthrow the institution of slavery altogether²³⁰. In the Roman world, this urge was felt much less strongly, since the public transcript of equality – nonexistent in 19th century America (due to primarily racial discrimination) – allowed for the development of an identity in which dimensions other than legal status mediated an individual's sense of self (cf. Chapter 8). This is perhaps most clear in those cases where the Roman historians pretend to have a freedman talk for himself, but where this “direct speech” can be easily unmasked as framed in, and serving, an elite discourse on the dreaded influence and usurpation of ex-slaves.

²²⁸ Att. 7.7.1; 7.18.3; 8.4.1-2; 8.10; 9.12.2; 9.15.5 (Dionysius); Att. 7.2.8 (Chrysippus).

²²⁹ Tac. Ann. 13.26-7.

²³⁰ Aje (2013).

Claudius' freedman Mnester, for instance, is said to have ripped off his clothes and to have presented the imprints of the lash in front of the emperor, during a final attempt to save his own life after his complicity in adulterous affairs had been laid bare²³¹. Taking recourse to such visible attestations of previous subjugation is dramatic, and typically Tacitean in that it features a freedman whose servile past is quite literally inescapable. Moreover, by not giving any background to Mnester's plea for mercy, Tacitus presents it as a desperate attempt of Mnester's to use his influence over the emperor, whereas the accounts of other historians clearly show that the freedman's arguments were not only truthful, but reasonable as well. Indeed, after Mnester had piously rejected Messalina's *avances*, the empress asked her husband to put him at her disposal, not revealing to Claudius her true intentions. Mnester, now compelled to give way to Messalina's demands, was thus *forced* to commit adultery. When he was subsequently interrogated, he invoked the emperor's order in his dramatic plea. In Tacitus' account, this comes across as a pathetic attempt at self-preservation, but when the anecdote is told in full – in Dio's history, for example – Mnester's attitude is more than reasonable²³². Once again, a freedman is used to ridicule the imperial court, and to present it as infested by influential (ex-)slaves (Claudius had to be persuaded to not give in to Mnester's plea for mercy). Although freedpersons did at times invoke their servile past in their epitaphs (cf. Chapter 8), Mnester's way of doing this greatly differs from these instances, and is clearly shaped by the ideological beliefs of the narrator, who saw legal status as Mnester's primary identity dimension.

In short, this chapter centred more around the representation and narrative function of freedmen in the works of Tacitus and Suetonius, than on these freedmen themselves – whose historicity can but very rarely be untangled from the literary stereotype to which they were usually reduced. A comparison with Cicero's letters reveals both certain similarities, but also great differences in the role and representation of freedmen in the respective corpora (cf. Chapters 3, 4, and 5). In the historians' narratives, any freedman was – if not a *libertus Caesaris* himself – at the very least a closely associated derivative, who differed from the former category only in the more limited opportunities he was given to exhibit the depravity supposedly inherent in all members of his class.

In almost all cases where a freedperson could, quite exceptionally, prove his worth and value, it was the patronage relationship that provided the framework; a clear reflection of the network embedded contexts of freedmen's agency – of which the historians also were well aware. However, we should be careful not to interpret this as a reflection of a reality where ex-slaves could obtain virtue only through reverent

²³¹ Tac. Ann. 11.36.

²³² Dio 60.22.3-5.

subservience and loyalty to a patron, or as an indication that the discourse on freedmen served to thus distinguish between freeborn and freed individuals. When certain scholars nonetheless make these or similar assertions, the arguments usually betray too great (and often exclusive) a focus on “detached” sources, instead of accounting for the valuable role embeddedness in a patronage relation could play in publicising social capital (cf. Chapters 4 and 5). They appropriate the ancient elite’s structural discourse of distinction, and disregard or undervalue a crucial *secundum comparationis* (the elite’s attitude towards the non-elites in general). The next chapter elaborates on these and similar themes by focussing in more detail on the notion of a “typical” discourse or vocabulary for freedmen.

Chapter 7 A status-specific discourse on freedmen?

7.1 Elite discourse and freedmen virtues

Throughout the vast scholarly tradition on Roman slavery, the vocabulary associated with slaves, and the discursive practices elite writers invoked when writing about them, have been the subject of many studies. This strand of research has increased exponentially since the 1980's, and continues to do so today. For example, Sereni paid considerable attention to slaves in his very broad study on the vocabulary used to discursively render relations of dependence in the ancient world, even though this (ideologically inspired) work is greatly superseded by Hoben's rigorous enquiry into the terminology of slave relations¹. More specific studies like those of Brockmeyer or Gibbs & Feldman have focussed on the different Greek words denoting (or related to) slaves, as well as on their spread and occurrence throughout the writings of Homer and Josephus respectively, in order to reveal not only the authors' conception of slavery, but also their motives for accentuating (or omitting) specific aspects of the institution of slavery². Freedmen have only very recently been drawn into this current, but promising steps have been taken by, for example, Mouritsen, MacLean, and Perry, with Boyce's work on the language of the freedmen at Trimalchio's dinner table in Petronius' *Satyricon* constituting a most intriguing precursor³.

One particularly persistent corollary of the *macula servitutis* framework is the automatic assumption that the Roman elite's discourse on freedmen was unique in that

¹ Hoben (1978); Sereni (1976), esp. 16ff. Cf. already Vendryes (1935), who focussed more specifically on the Roman world.

² Brockmeyer (1979); Gibbs & Feldman (1986). For further references, see Gibbs & Feldman (1986), 282-3 note 3, 291 note 13.

³ Mouritsen (2011), e.g. 58-64; Maclean (2012), passim; Perry (2014), e.g. 147; Boyce (1991).

it served to stress and consolidate this inherent inferiority. Indeed, ever since Foucault's theories on the dialectic relation between language and power became widespread among social historians, a specific elite discourse and vocabulary on freedmen has often been taken for granted. Mouritsen, for example, claims that the Romans compensated for the lack of formal control over their ex-slaves by "conditioning freedmen and inculcating a distinct set of values", and he postulates the existence of a "specific set of virtues" and "specific libertine qualities"⁴. The only sceptical voice in this debate has been that of Jürgen Blänsdorf, although he did not go any further than merely observing that in Cicero's letters of recommendation, the so-called specific libertine virtues were also attributed to Cicero's freeborn clients and friends⁵. The relative vagueness of Blänsdorf's critique – Mouritsen's claim nor its rebuttal being the central theme of his contribution – allowed Mouritsen to parry it with an equally indecisive response (in a footnote) ten years later⁶.

Even more recently, Rose MacLean's doctoral dissertation at Princeton University addressed the issue of a freedman vocabulary and discourse. The central idea of this thesis is that

"during the early Empire, when elite values were being reconfigured to accommodate the rise of monarchy, freed slaves offered constructive models of behavior even as they were subject to intense social prejudice" and that "the virtues of deference and industry were adapted from freed culture by members of the imperial elite as they renegotiated traditional concepts of honor and glory"⁷.

MacLean centres on these two virtues – *obsequium* and *industria* – in a very literal sense, and sees their combination as a clear indicator of a servile identity. In her argument's summary, for example, she states that "[f]or the highest echelons of Roman society, the most effective path to glory now lay in the same combination of activity and obedience,

⁴ Mouritsen (2011), 58; 61; 64.

⁵ Blänsdorf (2001), 452: "Die Bewertungen, die Cicero solchen Freigelassenen zuteil werden ließ, umfassen fast den gesamten Kanon römischer Wertbegriffe, und die Empfehlungsbriefe für Freigelassene (...) unterscheiden sich in diesem Punkt nur unwesentlich von solchen, die Cicero für seine jungen Freunde verfasste (...)"

⁶ Mouritsen (2011), 62 note 143: "it is important to look at the overall pattern and combinations as well as individual instances". Moreover, the reference to Fabre (1981), 229 does not truly support Mouritsen's response to Blänsdorf, since Fabre's discussion merely includes several examples of freedmen being called *fidelis*, *probatas*, or *officiosus*. It too, ignores the fact that these terms were used to describe freeborn friends' loyalty (cf. *infra*).

⁷ MacLean (2012), iii.

industria and *obsequium*, that had been pursued by slaves and freed slaves for centuries”⁸. MacLean has read both Mouritsen (on whose similar claims her own work elaborates⁹) and Blänsdorf, but explicitly agrees with the former¹⁰. However, whereas Mouritsen does not quite confront Blänsdorf’s critique, she dedicates a paragraph to refute the assertion that there was no specific set of virtues (and corresponding vocabulary) for freedmen. Her first point, however, is a mere reiteration – albeit somewhat more elaborated – of Mouritsen’s brief argument: the vocabulary and virtues of *fides*, *industria*, *modestia* etc. were used to praise both *ingenui* and *liberti*, but in the latter case “these qualities were (...) embedded in the institution of slavery in ways that made them qualitatively different” because the relation between freedman and patron was involuntarily entered into¹¹. Not only is the separation of “voluntary” (freeborn) and “involuntary” (libertine) forms of patronage too rigid a representation of ancient reality¹², but the argument as a whole is predetermined: the freedman’s situation as a socially inferior individual is supported by the connotation of a specific set of virtues and ditto vocabulary; a connotation which only comes into existence when these qualities are attributed to a freedman *because* he is tainted by his servile past, i.e. *because* he is a socially inferior individual.

Additionally, MacLean draws on Saller’s observation that the Romans often avoided the vocabulary of patronage (*cliens*, *patronus*, ...), preferring euphemisms such as *amicus*¹³. She then argues that “the language of friendship with which the Romans sought to downplay the discrepancies in status between patron and freeborn clients had no correlate in the discourse of slavery”¹⁴. Leaving aside for the moment the indisputable fact that freedmen *were* sometimes called *amici* to this effect (cf. *infra*), this claim would in itself only prove that some terms or expressions (e.g. *amicus*, *bonus vir*, etc.) were reserved for freeborn persons and rarely, if ever, attributed to freedmen; not that a specific set of virtues or qualities existed for the latter category of people. Mouritsen too conflates these two observations, namely that because the freeborn elites had monopolistic access to a specific “path to glory” (i.e. through valour, independent action, the *cursus honorum*, etc.), freedmen *therefore* must have had an alternative path to

⁸ Maclean (2012), 30.

⁹ E.g. Mouritsen (2011), 148 (“[the elites] elevate trust, reliability, and hard work as particular libertine qualities”; 152 (“the creation of a distinct social role for freedmen, which stressed their twin duty of obedience and industry”).

¹⁰ Maclean (2012), 32.

¹¹ Maclean (2012), 35.

¹² Wallace-Hadrill (1989a), 8; Saller (1989), 55-9; Drummond (1989), 109. In addition, this distinction focusses too one-sidedly on the *genesis* of the patronage relationship (rather than, for example, its functioning or discursive representation) as the most determining factor of evaluation.

¹³ Saller (1982), 11-15; Saller (1989), 56; Wallace-Hadrill (1989a), 4.

¹⁴ Maclean (2012), 35.

realise “their potential for virtue”¹⁵. This duality is as structuralistic as it is functionalistic, and therefore a reflection of Mouritsen’s attempt at synthesis rather than of Roman reality.

Surely, and as Mouritsen and MacLean amply demonstrate, other paths to glory were available for both categories of people alike, such as familial pride, evergetism, etc. (cf. *infra*). *Modestia*, *obsequium*, *industria*, etc. are singled out as specific libertine qualities, but this is overlooking the fact that all of these were virtues appreciated in the freeborn (elites) as well. In short, being excluded from one “path” is something different entirely than being forced into an opposing one with the purpose of stratification or even stigmatisation. There were, on the contrary, many “paths” freedmen shared with freeborn (like familial life, professional prowess, or indeed the combination of deference and industry), that did not “contrast with”, but rather existed alongside the “path” available only to (elite) *ingenui*. This point will be elaborated upon throughout this chapter and the next.

Returning to MacLean’s statement that there was never any effort to “downplay the discrepancies in status” between freeborn patrons and freedmen by employing the language of friendship, we can simply refer to some passages in Cicero’s correspondence that indicate otherwise. It is of course true that the concept of *amicitia* implied a certain principled equality, and that a patron-freedman relationship was therefore less likely to be linked to *amicitia* than to more pragmatic and concrete denominations like *necessitudo*¹⁶. However, on three occasions in Cicero’s letters of recommendation alone already, does the term refer to the relation between a freeborn aristocrat and a *libertus* (*alienus*)¹⁷. It are naturally in part the requirements of the genre that incite Cicero to use the language of friendship in these cases, but elsewhere too, he explicitly considers freedmen his “friends”. As noted before, Cicero was very grateful to Atticus’ freedman Eutyichides, who had supported him in times of need, and whose manumission he had subsequently helped to procure¹⁸. No wonder that Cicero would continue to refer to the man as a true friend for years to come (*meus amicus Eutyichides*)¹⁹. Likewise, when he fled Rome, Cicero had high expectations of Atticus’ freedman Dionysius, because it is

¹⁵ Mouritsen (2011), 64.

¹⁶ E.g. Dig. 3.5.30(31)pr, where a *libertus* is explicitly distinguished from his patron’s *amici* (*liberto vel amico mandavit pecuniam accipere mutuam*). The only exception in Cicero’s correspondence to the rule that a freedman could not be labelled the “friend” of his own patron is, quite unsurprisingly, Tiro in Cic. Fam. 16.16.1 (*ac nobis amicum quam servum esse maluisti*), cf. *infra*.

¹⁷ Cic. Fam. 13.16 (*amicitia* between Cicero and Crassus’ freedman Apollonius); 23 (*amicitia* between Servius Sulpicius Rufus and L. Cossinius’ freedman Anchialus); 46 (*amicitia* between Cicero and L. Nostius’ freedman Zoilus).

¹⁸ Cic. Att. 4.15.1; 16.9.

¹⁹ Cic. Att. 5.9.1.

precisely in those situations that “friends” should be there for each other (*omnino quid ille facere debuerit in nostra illa fuga, quid docto homine et amico dignum fuerit, cum praesertim rogatus esset, scio*)²⁰. Moreover, a few months later, when his relationship with Dionysius had deteriorated even further, Cicero told Atticus that he was greatly hurt by the freedman’s indirect insults, but that he hoped that Dionysius would at least respect Atticus’ friendship (*velim ut tibi amicus sit*)²¹. Finally, Cicero’s brother Quintus was most delighted, knowing that after Tiro’s manumission, the family’s favourite was now a friend (*amicus*) rather than a slave, thereby explicitly avoiding the word *libertus* to describe Tiro’s new condition (*ac nobis amicum quam servum esse maluisti*)²².

It could be argued that other means as well were employed to downplay status discrepancies, or to at least avoid drawing too much attention to the hierarchy between patron and freedman. For example, the use of standardised phrases like *si me diligis* (“if you care for me”) when asking for a favour may have concealed that a patron was in fact invoking his freedman’s moral obligation to show deference and respect without explicitly demanding it. In a letter to Tiro written on 7 November 50 BCE, for example, Cicero directly links this expression to the following up of an order, i.e. for Tiro to inform him regularly about his health (*et facies, si me diligis, ut cottidie sit Acastus in portu*)²³. In fact, Cicero used the very same phrase repeatedly to give the often implied “obligation” of getting better extra weight²⁴. Not only *diligere*, but *amare* as well was used to morally incite Tiro to fulfil Cicero’s wishes. Only one day prior to the sending of the letter just quoted, Cicero wrote another one to his ill freedman, stressing that “if you love us all, and especially me, your schoolmaster, get back your strength” (*tu si nos omnis amas et praecipue me, magistrum tuum, confirma te*)²⁵. Both *amare* and *diligere* suggest some kind of intimacy, but also serve to sugarcoat the obligation they are linked with²⁶.

However, it should be stressed that expressions like *si me diligis* and *si me amas* were not used by Cicero only to spur Tiro (or any other freedman for that matter) to undertake certain actions. We find the same means of incitement in some of Cicero’s letters to his peers, his clients and even his family²⁷. Its recurrent appearance thus suggests that it was often no more than a figure of speech²⁸. Indeed, not only Cicero but

²⁰ Cic. Att. 7.18.3.

²¹ Cic. Att. 10.16.1.

²² Cic. Fam. 16.16.1.

²³ Cic. Fam. 16.5.2.

²⁴ E.g. Fam. 16.13; 14.2.

²⁵ Fam. 16.3.1. Cf. 16.1.2; 20.

²⁶ Clavel-Lévêque (1976), 253; Fabre (1981), 243-5.

²⁷ E.g. Cic. Fam. 3.9.2 (to Ap. Pulcher); 13.62 (to P. Silius); Fam. 7.21 (to Trebatius); Fam. 14.2.3 (to his family).

²⁸ Cf. Hall (2009), 132-3.

also his correspondents use the same phrase in their letters. When Cassius was begging Cicero for information about public affairs in January 45 BCE, for example, he wrote: “If you care for me, tell me what is going on” (*quid fiat, si me diligis, rescribe*)²⁹. The expression could even be adopted by social inferiors to allude to the obligations a patron had towards his client. This is confirmed by a letter to Tiro in November 50 BCE, in which Tiro’s regard for Cicero is linked to Cicero’s regard for Tiro (*quantum me diligis tantum fac ut valeas, vel quantum te a me scis diligi*)³⁰. The passage clearly points out the mutual responsibilities and duties patron and freedman had to uphold (employing a vocabulary of mutual affection rather than patronage). All of this, it should be noted, holds true also for the relationship between patrons and freeborn clients, who too were expected to respect each other’s position, rights, and responsibilities³¹. At any rate, this short digression indicates that the avoidance of the explicit language of patronage is not unique for the relations between patrons and (freeborn) clients, but is attested for patronage relations between patron and *libertus* as well. Both of MacLean’s arguments in favour of a specific freedman vocabulary – i.e. that virtues which were attributed to both *ingenui* and *liberti* alike got an extra layer of meaning in the latter case, and that there was no attempt to downplay status discrepancies between patron and freedman – cannot be upheld, and it seems that Blänsdorf’s critique still stands.

This has far-reaching implications for her thesis since the central argument goes that such a “libertine” discourse was appropriated by the Empire’s elites to adapt to the new monocratic system of rule in which *obsequium* and *industria* were the only paths left to pursue, even for these elites. It is a matter of fact that the combination of these virtues is prominently present in imperial elite literature, which MacLean’s thorough analysis of (for example) Tacitus’ use of the terms shows³². However, a predominant focus on Tacitus’ works may, as suggested earlier, not give us a reliable impression of the way in which (the combination of) these qualities dominated the discourse on the elite’s newly adapted virtues. His meta-narrative of moral decay and servile subservience, for example, prompts him – more than any other Latin author (Tertullian notwithstanding) – to take recourse to terms like *obsequium*³³.

But even when accounting for this potentially biased nature of Tacitus’ works, MacLean’s observations clearly indicate that this discourse gained in importance under the Empire. It is, however, another point entirely to argue that these expressions were loaned from a supposed discourse on the specific virtues of freedmen, especially

²⁹ Cic. Fam. 15.19.4.

³⁰ Cic. Fam. 16.2.

³¹ Saller (1989), *passim* (e.g. 51ff).

³² E.g. MacLean (2012), 23, 30, 60.

³³ Cf. Fredouille (1984), 142.

because MacLean does not include any analysis of the use of *obsequium* or *industria* in the Republic. In fact, throughout Republican literature, *obsequium* is not once mentioned to describe the behaviour of a freedman towards his patron. In this period, the word usually meant political loyalty, which it still did for the elites during the Principate³⁴. Conversely, the combination of respect and industry was already a means of recommending freeborn friends during the Republic³⁵. In 54 BCE, for example, Trebatius Testa was lauded for his *pudor* and *labor*³⁶. A year later, Cicero would assure Curio that he had “firmly concentrated all his efforts, all his time, care, diligence, and thought, his whole mind in short, on winning the consulship for Milo”, once more connecting loyalty to concrete acts of industry (*ego omnia mea studia, omnem operam, curam, industriam, cogitationem, mentem denique omnem in Milonis consulatu fixi*)³⁷. Even in his speeches, he did not refrain from praising his clients (or himself) by referencing their/his *studium* or *diligentia* and the resulting *industria*, *labor*, and *operae*³⁸. Surely, loyalty and industry were expected and praised in freedmen in the Republic as well. The claim that slaves and freedmen had pursued these very qualities for centuries is thus not wrong, but arguing that these words *therefore* had a servile or libertine ring to them is stretching the argument.

Without stressing the point too hard, it could be argued that the emergence of *obsequium* and *industria* as a dyad of qualities was a result precisely of the instalment of monocratic rule and of its consequences pertaining to the pursuit of honour and offices, without it having had a structural antecedent in the Republic, let alone as part of a “freedman vocabulary”³⁹. This is not to say that both qualities could not be combined (by freeborn and freed alike) in less explicit (i.e. non verbatim) ways. Indeed, after having been lauded for his devotion to the *res publica*, Marcus Porcius Cato was

³⁴ Perry (2014), 206 note 15, drawing on Treggiari (1969a), 73. In Fam. 3.5.5, for example, Cicero regrets that Scaevola had been “unable” to comply with Ap. Pulcher’s wishes (*ac sane vellem potuisset obsequi voluntati tuae*). Cf. Fam. 10.11.3; 10.15.1 (Plancus promises Lepidus *omnia obsequia*); Att. 7.1.2 (Cicero showed Caesar and Pompey *omnum obsequium*). In Att. 8.4.1 the *obsequium* of Cicero for a freedman (Atticus’ Dionysius) is exceptionally stressed (cf. *infra*).

³⁵ Cf. Hellegouarc’h (1963), 178, who considers *industria* as “un terme désignant la situation de l’homme politique”.

³⁶ Cic. Fam. 7.7.2.

³⁷ Cic. Fam. 2.6.3.

³⁸ E.g. Cic. Sext. Rosc. 10 (*hoc onus si vos aliqua ex parte adlevabitis, feram ut potero studio et industria, iudices*); 16 (*eam partem causamque opera, studio, auctoritate defendit*); Cluent. 199 (*horum omnium studium, curam, diligentiam, meumque una laborem, qui totam hanc causam vetere instituto solus peroravi, vestramque simul, iudices, aequitatem et mansuetudinem una mater oppugnat*). For the appreciation of (the combination of) these virtues in freeborn clients or peers, see Hellegouarc’h (1963), 174–6.

³⁹ Syme (1939), 440ff; Roller (2001), 6–9.

described by Nepos as a man of extraordinary activity (*industria*)⁴⁰. Likewise, when praising Atticus' loyalty to his friends, a link is explicitly made with the concrete actions (*labor atque industria*) he undertook to protect these friends⁴¹. Moreover, in order to make up for his shameful behaviour, Nepos' Themistocles decides to devote himself entirely to public affairs (*totum se dedidit rei publicae*), to diligently serve (*diligentius serviens*) both his friends and his own reputation, and to do all this with the utmost effort (*summa industria*)⁴². In Plautus' *Bacchides*, the *paedagogus* Lydus praises a young man for following his father's ways and obeying his commands (*opsequens oboediensque est mori atque imperiis patris*)⁴³. This loyalty is very directly linked to actual industry since his going to sea, his looking after the family assets, and his guarding of the house are all mentioned as examples of this *obsequium*. Moreover, already in the Republic, *obsequium* could carry a pejorative connotation similar to the one Tacitus would consistently stress during his narrative about the Principate. In Terence's *Andria*, for example, the freedman Sosia praises the *obsequium* of his patron's (freeborn) son. The tone of the passage is cynical, since *obsequium* is explicitly contrasted with *veritas* as a means to curry favour (*obsequium amicos, veritas odium parit*)⁴⁴. In the preceding lines, however, the patron had already proudly mentioned the *obsequium* of his son without this negative connotation, and referenced concrete favours that accompanied such loyalty⁴⁵.

So although *obsequium* and *industria* rarely occur *verbatim* in tandem in Republican sources, there are several cases where the same meaning is conveyed. There is no evidence whatsoever to suggest that it was a specific libertine combination of virtues. We believe that much of the confusion stems from MacLean's explicitly synchronic approach to the matter⁴⁶. Especially when one tries to argue in favour of an evolution in the use of specific linguistic habits (as is the case here), an exclusive focus on the sources of the Principate without any attention to the *secundum comparationis* (i.e. the Republican attestations of the expressions) seems rather rash. The consecutive

⁴⁰ Nep. Cat. 3.1.

⁴¹ Nep. Att. 12.3.

⁴² Nep. Them. 1.3.

⁴³ Plaut. Bac. 457-9.

⁴⁴ Ter. Andr. 64-8.

⁴⁵ Further examples of the value Republican authors attached to the notions of *obsequium* and *industria* in praising freeborn (elite) individuals include Nep. Dion 6.5: Dion did not try to lessen his unpopularity by showing respectful reverence to his subjects (*lenire obsequio*) as he should have done; Ag. 3.2-3: Agesilaus – as military commander – and his soldiers show great industry (*summa industria; egregia industria*) in preparing for war against Tissaphernes; Eum. 1.5; 2.3: the *scriba* of Philippos of Macedon is of proven fidelity and ability (*fide et industria cognita; fides et industria magna*); Att. 13.4: to acquire property by labour rather than by money (*potius industria quam pretio*) is a noble thing to do; Ter. Heaut. 1040: a son's primary duties are to obey his father and to preserve what he has earned by hard toil (*patri quo modo obsequare et ut serves quod labore invenerit*); etc.

⁴⁶ MacLean (2012), 17 note 67.

deduction of causal (or at least chronological) links therefore remains necessarily speculative and, in this case, demonstrably flawed.

7.2 A “libertine” path to glory?

One of MacLean’s arguments to corroborate the assertion that “freed slaves in particular combined the [servile] virtues of deference and vocational skill to mold their eternal personae”, focusses on inscriptions that explicitly proclaim the wish to commemorate and eternalise the deceased’s reputation. Because we will take up this topic in further detail in the next chapter, we will here only briefly consider her arguments insofar as they pertain to the notion of a specific set of virtues for ex-slaves. MacLean collected Italian inscriptions that referenced the deceased’s *fama*, and plotted out per status group (*ingenui*; *ingenuae*; *servi*; *libertini*) the qualities and virtues that constituted this reputation (military/civic; *pietas*; conjugal; other domestic; deference; vocational). Whereas a marriage relation was equally salient in *fama*-formation for freeborn and freed individuals, MacLean observed that military and civic achievements were accentuated by *ingenui* (8) more often than by freedmen (2). Deference or professional pride is not attested in conjunction with the *fama* of freeborn persons, but 3 and 5 inscriptions respectively accentuate these virtues in relation to freedmen⁴⁷. Although she admits that the sample is far too limited to draw statistical conclusions, she invokes the results as an argument that freedmen obtained glory and reputation differently than *ingenui*.

First and foremost, it should be clear that the methodology is biased. It is well-known that (non-imperial) freedmen did not commemorate military or civic achievements (they were either formally or *de facto* prohibited from obtaining them), and that professional or familial pride was the most obvious go-to alternative⁴⁸. By tacitly assuming that the existence of a distinct “path” to *fama* is proved by the observation that freedmen primarily commemorate these two identity dimensions, this existence is rhetorically presented as following naturally and necessarily from the analysis. However, the validity of the premise is never adequately questioned. For one, the distinction between freeborn and freed is reduced to a distinction between elite and

⁴⁷ MacLean (2012), 45-6.

⁴⁸ At least for the salience of professional identity, MacLean’s results are a clear reflection of Joshel’s (1992).

freed. The examples of “freeborn *fama*” MacLean discusses are those of Publius Scipio, the equestrian M. Ulpius Maximus, and the local benefactor M. Sentius Redemptus⁴⁹. Even if we ignore the possibility – like MacLean conveniently does – that Maximus was in fact an imperial freedman who had obtained equestrian status (as his name perhaps suggests, but certainly does not prove in itself), nor his nor Scipio’s case constitutes a representation of the average *ingenuus*. Redemptus would qualify much more readily, but it is no coincidence that precisely his “civic path” to *fama* (local evergetism) is attested for freedmen as well⁵⁰. The claim that Redemptus’ path to *fama* “stands in direct contrast to the tendency among freedmen to publicize their dependent relationships and [their] specific occupations” therefore blatantly effaces important nuances. In other words, when not merely considering elite political or religious participation, the paths of freedmen and (lower, or even average) *ingenui* diverge much less meaningfully (if at all) than MacLean’s framing suggests. Freeborn members of the *plebs media*, for example, are entirely omitted from the analysis. Because they too were *de facto* excluded from municipal office (lacking both economic and symbolic capital), it is hard to imagine a way for them to obtain *fama*, unless they drew from the very same identity dimensions freedmen tended to accentuate (cf. Chapter 8).

Moreover, the discussion in no way proves the argument that a *combination* of deference and industry (“the skillful integration of both of these elements”) was a typically “libertine” way of displaying virtue, since no inscription actually *combines* both virtues. Furthermore, any chronological evolution is once again ignored, entirely precluding the conclusion MacLean nonetheless draws from it, viz. that such a combination was a strategy adopted by the elite during the Principate. In fact, when she tries to establish the distinction between freed and freeborn in terms of *fama* construction, she draws as fervently from imperial as from republican epitaphs. Finally, MacLean at first reluctantly admits that freedmen shared these *fama*-constructing strategies with women, but later distinguishes between elites and women on the one hand, and slaves and freedmen on the other, again disregarding the justified nuance she had accentuated earlier⁵¹.

In short, MacLean’s epigraphic analysis – as well as the main argument of her thesis – rightly sets out to reassess the deeply rooted conception of ex-slaves as passive subordinates in Roman society, by arguing that they provided a template for the elites in imperial times. It seems, however, that the attempt at reconsideration is too radical, and as flawed (in opposite direction) as the notion it contests. It moreover

⁴⁹ CIL 6, 1288; 2160; 10, 5349.

⁵⁰ MacLean (2012), 46, 217f. The two attestations in MacLean’s sample of freedmen accentuating their *fama* like this, remain unmentioned.

⁵¹ MacLean (2012), 48-51.

problematically implies, that before any elite appropriation of this discourse took place during the Principate, obsequious behaviour and industry were virtues exclusively praised in people of servile descent. Surely, any study aspiring to reveal the positive role, agency, and impact of freedmen on Roman society should be welcomed as a valuable counterweight to a tradition that still looms large in scholarly discourse⁵². But we should be watchful not to replace one biased orthodoxy with another. A brief reevaluation of MacLean’s argument – and it should be stressed that this constitutes but a fraction of her thesis – will reveal these caveats, which we will subsequently integrate in our own analysis of *carmina epigraphica* in Chapter 8.

Take the verse epitaph of a flute-player from Venafrum, for example⁵³:

Sacred to the spirits of the departed. Hold on a moment, traveller, as you hastily walk by. Receive these words of mine as petitioning you from beyond the grave, because you too must expect a day like this to come. I am called Iustus, not after my father, but after my mother. I lived, born from a father who was poor in terms of wealth, but rich in terms of reputation. I called to arms Mars’ sword-fighters, exhorting them with my signals, and indicating the rhythm by alternatively sounding my flute songs. I lived for 21 years, 11 months, and 29 days. I, Iustus, perished by a cruel death. His parents [made this monument] for their incomparable son.

D(is) M(anibus) s(acrum) / substa praecor paulum festina(n)s ire viator / et m{a}ea
post {h}obitum rogantis concipe verba / tale(m) c<u=O>(m) speres et ipse venire
di{a}e(m) / Iustus ego non paterno se<d=T> materno nomine dictus / paupere
patre quidem se<d=T> fam(a)e divite vixi / tibicinis cantu modulans alterna
vocando / martios ancentu stimulans gladiantes in arma vocavi / qui vixi annis
XXI m(ensibus) XI d(iebus) XXVIII / Iustus ego morte acerba peri / parentes filio
incomparabili. (Venafrum)

MacLean discusses this inscription when arguing in favour of a “unique” libertine path to glory, and presents it as evidence for the “different” *fama* construction of ex-slaves⁵⁴. However, there is no evidence at all for attributing freed status to Iustus. Put differently, a predetermined focus on identity dimensions assumed to be typically libertine, not only leads to circular reasoning, but also ignores manifest cues that indicate the exact opposite to be true. The argument rests on the assumption that the description of

⁵² This is the main goal also of Bell & Ramsby (2012).

⁵³ CLE 1319 (= CIL 10, 4915)

⁵⁴ MacLean (2012), 53-4.

Iustus' father as *pauper* is a euphemising reference to the latter's servile status, but this too is a very tentative point of departure, since the majority of *carmina* that mention *paupertas* explicitly refer to a lack of *financial* resources, rather than to freed status *per se*.

It is not the Roman freedman Heliades' *freed status*, for instance, that prevented him from making the monument for his deceased wife entirely in gold⁵⁵. Nor was Quintus Egnatius Blandus from Brescia referring to his servile past when he deplored that he could only bestow very small gifts (*parvola dona*) on his deceased spouse⁵⁶. Moreover, Gaius Gargilius Haemon was explicitly talking about his modest *peculium* when he contrasted his *paupertas* with his elevated character, and Ninnia Primilla explicitly had her parents' *census* in mind when calling them "poor"⁵⁷. None of these persons felt any shame in referencing their modest means (or that of their parents). In fact, most of them used it as a springboard to draw attention to admirable virtues, by implying that even such a considerable restraint did not taint their good morals. The same holds true, however, for freeborn individuals, who accentuated their *paupertas* at least as frequently as freedmen (and for the exact same reason). Lucius Trebius Ruso (*Luci filius*), for example, gives pride of place to the most severe poverty (*summa pauperies*) he had managed to overcome as a soldier in the fleet⁵⁸. In short, the legal status of Iustus' father can therefore not be deduced merely from his *paupertas*.

There is, however, a much more compelling argument MacLean does not take into account, and which relates to the remarkable stress put on the origin of Iustus' name (*ego non patrio, set materno nomine dictus*). There is no way of knowing for sure whether it was his *cognomen* or his *nomen* Iustus had inherited from his mother. The practice of giving a second son a *cognomen* as a tribute to his mother is a well-attested phenomenon. The first son of Titus Flavius Sabinus and Vespasia Polla, for example, was named Titus Flavius Sabinus after his father, but their second son Titus Flavius Vespasianus – the future emperor – after his mother. But it seems highly unlikely that this is what happened in Iustus' case as well. Indeed, there was no reason to manifestly stress the reception of a maternal name, if the inclusion of this *cognomen* in itself

⁵⁵ CLE 1086 (= CIL 6, 19175): "si tantum mihi fortuna largita [fuisset quantum in te pietas] / coguit et officia aureum hoc to[tum fecissem nunc monumentum] / de mea pauper<i=T>e feci ut [potui]". Cf. also CLE 204 (= CIL 6, 15225): "si pro virtute et animo / fortunam habuissem magnificum mon<u=I>men/tum hic aedificassem tibi"; 1038 (= CIL 6, 14404): "terra levi tumulo levior ne degravet ossa / pau(pe)ris inpositum sustinet arte super".

⁵⁶ CLE 1042 (= CIL 5, 4593): "Pro paupertate haec summo tibi / tempore coniunx ut potui / meritis parvola dona dedi".

⁵⁷ CLE 134 (= CIL 6, 8012): "peculio pauper animo divitissimus"; CLE 1125 (= 9, 3358): "li/bertinis ego nata parentibus ambis / pauperibus censu moribus ingenuis".

⁵⁸ CLE 372 (= CIL 5, 938).

already honoured the mother. Much more meaningful (and worthy of mention) would be the deviation from standard naming practices that prescribed that sons received the *nomen* of their father (if he was married formally with the child's mother).

Moreover, if it was indeed his *cognomen* that was meant here, the complete omission of the mother's actual name seems odd, especially in light of the unusual stress that is put on the symbolical act. Perhaps the most significant indication that Iustus' *nomen* was meant, is the simple fact that the *carmen* explicitly uses "nomen" instead of "cognomen" to convey the message. Other dedicators who drew attention to naming practices or nomenclature, used the term "cognomen" when indeed a *cognomen* was meant. An unnamed girl of Osor in Dalmatia was, for example, considered lucky (*felix*) because her father had given her a *cognomen* on her birth (*cognomen pater huic fuerat natale daturus*), a detail clearly included to highlight her freeborn status rather than eternalising her name (which is not included)⁵⁹.

In fact, both of Iustus' parents remain unknown, since they did not deem it important to include their own names in the epitaph for their son. This too suggests that the information conveyed by the monument pertains first and foremost to Iustus himself, not his parents. Why so extensively stress that you did not receive your *nomen* from your father if this was not meant to implicitly highlight the *reason* for this deviation from normal naming practice? Indeed, the answer would logically be that his father was either a slave and had no *nomen* to transmit in the first place, or that he was not formally married to Iustus' mother. By mentioning that he derived his *nomen* from his mother instead, it would have been clear to any reader that Iustus was born free (since his own mother was at least a *libertina*). This would correspond well with the suspicion that the passage was included to tell us something about the only named person of the epitaph, rather than about his unnamed parents who were attributed no noteworthy agency outside the erection of the monument. Therefore, the point is that in light of his mother's free status, the legal status of Iustus' father is irrelevant in determining Iustus'.

This reading of the epitaph renders difficult to maintain MacLean's assumption that Iustus was a freedman himself. It also explains the urgency felt by the parents to include a highly exceptional detail like the transmission of the maternal *nomen*. Finally, the last verse of the epitaph starts with *Iustus ego* and contains a pun on the literal meaning of the name. Death was *acerba* indeed if it took away prematurely someone who was as "righteous" (*iustus*) as Iustus. By comparison, the verse elucidating the origin of Iustus' *nomen* similarly (and conspicuously) starts out with *Iustus ego*. Here too, then, a parallel pun can be discerned: it was only "just" that Iustus received the maternal *nomen*,

⁵⁹ CLE 1160 (= CIL 3, 3146). Her legal status was already implied in the first line of the epitaph: "Felix haec visa est nascendi lege puella".

because it was the right thing to do for any child born from a slave father and a free mother.

The hypothesis of a “different” kind of *fama* construction for freedmen starts to waver once we do not a priori assume – as, indeed, we should not – that individuals who commemorate their success in trade or any other “non-elite” virtue must be *d’office* ex-slaves. MacLean observes the “significance of service and labor” and of “the willingness to combine acts of deference with assertions of personal agency” in these individuals’ “cultural milieu”, but too quickly makes generalising claims when she calls this significance “unique” for freedmen⁶⁰.

Another example is her interpretation of the epitaph of Titus Aelius Faustus, who died at the age of 28, after having been made responsible by Marcus Aurelius and Commodus for the distribution of “oily liquids” (*pinguis liquor*) among the people⁶¹. MacLean interprets Faustus’ gratitude for this appointment as deference towards the emperors and – when considered in tandem with his active role in the oil distribution – as an “undeniable product of servitude”. The argumentation covers the next two pages of the chapter, and confidently concludes that this example of “integration of obedience and economic activity” supports the general assertion that Faustus’ *rarissima fama* was typically libertine⁶². However, it is not at all borne out of the inscription that Faustus was in fact an imperial freedman. Certainly, “Faustus” is a name known to have been given to slaves (and thus carried by freedmen), but like other “servile” names, the onomastic argument is in itself all but sufficient evidence for freed status, since “servile” names like Felix, Fortunatus, Primus, and indeed Faustus, were extremely popular names for (first generation) freeborn children too⁶³. Furthermore, Faustus was appointed to his function during the joint rule of the emperors mentioned (*simul induperantes*), which extended from 177 to 180 CE. His name (Titus Aelius), however, indicates that, if he was in fact an ex-slave, he was freed not by Marcus Aurelius or Commodus, but by the previous emperor (Antoninus Pius). If we conservatively assume that Faustus was 25 years old in 177 CE (the earliest possible date for his appointment), then even if he was freed during the last year of Pius’ reign (which is, again, a very

⁶⁰ MacLean (2012), 54.

⁶¹ CLE 1814 (= CIL 6, 34001): “Moribus hic simplex situs / est Titus Aelius Faustus / annis in lucem duode/triginta moratus / cui dederant pinguem / populis praebere liquorem / Antoninus item Commodus / simul induperantes / rara viro vita et species / rarissima fama / [i]nvida sed rapuit semper / Fortuna probatos / ut signum i<n=M>venias quod / erat dum vita maneret / selige litterulas primas / e versibus octo”. The first letter of every second verse forms an acrostic, spelling out the latinised Greek equivalent of “Faustus” (prosperous, fortunate): “Macarius” (Μακάριος).

⁶² MacLean (2012), 54-6.

⁶³ Kajanto (1965), 29-30; Duff (1958), 57-8; Tran (2006), 115; Mouritsen (2005), 41 note 17; (2011), 286-9; Liu (2009), 174 (including further references).

conservative assumption), he would only have been 9 years old at manumission. It therefore seems much more likely that Faustus was the son of one of Pius' freedmen⁶⁴. Finally, another *procurator ad oleum* and contemporary of Faustus was of equestrian status⁶⁵. Technically, Faustus, if a freedman, could obtain such extraordinary distinction through the *ius anulorum aureorum*, but it again seems more likely that the honour was given to the freeborn son of a freedman (especially given his relatively young age).

Whereas Faustus' status may still be open for debate on some points, the tentative identification of, for example, the Ostian Marcus Quintilius as a "prominent *libertus*" is entirely speculative, and based solely on his functions as *sevir Augustalis* and *quinquennalis perpetuus* of the colleges of Tiber ferries (*corpus lenunculariorum traiectus Luculli*) and caulkers (*corpus stuppatorum*). The same goes for Claudius Diadumenus whom MacLean herself describes as "almost certainly a member – or at least descended from a member – of the imperial family", but who is treated as an ex-slave throughout the discussion⁶⁶. Whereas she reads the combination of *simplicitas*, trustworthiness, concern for reputation, and professional activity as a typically "libertine" intertwinement of virtues, it seems much more advised indeed, to accept the arguments of Paul Veyne or Nicolas Tran, who both consider these "thèmes courants dans les *carmina epigraphica* des hommes de métier" and, as such, characteristic of the "plèbe moyenne" in general⁶⁷.

Consider, finally, the metric epitaph of the Tarraconese coppersmith (*aerarius*) Aper, erected by his devastated father⁶⁸. His youth, we are told, was praiseworthy (*cuius fuit probate iu(v)entus*), and his poverty had not prevented him from always being devoted to his friends (*pauper vixisti fuisti pronus amicis*). The explicit mention of his occupation, his poverty, but also his pleasantness and devotion would be considered typical tell-tale signs of Aper's status as a freedman if we follow MacLean's reasoning. Nowhere, however, is this made explicit, nor is there any patronal presence in the inscriptions

⁶⁴ Several scholars have taken this position, e.g. Alföldy (2005), 49.

⁶⁵ CIL 14, 20: Caius Pomponius Turpilianus was the equestrian *procurator ad oleum in Galbae horreis*, cf. Pavis d'Esurac (1976), 191; Tran (2008), 304.

⁶⁶ MacLean (2012), 57-9.

⁶⁷ Veyne (2000), 1187-1194; Tran (2006), 97-102 (the quote is from p. 99).

⁶⁸ AE 1962, 189: "Conditus his tumulis iuvenis iacet / hic Aper aerarius ille / cuius viventis fuit probata iu(v)entus / pauper vixisti fuisti pronus amicis / annis vixis{is}ti XXX duo menses et d(ies) VIII / o dolor o lacrim(a)e ubi te dum qu(a)era(m) ego nate / has tibi fundo miser lacrimas pater orfanus ecce / effugit et lumen labuntur membra dolore / hoc melius fu<isse=ERA>t ut funus hoc mihi parares / inferi si qua sap<iu=E>n miserum me abducite patrem / iam carui lucem qui te amisi ego nate / si qui pergis iter viator transis aut p<au=O>llo resistes / et relegis titulum sulcato marmore ferro / quod ego feci pater pio mi dulcissimo nato / hoc bene habet titulus tumulo manent ossa qu[ieta] / semper in perpetuo vale mi ka[ri]ssime na[te]". The *carmen* is not included in Bücheler (1982) [1895-1930], but was published in Cugusi (2007), 58.

(the main focus being solely on Aper's father and his grief). Although Aper may in fact have been an ex-slave, it is difficult to imagine any other virtues or qualities he could have stressed if he had been a *freeborn* pauper who similarly lacked the social, economic, and symbolic capital to invest in a public career.

Indeed, an unnamed farmer from Mactar, finally, started out his extensive epitaph with the words: "I was born in a poor home and from a poor father" (*fui / paupere progenitus lare sum parvo(ue) parente*)⁶⁹. His poverty is immediately explained in more detail: "my father had neither property nor house" (*cuius nec census neque domus fuerat*). Born under these circumstances, he had no other choice than to work hard and without pause (*ruri mea vixi colendo / nec ruri pausa nec mihi semper erat*). Clearly, this industry did not go unnoticed, since he was promoted to leader (*ductor*) of a group of harvesters after twelve years of toiling. Eleven years of successfully leading his band – and in the meantime maintaining a frugal lifestyle – eventually resulted in our man being able to procure a house for himself, and to become a true *pater familias* (*hic labor et vita parvo con(ten)ta valere / et dominum fecere domus et villa paratast / et nullis opibus indiget ipsa domus*). Surely, the extraordinarily strong focus on his manual labour, his frugal lifestyle, and his resulting sense of achievement signals a path to *fama* MacLean would likely have labelled as "libertine". In fact, if the inscription had ended here, he may well have been identified as belonging to the group of *libertini* proudly exclaiming professional prowess and familial achievement. But before concluding his epitaph with once more highlighting his honesty and faithfulness, this successful farmer reveals that he had eventually obtained public office as decurion and censor of Mactar, despite his precarious youth (*et nostra vita fructus percepit honorum / inter conscriptos scribtus et ipse fui / ordinis in templo delectus ab ordine sedi / et de rusticulo censor et ipse fui*). Unmistakably a sign of his free birth, this ascension once more warns us against drawing premature conclusions based solely on commemorative themes like industry and zeal, which were in both epigraphic and literary sources appreciated also in *ingenui*⁷⁰.

⁶⁹ CLE 1238 (= CIL 8, 11824).

⁷⁰ E.g. Tac. Ann. 4.1 (about Sejanus): "palam compositus pudor, intus summa apiscendi libido, eiusque causa modo largitio et luxus, saepius industria ac vigilantia, haud minus noxae, quotiens parando regno finguntur", implying that *industria* and *vigilantia* – if honestly applied – were praiseworthy qualities. Idem for Fronto Amic. 1.6 (addressed to the commander Avidius Cassius, and dealing about the tribune Junius Maximus): "ita de laboribus et consiliis tuis et industria et vigilantia praedicator ubique frequentissimus extitit". See also below.

7.3 Freedmen's virtues in epistolary literature

The analysis of this chapter takes two intriguing passages from Cicero's correspondence as basic points of departure to quite extensively reassess the notion of a typical "set of virtues" or a "specific discourse" for freedmen. The first one constitutes a bridge with the previous chapter, since it contains the only example of direct speech of a freedman in Cicero's correspondence⁷¹: Tiro's expression *valetudini fideliter inserviendo*. The second – Cicero's elaborate description of Atticus' freedman Dionysius in Att. 7.4.1 – is one of the most frequently cited passages in defence of the argument that there existed a "fairly well established format for the praise of freedmen", and will therefore be treated in greater detail.

7.3.1 *Valetudini fideliter inserviendo*

One of the most captivating examples of a freedman's own voice recorded in a private context is Tiro's expression that he "faithfully took care of his health" (*valetudini fideliter inserviendo*)⁷². These are the only three words of which we know for a fact that the famous freedman wrote them *verbatim*, since Cicero not only cites them, but also rather extensively comments on them in a response letter. Tiro was in Rome at the time, taking care of his patron's business, while the latter sojourned in Tusculum. From there he wrote:

Video quid agas; tuas quoque epistulas vis referri in volumina. Sed heus tu, qui κανὼν esse meorum scriptorum soles, unde illud tam ἄκυρον 'valetudini fideliter inserviendo'? Unde in istum locum 'fideliter' venit? Cui verbo domicilium est proprium in officio, migrationes in alienum multae.

I see what you are doing! You want your letters too put into rolls. But just a moment, you yardstick of my literary style, where did you come by so bizarre a phrase as 'faithfully studying my health'? What is 'faithfully' doing in such a context? The home territory of the word is the performance of a duty, but it makes many excursions into other fields.

⁷¹ Only one other instance features a freedman's direct speech, but the passage is corrupted and unclear. It concerns Gabinius Antiochus' mysterious outcry after hearing of his conviction in the wake of his patron's acquittal, Cic. Att. 4.18.4 (*itaque dixit statim † res p. lege maiestatis ουσΟΙΜΡΙΣΑΜΑΦΗ†*). Cf. the references to this passage in Chapters 4 and 6.

⁷² Cic. Fam. 16.17.1.

Apparently, Tiro had fallen ill once again. His recurrent non-activity due to sickness is one of the most often noted peculiarities of book 16 of the *ad Familiares*. He is reported ill no less than five times between 53 and 44 BCE. A first time in Tusculum in 53, while Cicero was staying in Cumae; a second time during the return journey from Cilicia in 50, when Cicero was forced to leave Tiro behind in Issus; a third time – after a brief recovery – in October 50, when Tiro stayed behind for over half a year in Patrae; and two more times between 46 and 44⁷³. The sincere worries Cicero felt during these periods are clearly reflected in the frequency with which he wrote to Tiro. For example, the first time Tiro fell ill in 53 BCE, Cicero wrote him at least four times in eight days (on 10, 11, 12, and 17 April)⁷⁴. All of these letters betray true sorrow on the part of Cicero, as is clearly indicated by their vocabulary: *summa cura*, *nox plena timoris ac miseriae*, *angor*, *sollicitudo*, etc. Similarly, Cicero sent Tiro almost daily letters in November 50 BCE (e.g. the third, fifth, sixth and seventh). Not only the words but also the fact that he wrote up to three letters a day express the same agitated and anxious state of mind⁷⁵.

The seemingly many instances in which Tiro fell ill are not necessarily noteworthy *per se*. The opposite is true, however, for the fact that so many letters *mention* this theme, and that these are moreover exceptionally *stressed* by their placement at the very beginning of book 16 in the original (i.e. non-chronologically ordered) edition of the correspondence. Especially the physical absence of Tiro during all this time, and the loss of his administrative and literary abilities seem to have greatly troubled Cicero. He even refers to this quite frankly in 53 BCE: “You [Tiro] must get ready to restore your services to my Muses” (*tu Musis nostris para ut operas reddas*)⁷⁶. Even in the most anxious letters, Cicero does not forget to include this kind of encouragement. In 50 BCE for example, he wrote that having his freedman at his side again was his most important wish, and that Tiro should thus take care of himself above all else⁷⁷. He thereby implied that taking care of his health was the best and fastest way for Tiro to get back to his patron. Two days later, he urged him to get well as soon as possible, because seeing each other again would be the greatest pleasure for both patron and freedman⁷⁸.

These (and many more) attestations clearly indicate that Tiro’s health was a true concern of Cicero’s, but they do not *ipso facto* explain this concern. Indeed, it has been argued extensively that the reason for Cicero’s desire to have Tiro back at his side as soon as possible, was not merely the freedman’s agreeable character. The argument

⁷³ For a more detailed chronology, see McDermott (1972), 260-1.

⁷⁴ See Cic. Fam. 16.13; 14; 15 and 10 respectively (the order of the references is based on D. R. Shackleton Bailey’s chronological arrangement of the letters in the Loeb editions).

⁷⁵ Cic. Fam. 16.1-6.

⁷⁶ Cic. Fam. 16.10.2.

⁷⁷ Cic. Fam. 16.1.2.

⁷⁸ Cic. Fam. 16.2.

goes that 1) Cicero's pragmatic wish to once more make use of Tiro's manifold qualities was at least as vehemently stressed on every occasion, and that 2) Cicero uses his position as a patron to impose recovery as an obligatory service Tiro owed as a freedman⁷⁹. In another letter, for example, Cicero stated that by looking after his health, Tiro would fulfil his patron's strongest desire (*maxime obtemperaris voluntati meae*)⁸⁰. The general tone of the letters may indeed be very intimate and cordial, but an analysis of the specific terminology, it is argued, shows the implied obligation imposed on Tiro (e.g. *obtemperare*). This led Fabre, for example, to conclude that "Cicéron [donne] ainsi un caractère d'obligation à la guérison d'une maladie qui le prive des services de son dépendant"⁸¹. However, the exact same expression (and many similar ones, in fact) is used extensively throughout the correspondence in contexts that did not imply (freed) subservience or (patronal) superiority. Thus Cicero wrote to T. Titius that in recommending C. Avianius Flaccus, he was deferring to the desire of this client of his (*qua re velim mihi ignoscas si illius voluntati obtemperans minus videbor meminisse constantiae tuae*)⁸². Similarly, L. Luceius – an ex-praetor of lesser rank than Cicero – on giving cautious advice to Cicero, hoped that the latter would comply with it (*in altera [res] mihi velim, si potes, obtemperes*)⁸³. In manifestly expressing their obeisance to the counsel or desires of socially inferior individuals, Cicero and his peers applied the strategy of submissive manipulation (cf. supra). As Hall has convincingly shown, the resulting discourse was a "polite fiction" meant "to reduce social embarrassment and tension"⁸⁴.

However, it was, *mutatis mutandis*, not considered inappropriate or disrespectful for high-ranking individuals to use the verb *obtemperare* when asking their freeborn clients or friends to adhere to their instructions or advice, nor was it shameful for the latter to conform to their patron's or friend's desires. As an argument during his request to recommend him to the governor of Achaëa, Manius Curius, for example, assured Cicero that a promotion in that province would allow him to more efficiently obey Cicero's instructions (*Sulpici successori nos de meliore nota commenda, quo facilius tuis praeceptis obtemperare*)⁸⁵. All of the above indicates that, when Cicero asked Tiro to "comply with his desire", this should not *per se* be considered evidence for any presumed intention to remind his freedman of his social inferiority and his obligations towards his patron. Rather, it was an expression ingrained in epistolary discourse, meant to cautiously

⁷⁹ See especially Smadja (1976), 95ff; Clavel-Levêque (1976), esp. 250-5; Daubigney (1976), 23; Fabre (1981), 244ff.

⁸⁰ Cic. Fam. 16.1.2-3.

⁸¹ Fabre (1981), 247.

⁸² Cic. Fam. 13.75.1.

⁸³ Cic. Fam. 5.14.3. Further examples include Fam. 9.14.1; 9.25.1; 12.12.1; etc.

⁸⁴ Hall (2009), 78ff.

⁸⁵ Cic. Fam. 7.29.1.

request the addressee to take *au sérieux* and respect one's symbolic capital, thereby implicitly or explicitly invoking the reciprocal gratitude the addressee would receive in return.

Nonetheless, the vocabulary Cicero (and his brother) used to address and refer to Tiro, continues to be described as a “language of dependence, hierarchy and servitude” in modern studies⁸⁶. Especially Beard makes much of the “paradox ... that Cicero and his family love their (ex-)slave in the language of slavery itself”⁸⁷. She draws attention to Quintus' use of the heavily laden verb “to scourge” (*verberare*), when he playfully scorns Tiro for not having written recently: “I have scourged you tacitly in my mind because a second package of letters has arrived without any from you”⁸⁸. Beard justly notices, however, that the very next letter in the collection (even before the correspondence was rearranged chronologically by modern editors) featured the same Quintus exclaiming that Tiro had given *him* a flogging in return (*mirificam mi verberationem cessationis epistula dedisti*)⁸⁹. Not only the flogging, but also the reason for it (both men's laziness, *cessatio*) was the same in both cases. It will remain forever unclear whether Tiro had actually used these very words in his own letter, but it is equally possible that Quintus merely found it funny to reverse social roles himself. Indeed, and as Beard fails to notice, it is perhaps no coincidence that Quintus wrote the letter during Saturnalia, which naturally provided a very fitting context for self-degrading jokes like this. What the anecdotes in any case *do* tell us, is that Tiro would magnanimously receive such puns (and perhaps even respond to them in kind). It seems very far-fetched to consider these two letters as support for the claim that Tiro was continuously and deliberately framed in a context of subordination.

Turning to the many letters Cicero wrote to the ill Tiro, Beard continues that the word *servire* was often used to express the expectation that Tiro should get better. She makes (without explicitly stating so) the same argument as Smadja, Fabre, et al. when she claims that this verb was used to insinuate that recovery was a duty owed by someone who had been a *servus*. “Serve your body well” (*corpori servi*) and “I rather want you to serve your health” (*malo te valetudini tuae servire*) are but a few of the many instances where Cicero used this particular expression⁹⁰. However, a narrow focus on book 16 of the correspondence prompts Beard (like Smadja and Fabre) to over-interpret

⁸⁶ Beard (2002), 136. But see also the earlier studies of the French scholars mentioned in note 79 above.

⁸⁷ Beard (2002), 136ff.

⁸⁸ Cic. Fam. 16.26: “Verberavi te cogitationis tacito dumtaxat convicio quod fasciculus alter ad me iam sine tuis litteris perlatus est”.

⁸⁹ Cic. Fam. 16.27.1.

⁹⁰ Cic. Fam. 16.4.4; 16.22.1.

these passages. “Serving your health” was a phrase that occurs elsewhere in Cicero’s correspondence, without any reference to servility or subservience. Even to his own family, Cicero writes: “serve your health well” (*servi valetudini*)⁹¹. Or to Mescinius Rufus: “I hope you will continue to care for me, and pay proper regard to your health and peace of mind” (*me velim, ut facis, diligas valetudinique tuae et tranquillitati animi servias*)⁹². Similarly, not only health, but also honour, a wish, or a country could be “served”, and by very noble men at that. To Sulpicius Rufus, Appius Pulcher, and Dolabella, Cicero wrote respectively: “I will serve his [Caesar’s] desire” (*illius voluntati serviam*), “I served your honour” (*inserviebam honori tuo*), and “so that you serve your standing and glory” (*ut dignitati et gloriae servias*)⁹³. Only when the dative belonging to “servire” is an actual person (and not merely his health, honour, or reputation), is the connotation of slavery and subservience apparently implied. “We are all his [Caesar’s] slaves” (*nos enim illi servimus*), Cicero complains to Papirius Paetus in September 46 BCE⁹⁴. And when derogating Antony, he told Cassius that “we are all slaves to a fellow slave” (*conservo servimus*), indicating that the *dominus* Caesar may well have been killed, but that the situation had not improved subsequently⁹⁵. Contrariwise, when asking Tiro to look after his health, Cicero did never structurally or consistently apply “the language of slavery”. Verbs like *consulere* or *conferre* were used instead on at least as many occasions⁹⁶.

Servire in the sense of “servile obedience” occurs only once in relation to Tiro. In yet another exhortation to get better, Cicero wrote to his freedman that “in serving me, you have not yet served your health enough” (*dum mihi deserves, servisti non satis [valetudini tuae]*)⁹⁷. *Servisti* in this instance is, as shown above, a very standard way of formulating a desire to get (or remain) well. *Deserves*, however, has *mihi* as explicit dative and would as such undoubtedly have been understood as a reference to Tiro’s position in relation to his patron – again, of course, as a witty wordplay made in good spirits. Like Quintus’ *verberare*, then, this particular instance is a clear joke on Cicero’s part and at Tiro’s expense, but neither of these observations warrants the conclusion that “the language of servitude is found, more or less stridently, throughout the book” or that “the language of subordination” (...) stalks every letter of Ad. Fam. 16⁹⁸.

⁹¹ Cic. Fam. 14.2.3.

⁹² Cic. Fam. 5.21.5.

⁹³ Cic. Fam. 4.4.4; 3.13.1; 9.14.6. Cf. 4.5.6 (to Sulpicius Rufus): “huic rei nobis serviendum sit” (referring to service to Rome); 5.16.5: “constantiae serviendum”; etc.

⁹⁴ Cic. Fam. 9.17.3.

⁹⁵ Cic. Fam. 12.3.2.

⁹⁶ E.g. Cic. Fam. 16.4.3: “cum valetudini tuae diligentissime consulueris”; 16.4.4: “quantam diligentiam in valetudinem tuam contuleris, tanti me fieri a te iudicabo”; etc.

⁹⁷ Cic. Fam. 16.18.1

⁹⁸ Beard (2002), 137-8.

When discussing the letter Quintus wrote to his brother immediately after Tiro's manumission, Beard furthermore supports her argument by claiming that even this occasion provoked "the very language of obligations that defines the relationship between master and slaves"⁹⁹. Especially Quintus' mention of the pleasure (*voluptas*) Cicero would derive from his new freedman, as well as the fact that Tiro's qualities are referred to as advantages (*commoda*) are given much weight in her analysis. Although she does not say so explicitly, this argument again draws heavily on the suggestions made by the French scholars in the 1970's, who interpreted the relation between Cicero and Tiro in terms of blackmail and hypocrisy¹⁰⁰. When we again expand the scope to include the other books of the correspondence, however, it becomes clear in a heartbeat that – like *servire* – neither the *voluptas* Tiro gives his patron, nor his *commoda* should be interpreted as intended references to the freedman-patron relationship or to Tiro's subordinate role within it. Indeed, Cicero could be equally gratified (*mirificamque cepi voluptatem*) by Appius Pulcher's diligence (*diligentia*)¹⁰¹, and he derived great pleasure (*magna voluptas*) from perceiving the sound sense (*prudencia*) and loyalty (*fides*) of T. Munatius because of this man's good will (*benevolentia*) and devotion (*diligentia*) to Plancus¹⁰². Moreover, when Trebatius – who was *plenus officii* towards Cicero – was severely ill, the latter empathically asked himself whether this friendship brought him vexation or pleasure (*voluptas*)¹⁰³. He even assured Cornificius that taking care of the business of some *virii boni et honesti*, would result in great pleasure (*magna voluptas*), since the subsequent attentions (*observantia*) of these men would be highly beneficial¹⁰⁴. And finally, Cicero gains not only pleasure (*voluptas*) from Trebatius' companionship (*consuetudo*), but also advantages (*utilitas*) from his advice (*consilium*) and services

⁹⁹ Beard (2002), 133 (about Fam. 16.16).

¹⁰⁰ Cf. note 79 above. See also Patterson (1982), 12 in more general terms: "while a kind of love may sometimes have triumphed over this most perverse form of interaction [between master and slave], intimacy was usually calculating and sadomasochistic".

¹⁰¹ Cic. Fam. 3.11.4: "mirificamque cepi voluptatem ex hac tua diligentia".

¹⁰² Cic. Fam. 10.12.5: "atque in his curis quas contuli ad dignitatem tuam cepi magnam voluptatem quod bene cognitam mihi T. Munati prudentiam et fidem magis etiam perspexi in eius incredibili erga te benevolentia et diligentia".

¹⁰³ Cic. Fam. 11.27.1: "nondum satis constitui molestiae plus an voluptatis attulerit mihi Trebatius noster, homo cum plenus officii tum utriusque nostrum amantissimus".

¹⁰⁴ Cic. Fam. 12.26.2: "magnam ex eorum splendore et observantia capies voluptatem". Other examples include: Fam. 2.10.2: Cassius, by his military successes, gave Cicero great *voluptas* (*quod mihi magnae voluptati fuit*); 5.7.1: Pompey gave Cicero great *voluptas* by kindly forwarding good news (*cepi ... incredibilem voluptatem*); and 3.2.2: Appius Pulcher derives *perpetua voluptas* from Cicero's gratitude (*si rationibus meis provisum a te esse intellexero, magnam te ex eo et perpetuam voluptatem esse capturum*).

(*operae*)¹⁰⁵. In fact, both observations made Cicero conclude that it would be a *commodum* for him to have Trebatius at his side (*ego, si mei commodi rationem ducerem, te mecum esse maxime vellem*). In Tiro's case, Q. Cicero could have mentioned the freedman's *utilitas* to his patron, but instead, he focussed solely on the much more affectionate *voluptas*. On other occasions, the Cicerones clearly valued (and referenced) both aspects even in their friends. When Cicero recommends Varro to Brutus, for example, he promised that the *commendatus* would be a great pleasure (*voluptas*) and expediency (*usus*) to him¹⁰⁶. The context implies that there was a considerable status differential between both individuals, since Varro was serving as *quaestor* under Brutus in Gallia Cisalpina. At the same time, however, this anecdote confirms that this vocabulary was not part of a derogatory discourse of subservience (let alone reserved for patron-freedman relationships), but a genuine (or genuinely pretended) expression of appreciation and joy.

In parallel, Cicero described his connection to the influential Appius Pulcher as a *commodum*; he did not refrain from telling C. Antonius that he had done his very best to advance not only his honour (*honor*) and prestige (*dignitas*), but also his interests (*commoda*); and he assured Crassus that he seized every opportunity to promote his friend's interests (*commoda*) in addition to his dignity (*amplitudo*) and desires (*voluntas*)¹⁰⁷. Like being a pleasure to a peer or superior, contributing to such men's interests was a respectable and praiseworthy endeavour. Only when we a priori accept the suggestion that Cicero structurally applied the "language of slavery" in his correspondence with Tiro, do these words obtain a pejorative connotation. But such reasoning is again predetermined, and moreover neglects the many identical or parallel expressions in the interactions between aristocratic peers.

A final argument of virtually all the scholars who interpret the Cicerones' language as a carefully crafted discourse of patronal dominance, is the use of *officium* to describe Tiro's "obligation" to get well again¹⁰⁸. "Of your countless services to me", Cicero writes, "this [getting better and joining his patron] will be the one I shall most appreciate"¹⁰⁹. This phrase almost becomes a *topos* throughout book 16, often recurring *verbatim* in

¹⁰⁵ Cic. Fam. 7.17.2: "non enim mediocri adficietur vel voluptate ex consuetudine nostra vel utilitate ex consilio atque opera tua".

¹⁰⁶ Cic. Fam. 13.10.3: "sed tamen separatim promitto in meque recipio fore eum tibi et voluptati et usui".

¹⁰⁷ Cic. Fam. 3.10.9: "quid commodis meis aptius, quam hominis nobilissimi atque honoratissimi coniunctio"; 5.5.2: "omnia enim a me in te profecta sunt quae ad tuum commodum, quae ad honorem, quae ad dignitatem pertinerent"; 5.8.5 "... si quid ipse intellegerem aut ad voluntatem aut ad commodum aut ad amplitudinem tuam pertinere, mea sponte id esse facturum".

¹⁰⁸ Fabre (1981), 247; Beard (2002), 137-8.

¹⁰⁹ Cic. Fam. 16.1.3: "de tuis innumerabilibus in me officiis erit hoc gratissimum".

subsequent letters¹¹⁰. At first sight, then, Cicero does seem to impose on Tiro an obligation, implying that in order to be a good freedman and to become useful to his patron again, he needs to get well as soon as possible. However, as is well known, rendering *officia* was considered an essential part of any reciprocal relationship. It was naturally expected from individuals bound together by the ties of *amicitia*, which connected not only Cicero to Tiro¹¹¹, but also elites to each other and to their clients. *Officia* were often exchanged between unequal partners, but there is no indication that in Tiro's case this "status differential" referred specifically to his (previous) servility (let alone to any inherent inferiority of the freedman). The notion that recovery *qua officium* is part of a "language of slavery" is therefore not borne out of the letters themselves, but stems entirely from the tacit assumption by scholars like Smadja, Fabre, Beard, et al. that an accentuation of his patronal superiority (and Tiro's servile dependence) was Cicero's primary concern in choosing these and similar terms. This point will be taken up in further detail in the next section.

In short, the use of *voluptas* to express his expected feelings on Tiro's return, or the description of Tiro's qualities as *commoda* were – just like the employment of *servire* to exhort diligence in getting better – not manifestations of a distinct "language of slavery". In the few instances where this relation between freedman and patron is implied (e.g. Quintus' *verberare* and Marcus' *deservire mihi*), these descriptions are moreover clearly meant as humorous puns. It is in such a context that we should also situate the words of Tiro cited at the beginning of this section. After Tiro wrote that he would faithfully take care of his health (*valetudini fideliter inserviendo*), Cicero expresses his surprise at this phrase. As we noted earlier, the phrase *valetudini servire* was very common, and it are therefore not these terms Cicero finds fault with. Instead, he draws attention to the odd use of *fideliter* in this sentence: "Where did you come by so bizarre a phrase as 'faithfully studying my health'? What is 'faithfully' doing in such a context?"¹¹². Cicero, in other words, claims that *fideliter* is wrongly used by Tiro, because *valetudini servire* was not an *officium*. Indeed, if it was, then *fideliter*, as Cicero points out, would be an acceptable description (*cui verbo domicilium est proprium in officio*). In light of Cicero's consistent descriptions of Tiro's recovery as an expected *officium*, it seems untenable to argue that this passage should be taken *au sérieux*¹¹³.

¹¹⁰ E.g. Fam. 16.4.3: "omnia [innumerabilia officia] viceris si, ut spero, te validum videro"; 16.6.1: "ad tua innumerabilia in me officia adde hoc, quod mihi erit gratissimum omnium".

¹¹¹ Cic. Fam. 16.16.1: "ac nobis amicum quam servum esse maluisti".

¹¹² Cic. Fam. 16.17.1: "unde illud tam ἄκουρον 'valetudini fideliter inserviendo'? Unde in istum locum 'fideliter' venit?".

¹¹³ Morgan (2015), 446 thinks the phrase expresses Tiro's concern for Cicero's health, but this is an untenable position when considering the letter in the broader context of book 16.

Smadja thought that Cicero was truly shocked by the expression, because, from her point of view, Tiro thus linked his health to his position of dependence. Tiro thereby confirmed what Cicero had “subtly” implied for so long, namely that getting better was a moral obligation as a consequence of the *fides* Tiro owed his patron since his manumission in 53 BCE. Cicero is thus particularly upset because Tiro blatantly insinuated that his patron was interested in his health only or primarily because he missed his freedman’s services and utility. Cicero, still according to Smadja, was thus “unmasked” by Tiro, who knew very well the true intentions and feelings of his hypocrite patron, as well as the actual meaning of his health and recovery as metaphors for his loyalty. This passage has therefore been considered the clearest proof of the mutual “blackmail” between Cicero and Tiro¹¹⁴. Tiro on the one hand unmasks Cicero’s true intentions (to the latter’s embarrassment and shock), but on the other hand, Tiro’s long periods of illness and absence are better explained, the argument goes, if we assume (as the anecdote “proves”) that Tiro was aware of Cicero’s hypocrisy. These suggestions completely ignore the observations made above, i.e. that the language of Cicero’s letters to Tiro does not fundamentally differ from other letters, apart from some amiable jokes. The latter feature far too prominently in the analyses of the proponents of the “blackmail” thesis, who consistently fail to recognise their humorous undertone, and thereby incorrectly interpret them as genuine expressions of haughtiness and, consequently, hypocrisy.

Cicero never shied away from a joke in his private correspondence¹¹⁵. In this particular case too, the first phrase of his “shocked” response to Tiro sets the tone for the rest of the passage. “I see what you are doing”, Cicero starts out, “you want your letters too put into rolls!”¹¹⁶. We do not know what Tiro had done, said, or written to trigger this “suspicion”: neither the letter chronologically preceding this one (16.22), nor the one originally intended by the initial editor to be read just before it (16.16) provides any clue. The tone, however, is unmistakably amiable. “But hang on a minute!” (*sed heus tu*), Cicero continues, even addressing his freedman as “the yardstick of my writings” (*κανὼν meorum scriptorum*). *Heus* is used by Cicero predominantly in humorous contexts throughout the correspondence. For example, after already having made a joke in a letter to Trebatius (typically drawing on the latter’s expertise in legal matters), Cicero writes: “But hey you! What are you doing now? Is anything happening? I notice that you now crack jokes in your letters” (*sed heus tu! Quid agis? Ecquid fit? Video*

¹¹⁴ Smadja (1976), 102. Cf. Fabre (1981), 245 note 306.

¹¹⁵ For humour and jokes in Cicero’s correspondence, see Kiser (1932); Haury (1955); but especially Hutchinson (1998), 172-99.

¹¹⁶ Cic. Fam. 16.17.1: “video quid agas; tuas quoque epistulas vis referri in volumina”.

enim te iam iocari per litteras)¹¹⁷. Cicero imitates the language Trebatius uses when making jokes, and apparently thought or knew that an expression like *sed heus tu* would be particularly recognisable in that context. Similarly, after starting out a letter to Fabius Gallus (making use of Greek terms to take home an initial joke's punch line), Cicero humorously exclaims that he should stop joking about sensitive matters: "But hey you! Hands off the tablets! Here comes the master, sooner than expected" (*sed heus tu, manum de tabula! Magister adest citius quam putaramus*)¹¹⁸. In fact, attestations of *heus tu* occur very often in juxtaposition with Greek terms, and this combination is usually intended to add to the humorous effect of the expression¹¹⁹. In this light, *sed heus tu* and the Greek terms Cicero used in his response to Tiro (*κωνών* to describe Tiro and *ἄκυρον* to describe the oddity of his expression), clearly reveal the cordial undertone of the passage.

Another letter is similarly illuminating. When Cicero refers to Tiro's imminent manumission in April 53 BCE, he writes: "My promise will be performed on the appointed day; I have taught you the derivation of faith" (*nostra ad diem dicta<m> fiet; docui enim te fides ἔτυμον quod haberet*)¹²⁰. Cicero cleverly uses the homonymic relation between *fient* and *fides* to link both words together, thus assuring Tiro that he could rely on Cicero's promise to manumit him. This letter precedes the *valetudini fideliter inserviundo* letter by nearly 7 years, and is thus entirely unrelated to it. However, the original editor of the Ciceronian correspondence (very likely Tiro himself) made sure to neutralise this temporal distance by deliberately positioning both documents very closely together (a meaningful positioning, completely obliterated by the modern chronological editions)¹²¹. Only four letters are situated in between them, all of these having Tiro's (imminent) manumission as their main subject¹²². By the time a reader of the original collection came to the *valetudini fideliter inserviundo* letter, then, he would vividly remember that Cicero and Tiro had already discussed the true meaning of *fides*. Given Tiro's remarkable talents in the fields of literature and the liberal arts in general,

¹¹⁷ Cic. Fam. 7.11.1-2.

¹¹⁸ Cic. Fam. 7.25.1. Cicero jokingly refers to Gallus' fear that if they continued laughing with Tigellius, it might backfire on them (*videris enim mihi vereri ne, si istum <ludibrio> habuerimus, rideamus γέλωτα σαρδάνιον*). The Greek expression is a clear pun at the expense of Tigellius and his Sardinian origin.

¹¹⁹ E.g. Att. 1.16.13; 6.1.13; 6.6.2; Fam. 7.25.1.

¹²⁰ Cic. Fam. 16.10.2.

¹²¹ The unsurpassed merit of Beard (2002) is that she structurally and convincingly elucidates how the original editor of the correspondence had purposely arranged the letters, but how modern editors "corrected" the "flawed" chronological order, thus losing much of the correspondence's literary value. She rightly deplors that most modern editions present the chronological order as the original one: "you would simply never know that any re-ordering had gone on" (p. 131 note 85).

¹²² The original order of the letters was: 16.10 – 16.15 – 16.14 – 16.13 – 16.16.

no reader would have suspected Tiro to have forgotten or to have remained blatantly ignorant about the correct use (*domicilium proprium*) of the word. Moreover, in the letter originally following the *valetudini fideliter inserviendo* letter (although chronologically separated from each other by almost a year), Cicero is again engaged in a friendly discussion of terminology, this time relating to the correct form of address in semi-public letters¹²³. In other words, the original collocation of the letters (prioritising thematic coherence over chronology) highlights – together with the joking initial phrase of the *valetudini fideliter inserviendo* letter, the expression *sed heus tu*, and its combination with Greek terms – the humour of the interaction by presenting it as but one of the many witty wordplays the two friends and intellectuals taunted each other with¹²⁴.

In short, it appears that Tiro had answered a joke of his patron with a quip of his own, just like he would do later in 44 BCE when Quintus wrote that Tiro had scolded (*verberare*) him. By using *fideliter* in the context of “getting better”, he appropriated the language of Cicero’s isolated puns, which – as noted earlier – are not to be identified with a persistent “language of slavery”. Although Cicero clearly plays along (he rather tediously tries to top Tiro’s feigned ignorance), we cannot exclude (nor prove) the possibility that, in a way, *Tiro himself* suddenly drawing attention to the metaphorical equation of recovery and loyal service was an unexpected turn of events, even for Cicero. This is an interpretation of the passage in between the “blackmail”-thesis (“Cicero was sincerely shocked because he was unmasked by Tiro”) and a point of view that considers the entire anecdote merely as amiable bantering among intimate friends, although it necessarily remains as speculative as both of these. Without stressing the point too hard, then, Cicero may in fact have felt a slight unease when his freedman pointed out rather explicitly the jokes his patron habitually made at his expense; not because he suspected that Tiro would not understand them, but because he feared a third party might *misunderstand* them. Indeed, we know from other instances that concerns related to privacy loomed large in the minds of Roman letter writers, and that the potential leaking of sensitive information was a dreaded risk every one of them reluctantly had to take¹²⁵. Although he undoubtedly trusted Tiro on the matter (in the secluded sphere of their personal correspondence), it may have worried Cicero that his freedman could make similar jokes in the company of *other* people. Indeed, the latter

¹²³ Cic. Fam. 16.18.1: “Quid igitur? Non sic oportet? Equidem censeo sic, addendum etiam ‘suo’. Sed, si placet, invidia vitetur; quam quidem ego semper contempsit”. The following line of the letter contains a Greek term to refer to Tiro’s perspiration (*tibi διαφόρησιν gaudeo profuisse*).

¹²⁴ Cf. also Fabre (1981), 252 note 380: “l’utilisation du grec dans les lettres de Cicéron à Tiron traduit l’intimité intellectuelle dans laquelle les deux hommes vivaient”.

¹²⁵ E.g. Fam. 16.18.1 and the examples given in Chapter 4.

may have been less able (or inclined) to interpret them as the witty wordplays they were intended to be, and could instead consider them rather cruel exhortations, unbecoming for a good *pater familias* or *patronus*, and detrimental, moreover, to the public transcript of principled equality. In this sense, it is perhaps significant that Cicero seems to unilaterally and abruptly terminate the humorous exchange: “But more of this when we meet again in person” (*sed haec coram*).

In any case, Tiro’s witty wordplay in itself – i.e. as situated in the private context of his relation with Cicero – was neither criticised nor denounced by Cicero, though it would certainly not have been condoned in a public context. Rather than a contextual manifestation of any hypocrisy, blackmail, or “language of slavery”, it attests to the intellectual and emotional parity of two men, who had grown towards each other through years of close association. It is no doubt for this reason also, that the letter survived editorial selection. Read in the context of Cicero’s extended correspondence with Tiro, any reader would have been able to correctly interpret and evaluate it. Put differently, the entire anecdote attests to the pertinent and *ad hoc* concerns related to network embeddedness, and clearly illustrates the marked difference with public discourse on freedmen.

7.3.2 *Ne libertinum laudare videar*

In support of the claim that there existed a “specific set of virtues” for freedmen, another intriguing passage in Cicero’s letters is regularly quoted. After Atticus’ freedman Dionysius had spent a couple of months in Cicero’s household at the end of 50 BCE, Cicero sent him back to his patron, enthusiastically providing him with a laudatory testimony to his qualities, recorded in Att. 7.4.1:

Quem quidem cognovi cum doctum, quod mihi iam ante erat, notum tum sanctum, plenum officii, studiosum etiam meae laudis, frugi hominem ac, ne libertinum laudare videar, plane virum bonum.

I have found him not only a good scholar, which I already knew, but upright, serviceable, zealous moreover for my good name, an honest fellow, and in case that sounds too much like commending a freedman, a really fine man.

At first sight, Cicero contrasts an unconventional and social boundary crossing praise of Dionysius (*bonus vir*) with a series of qualities which he seems to have thought would be considered by his correspondent as merely the traditional praise of a freedman. Indeed, *bonus vir* was a description members of the elite almost exclusively reserved for

themselves¹²⁶. Only on very exceptional and highly rhetorical occasions were freedmen described as such, like in the case of Publius Trebonius' freedman, who was considered good (*bonus*) and honourable (*honestus*) because he alone had respected his patron's testamentary provisions¹²⁷. Whereas freedmen *themselves* assertively adopted this quality in their commemorative practices (cf. Chapter 8), its use by Cicero to describe Dionysius is clearly noteworthy. But even so, as we have accentuated earlier in this chapter, the observation that there existed a "path to glory" (with typical associated virtues) reserved for the elites, cannot be taken as conclusive evidence for the existence of a conflicting "path to glory" (and associated discourse) reserved for ex-slaves.

Fabre, nonetheless, concluded from Att. 7.4.1 that "selon Cicéron, les qualités de l'affranchi seraient sauf exception, au-dessous de celles d'un ingénu (...). Il y aurait donc des qualificatifs propres à un affranchi et d'autres qu'on ne pourrait leur attribuer que par excès"¹²⁸. Santoro L'Hoir similarly saw the opposition between the first five qualities and the exceptional description of *vir bonus* as an indication that the former were "conventional platitudes appropriate to freedmen"¹²⁹. Mouritsen too, has taken this passage as evidence that a freedman vocabulary did in fact exist, assuming that *officiosus*, *frugi* and *frugalitas*, *studium*, *litteratus* (represented as *doctus* in the quote above), etc. were "common stereotypes used to praise freedmen"¹³⁰. The evidence to support this claim is, however, extremely casuistic and circumstantial, consisting of an enumeration of isolated instances in which these words were used to praise freedmen. Bradley's analysis of the negative slave stereotypes, or Fabre's treatment of freedman values suffer from a similar methodological flaw¹³¹. Indeed, as recent developments in the theories of Critical Discourse Analysis have shown, one of the most profound critiques on its methodology is that almost anything can be proven by a selective use of the source material, and that it is often tempting to analyse this in function of a certain hypothesis¹³². It is of course impossible for large-scale syntheses like the ones just mentioned to exhaustively scrutinise a representative set of sources, or to compare the

¹²⁶ Achard (1973); Seletsky (1976); Hellegouarc'h (1963), 485–93; Fabre (1981), 237–8; Santoro L'hoir (1992), 10–11, 65.

¹²⁷ Cic. Ver. 2.1.123–4.

¹²⁸ Fabre (1981), 233. The only reservation Fabre makes is that his conclusion derives solely from a Ciceronian letter (and not, for example, from a wider sample of sources). Although he thus questions its representative value, he does consider it a true conviction of Cicero's, and even – in defiance of his previous caution – implicitly takes it to be representative of e.g. epigraphic sources as well. About the latter he states that they "font écho à ce que Cicéron et les auteurs liés aux milieux aristocratiques nous indiquent". This point will be taken up extensively in Chapter 8.

¹²⁹ Santoro L'Hoir (1992), 17.

¹³⁰ Mouritsen (2011), 61–63 (the quote is from p. 61).

¹³¹ Bradley (1987), 26–31; Fabre (1981), 229.

¹³² E.g. Bastow (2008), 139 with references.

isolated virtues with instances in which they are mentioned in non-freedman contexts. But any conclusions or suggestions drawn from a sample that does not meet these requirements necessarily need further qualification.

Moreover, Mouritsen links the passage in Att. 7.4.1 with another one that describes Cicero's freedman Tiro in a similar vein. At the end of 50 BCE, Cicero wrote to Atticus that he had had to leave his beloved Tiro behind in Patrae due to, unsurprisingly, a severe illness. He used this opportunity (*cuius quoniam mentio facta est*) to accentuate Tiro's many virtues: "he is an accomplished, conscientious young fellow as you know and, you are at liberty to add, an honest one" (*adulescentem <doctum et diligentem>, ut nosti, et adde, si quid vis, probum*)¹³³. Mouritsen sees in the passage a similar attempt by Cicero to "move beyond mere conventions", because it too contrasts a "fairly well established format for the praise of freedmen" with a more generous description (*probum*)¹³⁴. However, as indicated by the rendering of the Latin (respected also in Mouritsen's footnote to the passage), *doctum et diligentem* is a description unlikely to have featured in the original letter. Different manuscript traditions have restored this passage in various ways. Wesenberg's 1880 edition of the letter, for example, first inserted *doctum* between *adulescentem* and *ut nosti*, whereas an earlier (and inferior) tradition had already read *diligentem* instead¹³⁵. In his 1999 Loeb edition, Shackleton Bailey translated both of these options ("an accomplished, conscientious young fellow")¹³⁶, even though he had earlier questioned any addition whatsoever in a more detailed discussion of the passage¹³⁷. He there argued that *ut nosti* need not have been accompanied by any modifying adjective, but is instead very likely to have referred immediately to *adulescentem*. *Probum*, therefore, was not used to rhetorically surpass any prior "typically libertine" virtues at all.

In addition, the eloquent figure of style "and add, if you will" (here presented in the form of *et adde, si quid vis*) served in a very general manner to politely suggest a further enhancement of a previous description (i.e. *adulescentem*). It presents the additional description as optional, thereby both actively forcing the addressee or audience to participate in the narrative, but at the same time also cleverly presenting the initial description as weighty enough in its own right (i.e. whether or not the addition is accepted)¹³⁸. As such, it is hardly atypical in either epistolography or rhetorical

¹³³ Cic. Att. 7.2.3.

¹³⁴ Mouritsen (2011), 61.

¹³⁵ Wesenberg (1880), 224.

¹³⁶ Shackleton Bailey (1999), 185.

¹³⁷ Shackleton Bailey (1960), 30.

¹³⁸ Cf. Goodin (1980), 105 (from a theoretical and discourse analytical point of view): "an important aspect of appealing to audience prejudices is the orator's claim to share their perspective . . . The 'language of participation' in general (...) figures importantly in this process".

speech¹³⁹. Cicero was thus not trying to represent Tiro in a way that was somehow more exalting than “usual”, that is, when we assume the existence of a certain pattern of libertine praise. In fact, *probus* features prominently as a virtue for freedmen (but also freeborn) in the correspondences. For example, L. Nostius Zoilus – Cicero’s coheir to his patron’s estate – was described in a letter of recommendation to Appuleius as a *homo probus*, without there being any indication that this was an exceptional appraisal¹⁴⁰. Similarly, when the imperial procurator Maximus returned to Roma after successfully having ended his tenure as assistant *procurator* of Pontus and Bithynia, Pliny recommended him to Trajan as an “honest, hard-working, and conscientious fellow, as devoted to your interests, Sir, as he is a strict maintainer of discipline” (*probum et industrium et diligentem ac sicut rei tuae amantissimum ita disciplinae tenacissimum expertus*)¹⁴¹. In Pliny’s description, then, *probus* featured among other qualities that are very reminiscent of those Cicero used in his praise of Dionysius (e.g. *rei tuae amantissimum* as parallel to *studiosum meae laudis*; *industrium et diligentem* as parallel to *plenum officii*; *expertus tenacissimum disciplinae* as parallel to *frugi hominem*). And finally, Cicero would surely not have repeatedly reproached freedmen for being *improbus* if being *probus* was an exceptional virtue for these men to begin with¹⁴².

In yet another parallel to the appraisal of Dionysius, moreover, Cicero recommends his (freeborn) friend L. Castronius Paetus to Brutus with the mention that he was “the leading man in Luca, honourable, serious, very serviceable, and a thoroughly good man”, adding that “he was also – if this is anything worthy of note – very rich” (*L. Castronius Paetus, longe princeps municipi Lucensis, est honestus, gravis, plenus officii, bonus plane vir et cum virtutibus tum etiam fortuna, si quid hoc ad rem pertinent, ornatus*)¹⁴³. In this instance, five qualities are enhanced – “if you will” – by more worldly success, which, the tone implies, is useful but at any rate less important than the initial description. This initial description contained qualities that were typically reserved for the top elite, but meaningfully combined it with a virtue (being *plenus officii*) that was also ascribed to

¹³⁹ E.g. Cic. Cluent. 89 (about the convicted judge Gaius Iulius, who had presided the corrupted trial of Oppianicus in 74 BCE): “Condemnatus est C. Iunius, qui ei quaestioni praefuerat. Adde etiam illud, si placet: tum est condemnatus cum esset iudex quaestionis”; Off. 1.150 (after categorising trades that provide sensual pleasures as sordid): “adde huc, si placet, unguentarios, saltatores, totumque ludum talarium”.

¹⁴⁰ Cic. Fam. 13.46.

¹⁴¹ Plin. Ep. 10.85.

¹⁴² E.g. Cic. Att. 7.2.8 (about an unnamed *homo operarius*): “sed tamen ne illo quidem quicquam improbus”; 9.15.5 (about Dionysius): “cum in me tam improbus fuit”.

¹⁴³ Cic. Fam. 13.13.

Dionysius and – indirectly (*industriū et diligentem*) – to Trajan’s Maximus¹⁴⁴. Similarly, when Sallust described the young Marius, he focussed on the virtues that exceptionally allowed him (as a *homo novus*) to become consul. Not being able to invoke an illustrious family line (*vetustatem familiae*), he had to rely entirely on his diligence, honesty, and military skill, his abstinence from lust and riches, and his desire for glory (*industria, probitas, militiae magna scientia, animus belli ingens domi modicus, libidinis et divitiarum victor, tantummodo gloriae avidus*)¹⁴⁵. Whereas military prowess was not a quality freedmen could boast of, it here appears again in tandem with “libertine” virtues like *industria* and *probitas*. Clearly – and as we will momentarily show in a more detailed and structured way – such virtues were at least as frequently applied in laudations for freeborn (elites) as for freedmen.

However, the inclusion of the rare (at least in freedmen contexts) expression *bonus vir* deserves a moment’s consideration. It is important first and foremost, to point out that Cicero wrote this message while being fully aware that Dionysius would at some point read or hear its content. Only a few days after sending Att. 7.4.1 (no doubt using Dionysius as courier, as he was returning to Atticus anyway), Cicero wrote his friend another letter (Att. 7.7.1). Apparently, Atticus had already sent a reply letter in the meantime, which Cicero quotes at the start of 7.7.1. In it, however, Atticus had not passed on a thank you message from Dionysius, which Cicero clearly expected after his exuberant laudation on the freedman a few days earlier (... *tot enim verba sunt de Dionysio in epistula tua; illud, putato, non adscribis, ‘et tibi gratias egit’*)¹⁴⁶. Cicero knew that Atticus would not forget to include such a note if Dionysius had actually asked him to (*atqui certe ille agere debuit et, si esset factum, quae tua est humanitas, adscripsisses*), and he therefore interpreted the omission as a clear sign of Dionysius’ rudeness. Because he could not simply revoke his earlier appraisal without seeming naïve or impulsive, Cicero thus repeats that he deemed the freedman a *bonus vir*, but coldly adds that he only thought so because Dionysius had given him “this insight into his character”, implying, of course, that Dionysius had showed himself quite the opposite of a *vir bonus* (*mihi autem nulla de eo παλινωδία datur propter superioris epistulae testimonium. sit igitur sane bonus vir; hoc enim ipsum bene fecit, quod mihi sui cognoscendi penitus etiam istam facultatem*

¹⁴⁴ Being the first citizen of a prominent Italian town was hardly something Cicero would say about a freedman. *Bonus* and *honestus* have already been shown to be typically “elite virtues”, but the same goes for *gravitas*, cf. Ferguson (1958), 176; Kaster (2010), 154.

¹⁴⁵ Sal. Jug. 63.2.

¹⁴⁶ Cic. Att. 7.7.1.

dedit)¹⁴⁷. Dionysius, in other words, had not reciprocated in kind to Cicero's appraisal. The latter's frustration, however, is only comprehensible if the laudatory statement was meant to be read to (but shamefully ignored by) the freedman as well.

The underlying intention of indebteding Dionysius (and the expectation of a return) may have prompted the extraordinary description of Dionysius as a *bonus vir*. Treggiari, however, approached the passage from yet another point of view – proposing that it expressed the idea that “one's feelings about [freedmen] should not be too warm” – but arguing that it was not intended very seriously¹⁴⁸. This interpretation still assumes a specific decorum for libertine praise (centred primarily around restraint), but leaves open the possibility that the recourse to an expression like *vir bonus* was a manifest (perhaps insincere) exaggeration. There are several indications that this may indeed be a correct reading of the passage. First and foremost, Atticus' reply to the letter (quoted in 7.7.1) quite conspicuously appropriated Cicero's exalting discourse, and even elaborated on it. Atticus not only used *doctissimus* and *amantissimus* (i.e. the superlatives of Cicero's initial descriptions), but also described Dionysius as a *vir optimus* – again exceeding Cicero's already energetic praise (*vir bonus*)¹⁴⁹. Moreover, when referring to another letter of praise he had written to the freedman himself, Cicero dramatically invoked the immortal gods – something he did on many occasions to mock certain persons or events¹⁵⁰ – to testify to its complimentary and affectionate nature (*ad quem ego quas litteras, di immortales, miseram, quantum honoris significantis, quantum amoris*). He even describes the reverence he had exhibited towards the freedman in the only passage in Latin literature ever to feature the *obsequium* of an aristocrat towards a freedman (*cui qui noster honos, quod obsequium, quae etiam ad ceteros contempti cuiusdam hominis commendatio defuit*)¹⁵¹. And finally, apart from one highly rhetorical mention of the danger of freedmen rising to a position of power over their patrons¹⁵², *libertinus* is a hapax legomenon in Cicero's correspondence. It contrasts in this regard with, for example, Tacitus' *Annals* or Suetonius' *Lives* (9 and 17 mentions respectively, and both corpora being much smaller than Cicero's correspondence). Chapters 3 and 6 noted that this variance is a reflection of the difference in network embeddedness between these detached sources and Cicero's letters (Pliny's and Fronto's correspondence contain no

¹⁴⁷ Note the repetition of *bonus* and *bene*, suggesting that the former description was only warranted because Dionysius had allowed Cicero to recognise his previous mistake of calling the freedman a *bonus vir*.

¹⁴⁸ Treggiari (1969b), 195 note 3.

¹⁴⁹ Santoro L'Hoir (1992), 17 fails to notice both this appropriation of Cicero's terms by Atticus as well as the humorous statement the latter was thereby making.

¹⁵⁰ E.g. Fam. 2.13.3; Att. 1.16.1; 1.18.5; 14.9.1; 16.7.5.

¹⁵¹ Cic. Att. 8.4.1.

¹⁵² Cic. Att. 2.1.8: “an libertinis atque etiam servis serviamus?”. Cf. Chapter 6.

references at all). The mere fact that Cicero uses *libertinus* in this letter, then, highlights once more the very exceptional nature of the passage. Indeed, the qualities Dionysius had exhibited all derived from his *personal* relation to Cicero, which would have made the use of *libertus* much more logical (*libertinus* referring to a freedman's standing in society at large). Therefore, the very exceptional use of *libertinus* (as well as the peculiar passage *ne libertinum laudare videar* as a whole) only makes sense when we accept that it derived from Cicero's intent to contrast it with the subsequent *vir bonus* (rather than referring to the five preceding qualities), i.e. another quality that pertained to a person's *persona* in *public* life.

Be all of this as it may (and we will come back to this point later), any interpretation of the passage hinges entirely on the question whether Fabre and Mouritsen *cum suis* are to be followed in their assertion that it constitutes evidence for a "specific format" of "libertine praise". To establish the veracity of this claim, a much wider lexical analysis is required than merely the invocation of isolated passages that use the terms or expressions in relation to freedmen. In the next section, therefore, an approach will be outlined to structurally analyse the specific attestations of these so-called "libertine qualities".

7.3.2.1 Methodological approaches

From a theoretical point of view, there are two feasible ways to go about the analysis of – in this case – elite discourse on freedmen: a Corpus Linguistics approach and a Lexis Selection approach. We do not intend to expound either of them in full (theoretical) detail, but focus instead on their operationalization for the concrete purpose at hand.

7.3.2.1.1 Corpus Linguistics

This approach requires the cataloguing and analysing of all the words and expressions used to refer to freedmen in a methodologically delineated collection of texts. Corpus Linguistics has been rightly lauded by communication theorists for remedying some of the pitfalls of traditional Critical Discourse Analysis (especially its often subjective approach and lack of representative potential)¹⁵³. It allows for a structural comparison of the vocabulary used for freedmen in different works, authors, genres, periods, etc. The Tables in Appendices 2-7 include a field "lexis" in which have been collected all nouns, adjectives, and relevant verbs related to freedmen in the respective literary and epigraphic corpora. This allows us in turn to establish a Table including all these descriptions, and the amount of times they occur per corpus (given in Appendix 8). We

¹⁵³ Tyrwhitt-Drake (1999), 1082; Bastow (2008), 139-41.

will include in the brief discussion below: Cicero's correspondence (Pliny's and Fronto's contain too few descriptions to meaningfully plot out in this manner); Tacitus' and Suetonius' "historical" works; and our selection of metric epitaphs (*carmina latina epigraphica*), which will be treated in further detail in Chapter 8. Needless to say, the analysis could be greatly expanded, but at least for the time being, we will limit ourselves to these four corpora.

Processed visually, these Tables result in the following "word clouds". The more frequently a word is attested, the larger it is rendered in the word cloud (for the underlying data, see Appendix 8).

Cicero's Correspondence



Carmina Latina Epigraphica



Suetonius' Lives



Tacitus' Annals and Histories



Figure 1 Lexis counts of freedmen descriptions in four source corpora (Cicero's *Epistulae*, Suetonius' *De vita Caesarum*, Tacitus' *Annales* and *Historiae*, and the metric epitaphs of freedpersons)

These "clouds" contain all words that were used at least twice to describe freedmen with. All words are restored to the nominative (and adjectives to the masculine form). For the sake of clarity, derivatives of a word have been counted towards the total of the corresponding noun or adjective (e.g. *fidelis* and *fidus* to *fides*; *officiosus* to *officium*; *gratia* and *gratiosa* to *gratus*; etc.). It should also be noted that certain terms have been excluded because of their widespread occurrence. Indeed, including very universal verbs like *diligere* in Cicero's count – a word he uses in basically every letter – or nouns and adjectives like *castus*, *pietas*, *incomparabilis* in the CLE count – also used very often

across status boundaries – would draw attention away from the more relevant (i.e. less standard) terms.

Unsurprisingly, in both “network embedded” corpora (the correspondences and the *carmina*), *fides* and terms related to the patronage relation (*patronus*, *officium*, *gratus*, *opera*) feature most prominently. Next to these, the larger words are typically positive characterisations: *humanus*, *benevolus*, *studiosus*, *probatas*, *amicitia*, *honestus*, *pudicus*, *bonus*, *laus*, etc. Negative or hostile descriptions barely occur at all in the CLE collection – mainly due to the nature of the genre, cf. Chapter 8 – and only occasionally in Cicero’s correspondence (e.g. *ingratus*, *culpa*, *furtum*, *sceleratus*). Once again, however, these are terms very closely related to the private patronage relation, all of them deriving from personal disappointment in individual freedmen after concrete acts of ingratitude or betrayal (from an elite perspective).

Even a superficial comparison of vocabulary already shows marked differences between these embedded sources and the “detached” discourse of the historians. In the latter works, negative descriptions feature far more prominently, and greatly outnumber positive ones: *servilis*, *potentia*, *scelus*, *corruptus*, *metus*, *pernicies*, *poena*, *odium*, *flagitium*, *crimen*, *stuprum*, *malus*, etc. This reversal is most clear in Tacitus’ case, where laudatory vocabulary is almost entirely lacking (rare exceptions are *intimus*, *exemplum*, and *meritus*). This trend would be even more manifest if we had included in the word cloud all verbs related to freedmen that occurred only *once* throughout his work¹⁵⁴. These are remarkably often related to transgressive usurpation (*adsumere*, *ducere*, *impellere*, *transgredi*), moral wantonness (*adulterare*, *delinquere*, *derogare*, *peccare*, *pervertere*), or otherwise negatively connoted actions (*adversari*, *degenerare*, *dissimulare*, *figere*, *increpare*, *insultare*, *labefacere*, *obstreperere*).

Moreover, words that at first sight convey a positive meaning or connotation (and also occur as such in network embedded sources), get a rather (to very) negative undertone in the detached histories. Indeed, a simple word count does not account for the semantic scope or even plain denotation of a term in a specific context. *Aequus* and words (like *par*) similarly denoting “parity” or “equality”, for example, typically have a positive ring to the modern ear, but the historians consistently used them in a negative sense in relation to freedmen. When Tacitus writes about Claudius raising his own freedmen to an equality with himself and the law – thereby fundamentally tarnishing the *gratus dignitatis* and insulting the nobles who used to monopolise positions of power – this equality is manifestly condemned (*cum Claudius libertos, quos rei familiari praefecerat*

¹⁵⁴ This was not done because it would greatly increase the magnitude of the visual representation at the cost of transparency. Of course, all the words that occur only once are nonetheless included in the lists in Appendix 8.

sibi et legibus adaequaverit)¹⁵⁵. During the famous debate in Nero's council about the measure to revoke the freedom of disobedient ex-slaves, one of the arguments in favour drew from the observation that freedmen were not even content anymore to be equal before the law with their patrons, but proceeded to mistreat them on several occasions (*ut ne aequo quidem cum patronis iure agerent, patientiam eorum insultarent ac verberibus manus ultro intenderent*)¹⁵⁶. The legal equality – meaningfully accentuated by Tacitus – was in this instance unambiguously considered a slippery slope to further deterioration of entrenched status boundaries. Finally, when, as noted earlier, Nero had convinced a freedman of Lucius Antistius Vetus to incriminate his patron, the latter realised that he would have to face his own freedman in court “as an equal” – a thought he could not bear, and therefore immediately opting for voluntary exile (*seque et libertum pari sorte componi*)¹⁵⁷.

Other terms that generally occur in a positive context, likewise become highly pejorative in the detached discourse on freedmen. When *arbitrium*, *consilium*, *studium*, *fautor*, etc. occur in the correspondences, they usually depict freedmen as assisting, helping, and defending their patron¹⁵⁸. When the same words are appropriated by Tacitus or Suetonius to describe (mainly imperial) freedmen, however, they almost as a rule occur in a negative context. The former thus described Pallas' function as a *rationibus* under Claudius as allowing the freedman to exercise control over the monarchy (*velut arbitrium regni agebat*)¹⁵⁹, and has Callistus think that power could be held by carefully giving advice (*potentiam cautis quam acribus consiliis tutius haberi*)¹⁶⁰. Therefore, when Claudius calls his freedmen into council (*consilium*), the act is presented not as a cordial conversation between patron and freedman, but as the emperor once more yielding to his “advisers”¹⁶¹.

Perhaps even more indicative for the determining influence of author, context, and genre on the semantic scope of a word, is the use of *gratus/gratia*. It has an almost exclusively positive connotation in Cicero's correspondence. Most of the attestations there, occur in letters addressed to Tiro, in which Cicero expressed his appreciation for his freedman¹⁶². Other references include the traditionally expected gratitude of a

¹⁵⁵ Tac. Ann. 12.60.

¹⁵⁶ Tac. Ann. 13.26.

¹⁵⁷ Tac. Ann. 16.10.

¹⁵⁸ E.g. Fam. 13.16.1-3; 16.1; 16.21.6; Plin. Ep. 10.5.1.

¹⁵⁹ Tac. Ann. 13.14.

¹⁶⁰ Tac. Ann. 11.29.

¹⁶¹ Tac. Ann. 12.1.

¹⁶² Cic. Fam. 16.1.3: “de tuis innumerabilibus in me officiis erit hoc gratissimum”; 16.6.2: “[officium] quod mihi erit gratissimum omnium”; 16.17.2: “Cuspio quod operam dedisti mihi gratum est”;

freedman as a consequence of Cicero's recommendation, and Cicero's gratitude towards a freedman (mentioned as the reason for a subsequent recommendation)¹⁶³. Only once is *gratiosus* used to denote undue influence of freedmen. When Cicero warned his brother for the manifest influence of his freedman Statius, he told him that the sight of *gratiosi liberti aut servi* was detrimental to his reputation¹⁶⁴. Uncoincidentally, it is precisely this use of *gratiosus* that permeates the historians' discourse, who completely reverse the directional quality of *gratia* (i.e. owed to an influential freedman instead of by a reverent one). Whereas under the early "good" emperors Caesar, Augustus, and Tiberius, mentions of *gratus* – much like the epistolary ones – still exclusively denote a close and commendable relationship with a patron (a freedman shows the appropriate *gratia*)¹⁶⁵, the implied "direction" of the relationship changes drastically from Caligula onwards. Instead of adjectives meant to accentuate an intimate patron-freedman relationship (*gratus; gratissimus*), they are now almost exclusively rendered as nouns meant to denote individual freedmen's influence in absolute terms (*gratia*).

In his younger years, for example, the future emperor Vitellius obtained the command of a legion through the *gratia Narcissi*¹⁶⁶. Similarly, Galba allowed his freedmen to bestow as a favour (*gratia*) immunity from taxes or impunity for crimes¹⁶⁷. Only on one occasion does *gratus* still feature as an adjective, viz. when an old freedwoman at the imperial court is said to be *gratiosa (libertina aulica gratiosa)*¹⁶⁸. Significantly, the choice for *libertina* instead of *liberta* indicates that the *gratia* of the freedwoman is to be interpreted as disconnected from the relationship with her patron, and instead – again – as an absolute trait. It is precisely for this reason that the young and ambitious Otho pretended to love her, even though she was "old and almost decrepit" (*anus ac paene*

16.21.6: "tuum tamen studium et consilium gratum acceptumque est"; 16.22.2: "hoc gratius mihi facere nihil potes".

¹⁶³ Cic. Fam. 13.27.2: "incredibilis mihi gratias per litteras egit" (about Hammonius); 13.60.1: "eum tibi ita commendo ut homines grati et memores bene meritos de se commendare debent" (about Trypho).

¹⁶⁴ Cic. Quint. Fratr. 1.2.3: "tamen species ipsa tam gratiosi liberti aut servi dignitatem habere nullam potest".

¹⁶⁵ Suet. Iul. 27.1: "(...) libertos insuper servulosque cuiusque, prout domino patronove gratus qui esset"; 48: "libertum gratissimum ob adulteratam equitis Romani uxorem, quamvis nullo querente, capitali poena adfecerit".

¹⁶⁶ Suet. Vesp. 4.1: "Claudio principe Narcissi gratia legatus legionis in Germaniam missus est".

¹⁶⁷ Suet. Galba 15.2: "nihil non per comites atque libertos pretio addici aut donari gratia passus est, vectigalia, immunitates, poenas innocentium, impunitates noxiorum". Cf. also Tac. Ann. 11.29: Pallas' "flagrantissima eo in tempore gratia"; Hist. 1.13: "Potentia principatus divisa in Titum Vinium consulem Cornelium Laconem praetorii praefectum; nec minor gratia Icelo Galbae liberto". The reference is followed by a description of the actual implications of this power after Icelus was granted the *anulus aureus*.

¹⁶⁸ Suet. Otho 2.2.

decrepita)¹⁶⁹. Finally, epigraphic sources reveal how the positive epistolary use of *gratus/gratia*, and its predominantly pejorative use by the historians need not be mutually exclusive or considered as a rigid, binary distinction. Indeed, neither imperial freedmen themselves nor (at least local) elites considered libertine *gratia* a problematic issue. The imperial freedman C. Iulius Gelos, for example, was explicitly honoured by the city council of Veii for always having assisted the *municipium* by his advice and influence (*consilio et gratia adiuverit*)¹⁷⁰.

In short, a Corpus Linguistics approach may reveal certain trends, patterns and propensities of individual authors or corpora, but it does not account for semantic nuances, contextual usage, connotations, or even stylistic differences between individual authors. An additional caveat is that it usually does not proceed to compare the terms thus isolated with the attestations of these words in contexts where they are applied to people other than freedmen – a caveat often overlooked or disrespected in modern studies, as noted earlier. As such, a Corpus Linguistics approach has only limited value and cannot provide any conclusive evidence for (or counter-argument against) the existence of a specific “freedman discourse”. The method, therefore, can only be useful for our purposes when it is combined with another one that accounts for, and adequately compensates, these shortcomings.

7.3.2.1.2 Lexis selection

Another way to analyse the elite discourse on freedmen is to isolate a set of expressions and terms, and to compare the occurrence and semantic load of each of these when they are applied in freed and non-freed contexts respectively. Although greatly compensating for the above mentioned pitfalls inherent in the Corpus Linguistics method, this “Lexis Selection” approach has certain limitations of its own. The most significant one is that the initial selection of terms and expressions is unavoidably arbitrary. One first needs to define which terms and expressions are to be taken into consideration, but this very deliberation runs the risk of at least implicitly steering analysis towards desired (or expected) results. Ideally, then, both Corpus Linguistics and Lexis Selection need to be combined. It is at this point that Cicero’s elaborate appraisal of Dionysius provides a unique opportunity to do precisely this, as it already contains supposedly typical “libertine virtues” (that is, if we accept, for the moment, its

¹⁶⁹ Seeking contact with imperial freedmen was a popular way of gaining influence with the emperor. E.g. Vit. 2.5 (Vitellius approaches Claudius by entreating the two “kinds” of people that had the greatest influence of the emperor: freedmen and women); Tac. Ann. 6.8 (Marcus Terentius admits that he had entreated Sejanus’ freedmen to get to the man himself (and thus Tiberius), and adds that this was common practice).

¹⁷⁰ CIL 11, 3805.

interpretation by Fabre and Mouritsen cum suis). Combining both methods – and thus greatly compensating for their respective shortcomings – the contextual application of the five qualities attributed to Dionysius must be analysed across a selection of literary corpora, in order to expose any status-related implications of connotations. The most obvious candidates for comparison are naturally the correspondences of Pliny and Fronto, but a limited focus on the network embedded epistolary genre risks ignoring meaningful patterns in “detached” works – to which Cicero may just as likely have been referring when commending Dionysius to Atticus.

To allow for potential differences in usage (e.g. per author, style, or even genre), the following analysis thus used a cross-section of literary genres in order to obtain a relatively balanced representation of Latin literature. The corpora we selected for this purpose are the collection of Cicero’s speeches (as representation of the forensic genre); Juvenal’s *Satires* and Petronius’ *Satyricon* (satire); the works of Terence (comedy) and Horace (poetry); Livy’s *Ab Urbe Condita* (historiography); and Pliny’s eulogy of Trajan (panegyric). Evidently, the lexical search was expanded to also include words and phrases that expressed the same or similar intent and meaning as some of the allegedly “libertine” qualities, since some expressions rarely occur *verbatim*. *Plenus officii*, for example, features only in Cicero’s correspondence (and once in a speech), and – except for Dionysius’ appraisal – exclusively to describe freeborn individuals. Expressions like *me perofficiose observare* or *in officio esse*, however, convey a very similar meaning and are therefore considered as well¹⁷¹. The same observation applies to being *studiosus laudis*, which could be expressed in many different forms¹⁷²; to *doctus*, which is very similar in meaning and connotation to *eruditus* and perhaps even to appraisals like *facundus*; etc.

This approach is necessarily synchronic, although shifts in meaning or connotation of words over time will be highlighted when relevant. Moreover, evolutions like these were often counteracted by the Roman authors’ propensity to emulate – or at least inter-textually link their own works with – prior examples of literary style. Pliny, for one, never hid his admiration for the Ciceronian writing style, even though his polished correspondence is reminiscent more of Horace’s or Statius’ letters than of the relative spontaneity of Cicero’s¹⁷³. Since we are – contrary to MacLean – not concerned with semantic evolutions, but rather – similar to scholars like Hellegouarc’h – with “la valeur essentielle de chaque terme, indépendamment des nuances particulières qu’il a pu

¹⁷¹ E.g. Cic. Fam. 9.20.3; 9.16.5.

¹⁷² E.g. Cic. Fam. 1.4.3; 5.8.1; 6.8.3; 10.3.4.

¹⁷³ Radice (1969), xix; Levens, Fowler & Fowler (2003), 847. For explicit references to Cicero as literary example, see e.g. Plin. Ep. 1.2.4; 1.5.12-13; 9.2.1-4; Fronto Ad Ant. Imp. 2.4; 2.5.

acquérir au cours de son évolution historique”, we believe such synchronic approach to be the most suited for our current purpose¹⁷⁴.

7.3.2.2 Five libertine virtues?

An exhaustive discussion of every case where any of the five “Dionysian” qualities was meaningfully employed to praise individuals, would be as cumbersome – and arguably futile – as a quantitative representation via a word cloud is inadequately nuanced. In fact, no scholar even remotely familiar with Roman literature would contest that being *officiosus* or *studiosus* were qualities valued also in freeborn clients or even social peers. This is a very obvious observation, and has already been noted by Blänsdorf¹⁷⁵. But the mere fact that the same word is used to describe persons of different statuses or reputation does not necessarily mean that its content is at any rate the same, or that we should conclude purely on the basis of such a superficial impression that a quality could be used interchangeably without alteration or modification in meaning for both freed and freeborn individuals. Gender, for example, as has been unambiguously shown by Habinek, was an identity dimension that greatly impacted the precise meaning of descriptions of learnedness¹⁷⁶. Similarly, being *doctus* could denote mere erudition, but it could also imply wisdom, shrewdness, or prudence¹⁷⁷. In other words, the many layers of meaning of a word, the connotations it may gain when joined with another one, or the mere discursive context in which it occurs could explain why Cicero considered words like *doctus* or *frugi* traits *par excellence* to praise freedmen with on one occasion, while he did not seem to find fault in using them to describe his clients, magistrates and even his own son on others. Appendix 9 gives an overview of the attestations per status-group (freeborn – freed – slave). It contains all references to the “libertine” virtues in the corpora under consideration here. The entries in this Appendix also include attestations of the terms where they are not featured as a *personal* characterisation. These are marked as “N/A” in the “status”-column, and are of no direct use for our current purpose.

¹⁷⁴ Hellegouarc’h (1963), 3-4.

¹⁷⁵ Blänsdorf (2001), 452, noting that several words were used for both freed and freeborn, *doctus* being but one of them (*prudens, probus, fortis, fidelis, curiosus, doctus, humanus, suavis, benevolus*).

¹⁷⁶ Habinek (1998), 122-36. For example, the learnedness of the women in Terence’s comedies (Andr. 274-5; Heaut. 361) has a strong moral undertone, and is explicitly linked to their purity (*probe*), chastity (*pudice*), and righteousness (*bene*). It serves to accentuate these women’s adherence to traditional female virtues, rather than to imply any literary education. As such, it contrasts to more superficial and generalising mentions (e.g. Eun. 791). For these typically feminine virtues, see Muth (2005), 263; Milnor (2008), 37; Feltoich (2015), 140.

¹⁷⁷ *Thesaurus Linguae Latinae*, V, 1, column 1751ff.

7.3.2.2.1 Denotation and quantitative spread

Doctus

Firstly, *doctus* has been meaningfully described as “a keyword of the Latin tradition”¹⁷⁸. This phrase succinctly summarises the underlying preoccupations of the great majority of academic enquiry into the notion of “learnedness” in the ancient world, as it has been directed mainly at understanding the classical literary tradition. Andrew Feldherr, for example, analysed how “learnedness” functioned as a meta-narrative in the works of Catullus, and Jon Hall examined the ideal of the *doctus orator* in Cicero’s *De Oratore*¹⁷⁹. Besides this strand of research, studies on “learnedness” in the Roman world have been undertaken with particular vigour by scholars interested in gender divisions. Sharon James, for instance, dedicated a monograph to the *puella docta* as a poetic stereotype in Roman elegy, whereas Emily Hemelrijk analysed the phenomenon of educated women (*matronae doctae*) in much broader terms¹⁸⁰. Thomas Habinek, furthermore, paid attention to the way in which the epithet *doctus/-a* changed in meaning when attributed to women rather than men¹⁸¹. Studies on the semantic scope of the word *doctus* (and its derivatives) outside of these contexts are very rare – Alain Hus’ erudite exploration of “les mots de la famille de *docere*” undoubtedly being one of the more valuable ones¹⁸². However, none of these studies have structurally considered the (variation in) use of the term (and its derivatives) in light of the *legal* status of the persons to whom it was attributed.

As is clear from the data in Appendix 9, learnedness is primarily attributed to freeborn individuals throughout our literary corpora (69%). Freedmen and slaves, on the contrary, are much less often described in these terms (8% and 4% respectively). The trend does not change drastically when we consider only the network embedded letter collections, where 76% of the mentions of *doctus* (and derivatives) is applied to *ingenui*, and 14% to freedmen (nowhere in the correspondences is a slave praised for his erudition). It should be noted, however, that all freedman attestations derive from Cicero’s correspondence, and that four out of five times, the quality is there attributed to our Dionysius¹⁸³. The other freedman is Crassus’ Apollonius¹⁸⁴. Both of these

¹⁷⁸ Habinek (1998), 12.

¹⁷⁹ Feldherr (2007), *passim* (e.g. p. 93); Hall (1994).

¹⁸⁰ James (2003); Hemelrijk (1999).

¹⁸¹ Habinek (1998), esp. Chapter 6 (p. 122-36).

¹⁸² Hus (1965). Cf. also the etymological study by Hamp (1968).

¹⁸³ Att. 6.1.12; 7.4.1; 7.7.1; 7.18.3.

¹⁸⁴ Fam. 13.16.4. The description of Tiro as *doctus* (Att. 7.2.3) is, as mentioned earlier, modern conjecture.

appraisals therefore occur in rather exceptional contexts: that of Apollonius in a letter of recommendation to Caesar which has to convince the latter of the freedman's ability to write his biography; and that of Dionysius, as noted earlier, in conjunction with other exceptional terms (*sanctus, vir optimus, amicus, ...*) in the intimate correspondence between Cicero and Atticus.

Moreover, in the detached sources, slaves and freedmen are almost exclusively described as *doctus* to ridicule them, or to indicate they were particularly adept in a specific ("sordid") skill. It is certainly no coincidence that this happens most often in satire. Trimalchio, for example, famously orders the killing and cooking of a cock whose crowing had distressed him. This job was entrusted to Daedalus, the slave cook whom Trimalchio had praised earlier as a *homo pretiosus*, but whom Petronius now describes as a *cocus doctissimus*, referring to his extraordinary skills in preparing magnificent dishes¹⁸⁵. The characterisation of a slave as *doctissimus* is already in itself very unconventional, but the rather base handiness that is here referred to clearly reveals Petronius' characteristic sarcasm in its use¹⁸⁶. The consistent use of *doctus* in private correspondence or speeches (where it is mainly reserved for the praiseworthy literary qualities of noble individuals) contrasts sharply with this description of the practical skill of a mere slave, who in no way deserved such appraisal. The freedman Enchion, on the other hand, is ridiculed for his inability to recognise the importance of true learning. When he boasts about his boy (*cicaro meus*) making good educational progress, Petronius makes sure that we do not take this claim too literally¹⁸⁷. Indeed, Enchion had a habit of preferring teachers who were not truly *docti*, but instead merely inquiring (*est et alter non quidem doctus, sed curiosus*)¹⁸⁸. The stinging humour of the passage derives from Enchio leaving the education of this *cicaro* up to a *magister non quidem doctus*, who would moreover make things up on the spot rather than drawing from a solid base of knowledge (*qui plus docet quam scit*). Enchion's final claim that education is a treasure, and that culture never dies (*litterae thesaurum est, et artificium nunquam moritur*) therefore typically has a very cynical undertone. The implication is that this freedman – but in

¹⁸⁵ Petr. Sat. 70.2 and 74.4-5 respectively.

¹⁸⁶ The scope of the current discussion does not allow for a digression into matters of authorship. For a convenient overview, see most recently Prag and Repath (2009), 5ff.

¹⁸⁷ Sat. 46.3-5. There is some debate about who is meant by *cicaro*, the arguments ranging from Enchion's son (thus Whittick (1957), 392-3; Witke (1989), 170; Best (1965), 74) to his slave (thus Booth (1979), 16ff). See for the most recent discussion Schmeling (2011), 193-5.

¹⁸⁸ Since the passage in between is corrupt, we do not know for sure who is meant by *alter* (another *cicaro* or another *magister*), although most scholars agree on the latter option. Best (1965) and Heseltine (1969) believed it to refer to another *cicaro*. But a convincing case has been made for *alter* referring to a second *magister* in Booth (1979). See also Whittick (1957) and Schmeling (2011), 194-5.

extenso all his fellows at the table – can never be *doctus* since they do not even know what it means to be learned.

Indeed, a similar questionable use of *doctus* is found in three other instances, where it refers to a practical skill unmistakably linked to sexual activity. In one passage, Encolpius calls Ascyrtos “more clever than any pimp” (*ipsis lenonibus doctior*)¹⁸⁹. Although he figures prominently in the *Satyricon*, the status of Ascyrtos remains obscure¹⁹⁰. However, rather than any status-specific use of *doctus*, it is once again the devaluation of this weighty term, and the substitution of its meaning by slyness and cunningness, that is particularly striking. It is the same surprise effect Petronius achieves at the very end of the *Satyricon*, when he calls a son of the legacy-huntress Philomela *doctissimus* because he is clever enough to realise he can get his hands on Encolpius’ money if he agrees to intercourse with him¹⁹¹. Juxtaposing “learnedness” with a sordid desire for money through prostitution, Petronius again sarcastically distorts the true meaning of the quality, but once again, it is in no way related to a status-specific vocabulary (the son is *ingenuus*). Finally, when the ship-owner Lichas recognised Encolpius (despite him being disguised as Eumolpus’ slave), the “brilliant way” (*docte*) in which he had been able to do so pertained not to any clever deduction or inquiry, but rather to recognising, on touch, Encolpius’ genitals¹⁹². The inappropriate use of *docte* is furthermore accentuated by a direct comparison to the much more respectable motif of Odysseus’ *anagnorisis*¹⁹³.

In Juvenal’s Satires, too, we encounter a man who – prostituting his own wife while pretending not to be aware of the affair – is described as “an expert (*doctus*) at watching the ceiling, an expert (*doctus*), too, at snoring over his goblet with a wide-awake nose”¹⁹⁴. An ironic use of *doctus* reminiscent of Petronius’ *cocus doctissimus* is moreover attested when Juvenal mentions a servant who “arranged the dishes expertly (*docte*)”¹⁹⁵. Elsewhere, he meaningfully launches a stinging attack against those who think that only nobles can be *doctus*, while they are in fact quite the opposite (*nobiles indocti*), priding themselves only because of their resonating family name¹⁹⁶. In his thirteenth Satire, he

¹⁸⁹ Petr. Sat. 84.5.

¹⁹⁰ Andreau (2009), 117-8.

¹⁹¹ Petr. Sat. 140.11.

¹⁹² Petr. Sat. 105.9-11: “homo prudentissimus confusis omnibus corporis orisque lineamentis ad unicum fugitivi argumentum tam docte pervenerit”

¹⁹³ Cf. Schmeling (2011), 415.

¹⁹⁴ Juv. Sat. 1.56-57: “leno (...) doctus spectare lacunar, doctus et ad calicem vigilanti stertere naso”.

¹⁹⁵ Juv. Sat. 7.184-185: “(...) veniet qui fercula docte conponit”.

¹⁹⁶ Juv. Sat. 8.47-52. See also Juv. Sat. 2.2-4 where hypocrites are likewise attacked for their actual unlearnedness: “(...) aliquid de moribus audent qui Curios simulant et Bacchanalia vivunt. Indocti primum (...)”. Although Greeks themselves escape this particular reproach, they are being condemned for their habit of meaningless flattering and for their praising of the illiterate speech of

debunks the opinions of the uneducated (*indocti*) as “the pleasures of a petty, weak, and tiny mind”¹⁹⁷. In all these cases, being *indoctus* implies a moral inferiority as well as an intellectual one, since not being properly schooled results in inappropriate behaviour or opinions. In Juvenal too, then, this negative affirmation of the aristocratic ideal of being *doctus* exists next to more sarcastic instances in which the word is used to describe vulgar and base skills. The same can be said about the only time Horace uses learnedness in connection to someone who is not of free birth (cf. *infra*).

The only positive use of *doctus* for a freedman in the detached sources occurs when it suits Juvenal’s argument to present a teacher as commendable for his learnedness (his status meaningfully not being mentioned explicitly). In the seventh Satire, after doing the same for historians, advocates and *rhetores*, Juvenal deplors that schoolteachers are not duly rewarded for their services: “When do Celadus and learned (*doctus*) Palaemon pocket the reward a schoolteacher deserves?”¹⁹⁸. This is the only instance in our literary sample – apart from Cicero’s correspondence – where *doctus* actually refers to a freedman. Moreover, it seems to have had the same elevated meaning as when applied to freeborn persons (i.e. a true and commendable learnedness). Even though grammarians are seemingly forced to work under dire circumstances (no doubt an exaggerated representation of reality), the description is not designed to mock these teachers¹⁹⁹. Instead, Juvenal denounces the degenerated patronage-system of his time with an almost Tacitean pessimism²⁰⁰. As such, we have no reason to question the sincerity of Juvenal in describing Palaemon as *doctus*, although the rhetorical style and poignant message are no doubt partially responsible for resorting to this rather exceptional description.

Apart from Cicero’s correspondence and satire, *doctus* and derivatives occur only in relation to *ingenui* (e.g. the other correspondences; Cicero’s speeches; Livy; Terence) or not at all (e.g. Pliny’s Panegyric; Fronto’s theoretical and historical works *De Eloquentia*, *De Orationibus*, *Principia Historiae*, and *De Bello Parthico*). In both Livy and Horace, however, it features prominently as a participle (*edoctus*) that requires further determination by referencing a particular skill or trade. As such, it does not denote or imply independent

their friends: Juv. Sat. 3.86-7: “Quid quod adulandi gens prudentissima laudat sermonem indocti, faciem deformis amici (...)”.

¹⁹⁷ Juv. Sat. 13.180-1: “At vindicta bonum vita iucundius ipsa.’ Nempe hoc indocti (...)”; 13.189-91: “Quippe minuti semper et infirmi est animi exiguique voluptas ultio”.

¹⁹⁸ Juv. Sat. 7.215-6. For the famous freed grammarian Q. Remmius Palaemon, see Suet. Gram. 23.

¹⁹⁹ They have to “sit from midnight onwards in a place where no blacksmith would sit” and “breath the stink of as many lamps as there are boys” for a wage that is no more than that of a gladiator’s prize for one single victory (222-6; 242-3).

²⁰⁰ For Satire 7 as an accusation of Domitian (and the emperors in general) being responsible for this degradation of patronage, see e.g. Helmbold & O’Neil (1959).

erudition, literary aptitude, or overall intellectual quality, but rather a very specific proficiency that has been acquired through experience²⁰¹. In satire, as we have seen, this could similarly lead to situations where a rather ridiculous skill or trait was juxtaposed to *doctus* (as a necessary clarification). Some poetic examples include a boy from an Arabian palace (“skilled in archery”), the average freeborn youngster in Rome (“better at playing games than at hunting or horse-riding”), the young girl Chia (“adept in playing the harp”), or an unknown person – described as an ape by Horace (“capable only of imitating Catullus and Calvus”)²⁰².

This use of (*e*)*doctus* is thus hardly comparable with that of Cicero when he was praising Dionysius, and which besides intellectual quality also implied a cultural and perhaps even moral sensibility. This is not to say, however, that the latter use of learnedness is absent entirely in Horace²⁰³. It is, however, also used in a sarcastic – “satirical” – manner. When the notorious bore is chasing Horace along the Via Sacra, for example, he tries to get his idol’s attention by bluntly claiming that he is learned (*noris nos inquit docti sumus*)²⁰⁴. Although *doctus* here implies the typical independent cultivation, it becomes clear immediately that the bore’s conception of this quality is quite different than Horace’s, especially when the former claims that it pertains to his dancing and singing skills (*quis membra movere mollius? Invideat quod et Hermogenes, ego canto*). Neither does he seem to understand that true learnedness is more than simply writing a lot (*nam quis me scribere pluris aut citius possit versus?*)²⁰⁵. Although he may deem himself truly *doctus*, his own behaviour and his own self-aggrandising clearly undermine this statement. On another occasion, Horace describes Catus, probably an Epicurean philosopher, as learned (*docte Cati*). Since this satire is traditionally interpreted as a dismissal by Horace of any form of degenerated Epicureanism (here represented by a

²⁰¹ E.g. skill in warfare (25.40.6) or piety towards the gods (29.18.6; 30.37.1). In several instances the word is used as a participle in a general sense of “having learned that” (9.40.4); “being informed that” (41.8.5); or “having been taught by experience that” (4.46.4; 6.32.7; 7.38.9; 21.34.2; 44.22.12). Only once is *docti* used as a general plural: “learned men” (26.22.14). None of these instances refers to *doctus* as an independent virtue of an identifiable individual. The same trends can be discerned in Tacitus’ historical works. E.g. (*e*)*doctus* as “having learned from experience/long use/age” (Hist. 1.9; 2.90; Ann. 1.16; 4.50; 13.47); “being well trained in something” (Ann. 12.44); or *doctissimi* as a general plural: “learned men” (Ann. 6.28).

²⁰² See Od. 1.29.9: “puer (...) *doctus sagittas tendere Sericas*”; Od. 3.24.56: “*ingenuus puer (...) ludere doctior*”; Od. 4.13: “*doctae psallere Chiae (...) excubat*”; Sat. 1.10.19: “*simius iste nil praeter Calvum et doctus cantare Catullum*”. In the latter case, *doctus* is used somewhat ironically: even though “the ape” is skilled in reciting Catullus and Calvus, there derives no glory this imitation. Other examples include Od. 3.8.5 and 3.9.10.

²⁰³ E.g. Sat. 1.5.3 (*Graecorum longe doctissimus*); 2.1.78 (*docte Trebati*); 2.4.3 (*doctus Plato*); Epist. 1.19.1 (*Maecenas docte*); 2.1.56 (*Pacuvius docti famam senis*). See also Sat. 1.9.51 and 1.10.52.

²⁰⁴ Sat. 1.9.7.

²⁰⁵ Sat. 1.9.23-5.

gluttonous preoccupation with gastronomy personified by Catus), the description should be taken with a grain of salt²⁰⁶. Earlier, Catus had already described Plato as *doctus* and promised Horace that he too would become so if he followed his culinary advice²⁰⁷. By using *doctus* to refer to the proponent of the very habits and philosophy he condemns, Horace clearly ridicules Catus for thinking his “art” is in any way comparable to the true wisdom of Plato.

Apart from one instance where Horace has a fictional slave trader praise his goods by calling one of them a sweet though not very artful singer (*canet indoctum sed dulce*)²⁰⁸, all of the attestations of learnedness pertain to *ingenui*. Not only does an analysis of the occurrence of *doctus* in Horace thus confirm the trend that freedmen were in general not described as such, the poet also repeatedly hints at the explicit link between high education and free birth. Towards the end of the *Ars Poetica*, for example, he states that whoever is unskilled (*indoctus*) in sports tends – and quite rightly so – not to expose himself to an audience, out of fear for mockery²⁰⁹. Shifting from such practical skills to literary learnedness, he continues with sneering sarcasm: “Yet he who does not know anything about verse still dares to write. Why not? He’s freeborn and free, he has the wealth of a knight, and he is lacking in any defect” (*Qui nescit versus, tamen audet fingere. Quidni? Liber et ingenuus, praesertim census equestrem summam nummorum vitioque remotus ab omni*)²¹⁰. The phrase *liber et ingenuus* explicitly excludes freedmen from the picture. Despite his stinging attack on the haughtiness of *ingenui* (especially knights), Horace implies that literary quality is associated with the freeborn elite. Of course, it is not because you are a freeborn aristocrat that you are a priori *doctus* (even though many of them seemed to think so), but the conviction that their social status counts as proof for their literary abilities reveals the strong link between both. In this context, we should not overlook the fact that Horace himself was the son of a freedman. Although he was thus freeborn, such an attack against the privileged class may spring in part from his loathing of this false sense of superiority among the elites, reflecting his own well-known pride in having risen from a humble background by hard work and literary merit²¹¹.

²⁰⁶ For this and a general discussion of this satire in this light, see Günther (2013), 140-4.

²⁰⁷ Sat. 2.4.3 and 19 respectively.

²⁰⁸ Epist. 2.2.7. Not only is the slave thus deprived from a characterisation as *doctus* in the independent, literary, and cultivated sense, but he is not even attributed basic proficiency in any particular skill.

²⁰⁹ Ars 379-381: “Ludere qui nescit, campestribus abstinet armis indoctusque pilae discive trochive quiescit, ne spissae risum tollant impune coronae”.

²¹⁰ Ars. 382-384: “Qui nescit versus, tamen audet fingere. Quidni? Liber et ingenuus, praesertim census equestrem summam nummorum vitioque remotus ab omni”.

²¹¹ Sat. 1.6.65-88; 1.10.31-49.

In short, *doctus* as a description of inherent cultivation and intellectual quality is – barring Juvenal’s exceptional and rhetorical reference to Palaemon – described to (two) freedmen only in Cicero’s correspondence, and there also in equally exceptional contexts. Slaves, moreover, are only described as such when the author intended to ridicule them, or draw attention to a specific (often “sordid”) trade or skill. Ranging from cooking skills, over an expertise in (homo)sexual practices, to an adeptness in ignoring or even exhibiting shameful behaviour, the semantic scope of *doctus* in satire is much broader than its rather homogeneous denotation of literary and cultural proficiency in other literary works, but this is a genre-related observation more than anything else. The general impression of this lexical analysis, then, is that *doctus*, its derivatives, but also certain synonyms like *eruditus* or *facundus*, were not typically libertine qualities – quite on the contrary²¹². Cicero – like Juvenal – used it to praise freedmen with precisely because it conveyed a sense of exaltedness by its common association with the erudition of *ingenui*. Indeed, in one of his speeches, Cicero considers the group of ingenious and learned men (*ingeniosus et eruditus*) as a distinct class (*genus*), which he unconditionally admired²¹³. Similarly, Suetonius’ *De grammaticis et rhetoribus* contains many descriptions of freed teachers, but significantly, the only time *doctus* is used to describe one of them, is when it is attributed to the talented M. Antonius Gnipho, of whom Suetonius makes sure to mention that he had originally been freeborn (*ingenuus sed expositus*)²¹⁴. The implication is that his learned *ingenium magnum* derives at least in part from this condition at birth.

By way of preliminary conclusion, the use of *doctus* in elite literature can be interpreted as a strategy of distinction – perhaps even reflecting an aspect of the elite’s hidden transcript. Barring exceptional instances, it is preserved for this elite (or at least *ingenui*). By exclusively appropriating certain virtues, they can discursively claim distinctiveness or even superiority without openly stigmatising “others” (by, for example, ascribing to them a set of more derogatory terms, cf. *infra*). This observation is very much in line with our earlier suggestion, i.e. that a reserved elite “path to glory” does not in itself imply an alternative, opposing, and subordinate “path to glory” for

²¹² All attestations of *eruditus* in Cicero’s correspondence refer to *ingenui* (Fam. 13.3.1; 5.14.1; 13.16.4; 13.61.1; Att. 14.20.3), or have a negative connotation, e.g. Att. 4.16.7 (barbarians are not *eruditus*); Quint. Fratr. 1.1.16 (Greeks are schooled in compliance). When compared to *doctus*, *eruditus* features much less prominently in all literary corpora. In the historians, it is similarly reserved for *ingenui* (Liv. 9.36), or used in the same way as *edoctus* (Liv. 42.52; Tac. Ann. 16.18). It does not feature in Terence’s comedies.

²¹³ Cic. Pis. 68.

²¹⁴ Gram. 7. For child exposure in ancient Rome in general, see Brunt (1971), 140-54; MacMullen (1974), 13-4, 92; Boswell (1984), esp. p. 14 note 6; Harris (1994); Harper (2011). *Doctus* and its derivatives are mentioned on other occasions in Suetonius’ work, but only in relation to generalising descriptions, not as an individual trait (Gram. 4; 11; 18; Rhet. 2).

lower classes. As a quality typically reserved for freeborn individuals, Cicero's application of *doctus* to a freedman endows his appraisal with a very profound connotation. Its use in this context implied that he considered the man virtually equal – at least with respect to his intellectual qualities – to the freeborn. The description, in other words, momentarily erases the distinction between freed and freeborn so structurally respected throughout Latin literature. From this perspective, it cannot be maintained that Cicero's claim *ne libertinum laudare videar* referred to the virtues mentioned prior to it, because the terms he used to describe Dionysius were not typically “libertine” at all (cf. also below). Once again, it seems that *ne libertum laudare videar* serves as an introduction to *vir bonus*, rather than as a reflection on the previous qualities. This is perhaps even clearer when considering the elite's use of another quality Cicero recognised in Dionysius: *sanctitas* (*sanctus*).

Sanctus

Even more so than *doctus*, *sanctus* and its two corresponding nouns (*sanctitas* and *sanctimonia*)²¹⁵ were qualities attributed almost exclusively to freeborn (elites). These terms covered both a religious and a moral load, although analytically distinguishing between the two is violating the Roman belief that they were inextricably linked to one another²¹⁶. In public life, it was a key-virtue of public office-holders. Evidently, the “sanctity” of Vestal Virgins, or the legal *sacrosanctitas* of tribunes had divine and legal implications in addition to moral ones, but these need not concern us here²¹⁷. In private life, the terms primarily served – often in tandem with qualities like *castitas* and *pudicitia* – to describe individual virtues such as piety, adherence to established norms and conventions, and overall respectability²¹⁸. As such, it was valued in all kinds of people, including aristocrats, emperors, spouses, etc.²¹⁹ In literary sources, however, it implied a gravity rarely associated with non-elites, as a broader lexical analysis unambiguously reveals.

Indeed, the data in Appendix 9 show that throughout our sample, the description of a freedman as *sanctus* occurs only twice – both times in Cicero's correspondence and in

²¹⁵ The much weightier *sanctitudo* was used on occasion as well, although much less frequently. Cf. Gellius NA 17.2.19.

²¹⁶ For the intersection between morality and religion, and the particular relevance of the virtue *sanctitas* in this regard, see Mueller (2002), 148ff.

²¹⁷ Bauman (1992), 47. For Vestal Virgins, see e.g. Liv. 1.20.3; Hor. Od. 1.2.27; Cic. Dom. 136.9. For the *sacrosanctitas* of tribunes, see e.g. Liv. 2.33.1; 3.55.6; Cic. Sest. 79.3; Red. Sen. 7.6; Plin. Ep. 1.23.1.

²¹⁸ Langlands (2006), 30 (esp. note 6).

²¹⁹ E.g. Plin. Pan. 63.8 (the *moderatio* and *sanctitas* of Trajan made him oblige both god and man); Fronto, Ad Ant. Pium 8.1.1 (Pius as most sacred emperor); CIL 14, 2756 (a *coniunx sanctissima*); Juv. Sat. 7.209 (pious parents); Cic. Phil. 2.32.9 (Jupiter); ...

relation to our Dionysius²²⁰. Prior to Att. 7.4.1, Cicero had called Dionysius *sanctus* once already. In a letter (Att. 6.1.12) to Atticus predating 7.4.1 by almost a year, Cicero had expressed his delight with Dionysius' accomplishments as a teacher. Although he was certainly quite severe, Cicero – so he wrote – could think of no man more learned, more principled, or more loving towards Cicero and Atticus than Dionysius (*homo nec doctior nec sanctior fieri potest nec tui meique amantior*)²²¹. As noted, the description of a freedman as *doctus* is noteworthy in itself, but the same goes – even more so – for the characterisation of *sanctus*. Moreover, in both cases, the two exceptional virtues are explicitly juxtaposed in the appraisal, clearly reflecting a deliberate choice on Cicero's part. The only difference between the two passages, is that Cicero – in the earlier one – did not add a status-related remark parallel like *ne libertinum laudare videar*. This is, once again, an indication that this expression should be seen as referring to the “transgressive” use of *vir bonus* (attested only in 7.4.1), rather than to the five preceding descriptions.

Neither the other letter writers, nor any other author, deemed *sanctus* (or a derivative) appropriate to praise a freedman (let alone a slave) with. All attestations, then, refer to *ingenui*. Most of these were not only freeborn but also top elite²²², and its connotation of moral integrity made of *sanctus* a virtue particularly suited to praise emperors with²²³. The few attestations of *sanctus* in Fronto's correspondence, for example, all refer to the emperors Marcus Aurelius and Antoninus Pius, and serve to accentuate their piety in both private (familial) and public (state) affairs. Horace even implies that *sanctus* was a quality expected to be inherently present in a *vir bonus*²²⁴.

A notable trend in non-epistolary genres, however, is that *sanctus* is used much more often not as a personalised epithet, but rather as a description of an event, an abstract concept, a general plural, etc.²²⁵ Terence, for example, never used it to describe an individual person's quality or character. Instead, it was employed once when referring

²²⁰ Att. 6.1.12; 7.4.1.

²²¹ Att. 6.1.12.

²²² E.g. Cic. Fam. 4.3.2 (Sulpicius Rufus); Quint. Fratr. 1.2.13 (Q. Cicero); Juv. Sat. 3.137-138 (Publius Cornelius Scipio Nasica); 4.77-9 (the prefect Pegasus); Plin. Pan. 70.4 (provincial officials); 83.5 (the empress Plotina); etc.

²²³ Plin. Ep. 10.1.1; 10.3a.3; 10.83.1; 10.100.1; Pan. 1.3; 63.8 (Trajan); 10.4 (Nerva). For the different connotation of “imperial” sanctity, see Wardle (2000), 482; Taylor (1918), 160.

²²⁴ Ep. 1.16.57-61: “Vir bonus, omne forum quem spectat et omne tribunal, quandocumque deos vel porco vel bove placat: 'Iane pater!' clare, clare cum dixit: 'Apollo!' labra movet, metuens audiri: 'Pulchra Lauerna, da mihi fallere, da iusto sanctoque videri’”.

²²⁵ E.g. riches (Juv. Sat. 1.112); a home (14.68); Greeks (3.109); Egyptians (15.10); a revered parent (7.209); the diplomatic entourage of a governor (8.127); an outstanding honest man (13.64). Especially in Livy, it was used in many different contexts (relations, official office, the city of Rome, laws, Vestal Virgins, an alliance, sacred obligations, etc.). See, for example, Liv. 1.8.2; 2.55.8; 30.19.9; 1.20.3; 2.33.1; 3.55.6; 28.17.6; 41.19.6; 1.28.9; 2.10.11; 29.18.3; 30.16.3; 40.9.7.

to the sanctity of a marriage ceremony, and another four times when a character is swearing a solemn oath²²⁶. Even though the agents in each of these cases are not directly described as *sanctus* – contrary to many persons in the epistolary genre – it is again significant that no slave or freedman is associated with the virtue in such a way. Petronius uses *sanctus* (as an individual trait) only to describe Encolpius. But this typically happens in a sexually-laden context where Ascyrtos jokingly addresses his friend by *frater sanctissime* after he had caught him red-handed with another boy²²⁷. As noted in a similar vein for *doctus*, the solemn connotation of the description is thereby strongly contrasted to the base activities to which it refers.

The only corpus that allows for some generalisation because of the relatively abundant mentions of *sanctus* in it, is the collection of Cicero's speeches. The term (or derivatives) occur 157 times in 31 different *orationes*. Most of these do not refer to specific individuals, but rather to objects, abstract concepts or general plurals²²⁸ and some to gods and goddesses²²⁹. The remaining 41 attestations *do* refer to individuals of whom the status is known with relative certainty. It no longer comes as a surprise that all of these are freeborn: no slaves or freedmen are ever described as *sanctus* in our sample²³⁰.

In conclusion, *sanctus* was, even more so than *doctus*, a quality exclusively ascribed to *ingenui*. Once again, then, this observation begs the question whether Cicero was actually opposing “libertine” virtues with the expression *bonus vir* in Att. 7.4.1. It becomes increasingly clear that this was explicitly not the case, and that the *ne*

²²⁶ Adelph. 899 (marriage ceremony); Hecyra 61; 268; 751; 771 (oath-swearing).

²²⁷ Sat. 11.3. In Sat. 116.6 and 133.3 *sanctus* is not an individual trait.

²²⁸ To give only a few examples: Quinct. 55.4; Planc. 80.8; Red. Pop. 18.8; Agr. 1.9 (good men in general); S. Rosc. 112.7 (friendship and trust); Caec. 3.5; Ver. 2.5.184; 2.5.185 (sacred images); Ver. 1.1.14; 2.1.54 (sanctuaries); Ver. 2.1.47; 2.4.94; 2.4.103; Har. 32.7; Sest. 83.14; Pis. 85.2; Mil. 66.11; 90.6 (temples); Ver. 2.1.108; 2.2.123; Har. 32.3; Vat. 23.6; Balb. 19.11; Pis. 91.1; Phil. 11.27.6; Sest. 65.4 (laws); Ver. 2.4.151; 2.5.36 (festivals); Man. 65.5 (a city); Flac. 15.10 (ancestors); Flac. 71.10 (the people of Apollonides); Dom. 109.1/5; Phil. 2.68.2; 2.69.4 (the house of a citizen); Dom. 136.9 (the Vestal priesthood); Sest. 55.8; 79.3; Red. Sen. 7.6 (magistrates); Balb. 32.10; 33.3-5 (treaties); Prov. 41.13; Balb. 52.4; Deiot. 10.8 (the Senate); Q. Rosc. 6.7; 43.14 (court acts and witnesses); Sest. 147.3; Lig. 21.8; Cat. 1.29.5 (the *res publica*); Red. Sen. 34.13; Sest. 56.7; Mil. 87.4 (religious ceremonies and traditions); etc.

²²⁹ Ver. 2.1.49 (Tenes); Ver. 2.5.186 (Mother of Ida); Mil. 85.11; Phil. 2.32.9 (Jupiter); Ver. 2.5.188; Scaur. 46.4/45a (the gods in general); Sest. 143.11 (Hercules).

²³⁰ S. Rosc. 33.5 (Q. Scaevola); Q. Rosc. 15.2 (Q. Roscius); Q. Rosc. 44.6; Ver. 2.3.182; Cael. 52.8; 54.7 (the senators Manilius, Luscius and Lucceius); Ver. 2.4.83 (Scipio Africanus); Ver. 2.5.49; 2.5.49 (Verres, sarcastically); Cluent. 107.5 (Octavius Balbus); Cluent. 133.3 (Cluentius Habitus); Arch. 9.10 (Metellus); Flac. 8.4 (Lucius Flaccus); Dom. 137.4 (the censor Caius Cassius); Balb. 9.15 (Pompey); Pis. 28.5 (Piso Caenoninus); Planc. 27.5 (Aulus Torquatus); Planc. 32.8 (Cn. Plancius); Deiot. 20.6 (Caesar); Phil. 3.16.5 (Atia); Phil. 2.103.2 (M. Varro); Phil. 9.15.15 (Sulpicius Rufus); Phil. 13.42.6 (Dolabella); Phil. 2.60.2 (Cicero); ...

libertinum laudare videar phrase was either a joke in itself, or referred to the exclusivity of the subsequent *vir bonus* expression. However, it is possible still that Cicero intended to highlight the contrast between this exalted description and the other three qualities of Dionysius (*frugi*, *studiosus*, and *officiosus*), which were juxtaposed the closest to the phrase *ne libertinum laudare videar*.

Frugi

The indeclinable adjective *frugi* (“sparing”, “parsimonious”) and the associated terms *frugalitas* and *frugalis* were among the most encompassing qualities available to any Roman writer who intended to praise someone’s overall virtue²³¹. It was – contrary to *sanctus* – a virtue particularly valued in private citizens rather than kings or emperors. In his defence of the Galatian king Deiotarus, for example, Cicero notes the man’s *frugalitas*, but immediately adds that it was not a word (!) particularly worth stressing (*etsi hoc verbo scio laudari regem non solere*), since Deiotarus was also *fortis*, *iustus*, *severus*, *gravis*, *magnanimus*, etc. “These are praises”, Cicero concludes, “that are suited for a king, whereas the former [frugality] is a virtue rather for a private individual” (*hae sunt regiae laudes, illa privata est*)²³². After the rise of Empire, however, it was appropriate also to describe emperors as frugal individuals, although a desire to present them precisely as modest and unambitious rulers was no doubt partially responsible for this evolution²³³.

When looking for a good definition of the “temperate” man in his *Tusculanae Disputationes*, Cicero starts out by giving a few synonyms of *temperantia*: *σωφροσύνην*, *moderatio*, and *modestia*. He is, however, reluctant to put these on a par with *frugalitas* because for the Greeks, the corresponding *χρήσιμος* has the more confined meaning of mere usefulness (*utilis*) instead of the much richer (*latius*) load the Latin term covered. The discussion then proceeds to the various qualities *frugalitas* denoted – at least for Cicero and his contemporaries: *abstinentia*, *innocentia*, and some other virtues (*reliquas virtutes*). It is further onwards associated even with *fortitudo*, *iustitia*, and *prudentia*. Cicero’s conclusion, then, is that the unique property of *frugalitas* is “to govern and appease all tendencies to too eager a desire after anything, to restrain lust, and to preserve a decent steadiness in everything” (*eius enim videtur esse proprium motus animi adpetentis regere et sedare semperque adversantem libidini moderatam in omni re servare constantiam*)²³⁴. The same very general meaning – again incorporating the praiseworthy qualities of being *moderatus*, *modestus*, *temperans*, *constans*, and *continens* – is given in the

²³¹ See especially Bonneville & Dardaine (1984), 218-9 (including many references) for “la signification du mot”.

²³² Cic. Deiot. 26.

²³³ E.g. Plin. Pan. 3.4; 41.1; 49.5. Cf. Wallace-Hadrill (1981), 312, 316.

²³⁴ Cic. Tusc. 3.16-7.

next book of the *Disputationes*, where attention is once again drawn to the practical use of these words (*vocabula; nomen*) to describe a virtuous person, implying that at least Cicero himself was very well aware of their connotation. The passage meaningfully concludes by confirming all that has been said earlier: “for if that word [*frugi*] did not include all virtues, it would never have been proverbial to say that a frugal man does everything rightly” (*quod nisi eo nomine virtutes continerentur, numquam ita pervolgatum illud esset, ut iam proverbio locum optineret, 'hominem frugi omnia recte facere'*)²³⁵.

Frugi, *frugalis*, and *frugalitas* are terms widely recognised by modern scholars who pay structural attention to discourse and vocabulary. Ernst Badian, for example, unmasked the inaugural speech of the *tribunus plebis* Marcus Duronius (96-97 BCE) as an ironical invention by Valerius Maximus by drawing attention to – among other things – the inappropriate use of the word *frugi* in it. He noted that its “entirely honourable connotations” and “favourable associations” are incongruous with the sordid point Duronius was trying to make (i.e. that sumptuary laws were an evil restraint (*frenum*) to freedom)²³⁶. Nicole Méthy analysed the ways in which Pliny the Younger and his contemporaries used *frugalitas* and (quasi-)synonyms like *verecundia*, *parsimonia*, or *modestia* to “faire du passé un idéal ou un modèle de perfection”²³⁷. Because of its very broad meaning – basically summarising someone’s innate virtue in general terms – *frugi* and its derivatives were – contrary to *doctus* and especially *sanctus* – attributed to slaves, freedmen, *ingenui*, elites, and even emperors alike throughout Latin literature²³⁸.

The Table in Appendix 9 again enumerates the attestations of *frugi* and its derivatives in the respective literary corpora. The overall impression is that although *ingenui* are again the status-group most described in these terms (53%), the numbers of freedmen (15%) and slaves (22%) are considerably higher than was the case for *doctus* or *sanctus*. Perhaps even more important, these figures remain roughly the same when isolating either the epistolary corpora (50%, 20%, and 15% respectively) or the “detached” ones (55%, 13%, and 25% respectively). Moreover, some of the *incerti* should perhaps be counted as *liberti*. Assuming freed status for Pansa’s medicus Glyco is certainly not far-fetched, but adhering to our strict criteria as explained in Chapter 3, we were reluctant

²³⁵ Cic. Tusc. 4.36. Attention had earlier been drawn to the laudatory cognomen “*Frugi*” noble individuals like Lucius Piso were able to obtain (*quae nisi tanta esset, et si is angustiis, quibus plerique putant teneretur, numquam esset L. Pisonis cognomen tanto opere laudatum*), cf. Tusc. 3.16; Bonneville & Dardaine (1984), 219-31. For Cicero’s predilection towards this name as a basis for puns and *exempla*, see Matthews (1973), 20-1.

²³⁶ Badian (1969), 198-200 (the quotes are from p. 199); Val. Max. 2.9.5.

²³⁷ Méthy (2010), 347ff (the quote is from p. 347). Cf. also Syme (1985), 332.

²³⁸ The most obvious examples of *frugi/frugalitas* being attributed to an emperor are found in Pliny’s Panegyric (e.g. 3.4 (explicitly opposed to *luxuria*); 41.1; 49.5 (for Trajan); 51.1 (for Nerva)).

to do so here²³⁹. It should also be noted that the proportional dominance of freeborn in this sample is at least in part due to the fact that this status-group is much more represented in the literary record. When looking at the epigraphic record, for example, the opposite trend can be discerned; again clearly reflecting demographic “representation” in this area²⁴⁰.

Many scholars have explicitly associated the appraisal of being *frugi* with slaves and freedmen. Roberta Stewart, for example, noted that the description of a slave’s primordial virtue (i.e. his “skill of accommodation”) was referred to on multiple occasions in Plautian comedy by using this term, and that this was a very persistent feature of the genre in general²⁴¹. Much more radical was Fabre’s discussion of the word, which adopted the entrenched view – going back to the early 19th century – that *frugi* was a quality normally attributed to slaves in general²⁴². Fabre typically focussed on the use of *frugi* for slaves and freedmen in Cicero’s works²⁴³. He concluded that “il s’agit d’une qualité qui est aussi ‘servile’”, but this inference is based entirely on isolated passages, on – again – relatively ad hoc references to Roman comedy, and on a few examples of *frugi liberti* in Cicero’s speeches. The discussion thus completely ignores the parallel use of *frugi* (and associated nouns) in relation to *ingenui*. It provides good evidence for the (obvious) habit of praising slaves and freedmen in these terms, but it too quickly concludes from this biased focus of attention that this was due to these persons’ connection to their patron (and the duties expected from them as a consequence): “Appliqué à un homme, et singulièrement à un affranchi, *frugi* insiste à la fois sur l’honnêteté, la frugalité, mais aussi le fait que l’on peut en tirer quelque chose, en attendre notamment des services”²⁴⁴. Not only does this claim fly in the face of the general spirit of Cicero’s definition of the word in his *Tusculanae Disputationes* discussed above (and which Fabre conveniently ignores), but it is also incompatible with the impression provided by our Appendix 9, which clearly shows that the virtue was in fact recognised and openly appreciated in freeborn, freed, and slaves alike (cf. *infra*).

²³⁹ Brut. 1.6.2. He was certainly no slave, since Cicero referred to his marriage as a *matrimonium*. His profession and (single, Greek) name may also point to freed status, but are not enough to convincingly prove such an assertion. For the dominance of slaves, *peregrini*, and especially freedmen in the medical profession, see Scarborough (1970), 298-9 (including notes), and Nutton (1969), 96.

²⁴⁰ Gregori (2014), 209-10. See also below.

²⁴¹ Stewart (2008), 89-91.

²⁴² E.g. Le Clerc (1821), 302: “*Homo frugi*, c’était la louange qu’on donnait ordinairement aux esclaves” (supported by one reference to Hor. Sat. 2.7.3).

²⁴³ Fabre (1981), 236-7.

²⁴⁴ Fabre (1981), 236.

Fabre’s discussion subsequently includes the realm of epigraphy. At this point, his analysis simply cannot be taken seriously anymore. The claim, for example, that “ce qualificatif [*frugi*] apparaît assez souvent, dans les sources épigraphiques, et la plupart du temps à propos d'affranchis ou de conjoints d'affranchis” is supported only by a footnote, revealing that out of eight (!) occasions when *frugi* is attested in CIL I², it is five times attributed to a freedperson²⁴⁵. Not only is the sample far too small, but even if we assume representative value, still almost half of the attestations are not “libertine”. Even a very superficial overview of the epigraphic record of the Italian peninsula indicates that the amount of freeborn individuals being praised for their *frugalitas* (or for being *frugi*) is considerable indeed²⁴⁶. In their much more rigorous analysis of the frequency and use of *frugi* in epigraphy, Bonneville & Dardaine already drew attention to Fabre’s problematic generalisation from “une série très incomplète”²⁴⁷. They observed that *frugi* is too rapidly considered a servile epithet, but do not entirely abandon Fabre’s claim that it was a virtue particularly valued in freedmen. Their sample, however, reveals that the quality was certainly not attributed to freedmen alone, but also – among others – to craftsmen and traders. Still reflecting the ingrained belief that *frugi* must have somehow carried a servile or libertine connotation, they tentatively argue that the occurrence of the word in epitaphs of non-freedmen is due to these person’s sociological proximity to the libertine clientele²⁴⁸. Because the qualities and virtues of freedmen in epigraphy will be treated in further detail in Chapter 8, we will continue to focus here on our analysis of “libertine virtues” in the literary record.

Even Shackleton-Bailey thought that the adjective *frugi* had a libertine ring to it, and even went so far as to suggest that it could, as such, help in identifying the legal status of individuals. In his *Onomasticon to Cicero’s speeches*, for example, he considers the *accensus* P. Tettius’ description as a *homo ordinis sui frugalissimus* as an indication that the man was a freedman²⁴⁹. Although most *accensi* were indeed freedmen of the magistrates they served (and the assumption is thus very likely not factually incorrect)²⁵⁰, the OCS uses the characterisation *frugalissimus* as an additional argument for this assertion, because the order of knights (let alone senators) was not regularly described with such

²⁴⁵ Fabre (1981), 237 note 198.

²⁴⁶ E.g. CIL 5, 2501; 7446; CIL 6, 17108; 28422; 37806; CIL 9, 4298; CIL 10, 388; CIL 11, 6216; AE 1996, 432 (all freeborn individuals who included filiation).

²⁴⁷ Bonneville & Dardaine (1981), 231.

²⁴⁸ Bonneville & Dardaine (1981), 240: “*Frugi* n'était donc pas une épithète strictement réservée aux affranchis, mais le pourcentage obtenu, pour les non-citoyens ou apparentés (84 %), probablement nettement supérieur à celui des affranchis dans l'ensemble de la société romaine, s'explique sans doute par une extension de la clientèle libertine à des catégories sociologiques proches — les commerçants”.

²⁴⁹ Shackleton Bailey (1988), 92; Cic. Ver. 2.1.71.

²⁵⁰ Shimada (1988), 423; Manzella (2000).

terms. However, knights and even senators were in fact attributed this quality, albeit individually²⁵¹. Shackleton Bailey was therefore pointing out the improbability that the *order* of knights *as a whole* was being described as *frugalissimus*. But even so, Cicero's reference could have referred to lots of *ordines* other than that of the *libertini*. Certainly, an *ordo libertinorum* had been discerned by the elites as early as the late Republic, although its allure and legal implications (if any) did not match those of the aristocratic *ordines*²⁵². However, equally less formalised *ordines* are mentioned by Cicero throughout his works as well: the *ordo scribarum*, the *ordo publicanorum*, the *ordo aratorum*, the *ordo pecuariorum*, etc.²⁵³ In this sense, even an *ordo mancipiorum* could be conceived of, and the Roman Augustales were notoriously prone to describe themselves as belonging to a distinct *ordo*²⁵⁴. If, then, the quality of *frugalitas* indicates that the order of P. Tettius was not that of the knights, it does not follow *per se* that the *ordo libertinorum* was meant. In fact, in other works, Shackleton Bailey is much more reluctant to associate *frugi* with slaves or freedmen. In reaction to Constans' claim that Fabius Luscus must have been a freedman because he was described as a *homo frugi*, he rightly noted that Cicero also attributed *frugalitas* to *ingenui* (and elites), that Fabius' *cognomen* does not insinuate servile background, and that his identification as a freedman – merely based on his ascribed frugality – is consequently unwarranted²⁵⁵.

Law texts perhaps provide the most compelling argument in favour of the assumption that *frugi* was a “servile” virtue. Interestingly, however, although the quality is six times attributed explicitly to slaves in the Digest – always with the same standardised phrase (*bonae frugi servus*)²⁵⁶, it never occurs as a characterisation of freedmen. Nor is it exclusively reserved for slaves. Indeed, the other five mentions of *frugi* in the Digest occur in a generalising context, which was supposed to apply to members of all status categories²⁵⁷.

This is not to say that freedmen, and especially slaves, are not regularly associated with frugality in the literary record. When explaining in his *De Oratore* how to use jests that

²⁵¹ See Appendix 9.

²⁵² E.g. Liv. 42.27; 43.12; Suet. Gram. 18; Cic. Ver. 2.1.124; Cat. 4.16; Phil. 2.3. Cf. Treggiari (1969a), 162ff; Łoś (1995), 1012, 1026; Ryan (1998), 146–7.

²⁵³ Cic. Ver. 2.2.17; 2.2.181; 3.183–84; Mur. 42; Planc. 23–24; Fam. 13.10.2; Off. 3.88; Cf. Ryan (1998), 146–7 (including more examples). For the refusal of the existence of a formal *ordo accensorum* in particular, see Cohen (1975), p. 272.

²⁵⁴ E.g. Dig. 7.1.15.2; Mouritsen (2011), 257.

²⁵⁵ Shackleton Bailey (1965), II, 190; Constans (1935), 123.

²⁵⁶ For (*bonae*) *frugi servus*, see Dig. 9.2.23.5; 11.3.1.4; 11.3.9.1; 19.1.13.3; 21.1.19pr; 47.10.15.44. Dig. 21.1.19pr is the only exception: “veluti si dixerit frugi probum dicto audientem” (about the information a slave trader was legally obliged to furnish). The expression is used to describe freeborn persons as well in literary sources, e.g. Cic. Att. 4.8a.2–3

²⁵⁷ Dig. 2.15.8.11; 18.6.12; 24.3.22.8; 26.7.3.3; 31.77.30.

excite laughter, Cicero, for example, writes that “we may with the very same words commend a thrifty (*frugi*) servant, and jest upon one that is extravagant”²⁵⁸. Even though Cicero only used *frugi* in his letters to describe freeborn and freed individuals, it is noteworthy that he uses the image of a *servus frugi* in this “detached” treatise. Not only does this passage draw attention to the vital importance of context in evaluating a description, it also implies that a “thrifty servant” was a mental image Cicero’s audience would be familiar with. The same, moreover, could be argued for freedmen. Pliny, for one, assumed that freedmen should aspire to nothing more than a reputation for honesty and good character (*probi et frugi existimentur*)²⁵⁹. Although a limited focus on these and similar expression may lead to the conviction that *frugi* – and *in extenso* other virtues – were reserved or “typical” for slaves or freedmen²⁶⁰, a broader lexical analysis greatly nuances such conclusions.

Indeed, our sample of diversified literary sources, clearly reveals that *frugi* was a quality at least as often attributed to *ingenui* as to freedmen, even if we compensate for the proportional dominance of the former category in these corpora. Moreover, when it is not used as a personalised epithet (but instead as descriptions of more abstract relations or concepts), it usually implies the tastes and modest characters of freeborn aristocrats²⁶¹, even though such descriptions can also indirectly relate to slaves or, in more general terms, to “anyone”²⁶². Finally, the impact of genre or personal style is important to take into account. Especially in Terence’s comedies, *frugi* occurs as a very trite and commonplace appraisal, almost entirely disconnected from any frugality in the literal sense of the word. In *The Eunuch*, for example, Chaerea is called *frugi* by his friend

²⁵⁸ Cic. Orat. 2.248: “velut eisdem verbis et laudare frugi servum possimus et, si est nequam, iocari”. The advice is put in practice by Juvenal (Sat. 4.23), though not in relation to a slave, when he mocks Domitian’s trustee Crispinus (as personification of the declining morals of his time). Juvenal compares him to the notorious gourmet Apicius, whom he sarcastically calls a poor and frugal man (*multa videmus quae miser et frugi non fecit Apicius*).

²⁵⁹ Pan. 88.2: “tu libertis tuis summum quidem honorem, sed tamquam libertis habes abundeque sufficere his credis, si probi et frugi existimentur”.

²⁶⁰ E.g. Mouritsen (2011), 63.

²⁶¹ E.g. Plin. Ep. 1.14.4 (about Brixia, and thus Minicius Acilianus: “Brixia, ex illa nostra Italia quae multum adhuc verecundiae frugalitatis, atque etiam rusticitatis antiquae, retinet ac servat”); 1.22.5 (the modest bedroom of Titus Aristo: “soleo ipsum cubiculum illius ipsumque lectum ut imaginem quondam priscae frugalitatis adspicere”); 2.17.4 (Pliny’s hall in his Laurentine villa is unpretentious but not without dignity: “atrium frugi, nec tamen sordidum”); 3.1.9 (Spurinna has an admirable lifestyle and his dinner habits are simple but well served: “cena non minus nitida quam frugi”).

²⁶² E.g. Plin. Ep. 1.21.2 (Pliny’s new slaves seem of good quality even though it remains to be seen if they are honest too (“superest ut frugi sint”); 3.19.7 (Pliny needs thrifty slaves to make his lands fertile again: “sunt ergo instruendi, eo pluris quod frugi, mancipiis”); 1.14.4 (2.17.26 (a village is praiseworthy when it can satisfy anyone’s modest needs: “frugi quidem homini sufficit etiam vicus”).

Antipho²⁶³. It is a very generic and colloquial appraisal (*frugi's*), and is uttered after Chaerea had announced that dinner had been served. The Loeb translation of the phrase as “you’re a good man” therefore best captures the trivial nature of the expression. The same goes for the praise of the slave Syrus in *The self-Tormentor* – also casually called “a good man” (*frugi's*) after having come up with a plan to help his master²⁶⁴ – and for the other two instances where slaves are associated with *frugi*²⁶⁵. Although the triviality of the phrase is in itself not a result of status-related concerns (Chaerea was freeborn), it is perhaps significant that all slaves associated with *frugi* are described in this superficial way. Two out of three freeborn individuals, however, are labelled *frugi* in a much more concrete manner resembling the use of the word in Att. 7.4.1 (i.e. explicitly referring to parsimony and economy)²⁶⁶.

Interestingly, the only time a freedman is associated with frugality in Terence’s comedies, this is done in this way too. After Syrus had been freed, Demea (the man who had incited Syrus’ master to proceed with the manumission) tries to obtain further benefits for him. For example, he tried to have Syrus’ master give him some pocket money so he could truly enjoy his freedom. To justify this request, Demea ensures him that Syrus was a thrifty man (*frugi homost*)²⁶⁷. Although the Loeb edition again reads “good man”, we believe that this particular context (the explicit reference to money and the ability to use it responsibly) requires a more literal translation. This connotation of *frugi* thus differs from the one attributed to the slaves mentioned above (i.e. a trivial and general), and is very similar to the quality ascribed to two of the freeborn individuals (i.e. truly parsimonious). If there is any structural distinction in the application of *frugi* in Terence’s comedies at all (and the attestations are far too few to draw generalising conclusions), it is situated between slave and free, rather than between freed and freeborn.

Unsurprisingly, satire reverts or at least downgrades the positive connotation of *frugi* on most occasions where it is attributed as a personal quality. To give only one example²⁶⁸, when Trimalchio proudly proclaims his own thrift as a slave, he points to

²⁶³ Eun. 608.

²⁶⁴ Heaut. 597.

²⁶⁵ Eun. 816; Adelph. 959. A similar practice (of servile *frugalitas* being a general description of their value, rather than an expression of their parsimony) can be discerned in other corpora as well. E.g. Hor. Sat. 2.7.3.

²⁶⁶ Heaut. 580: “Hominis frugi et temperantis functu’s officium?” (the slave Syrus rhetorically asks this to the freeborn Clitipho; Heaut. 681: “Dedo patri me nunciam ut frugalior sim quam volt” (Clinia heeds his father’s advice to live more frugally).

²⁶⁷ Adelph. 982.

²⁶⁸ Other sarcastic uses of *frugalitas* include Sat. 84.5 (where Encolpius vainly claims to be frugal) and 140.5 (where Eumolpus’ frugality is sexualised, and as such an ironic description). For a more

his availability to his *dominus* and *domina* – with a strong sexual implication, evidently – as the quality that constituted this thrift²⁶⁹. Furthermore, Trimalchio stops himself from saying more on the subject out of fear of appearing too boastful, while Petronius' readers would know that the proper incentive for *tacere* should have been embarrassment. The reference to his frugality, in this regard, is typically ridiculous; not because such a quality was inappropriate for freedmen as such, but because of the context in which it appeared.

Finally, Cicero's speeches provide a useful reminder that the very content of a literary product may greatly determine the relative occurrence of descriptions like *frugi* (but also other qualities). Of the 17 attestations where *frugi* (or a derivative) directly attests to a personal virtue of an individual or group of persons, more than half (9) occur in the second act against Verres²⁷⁰. Whereas the first act served primarily to glorify and appeal to the senatorial jury, focussing mostly on the defence's attempts to block the case on procedural grounds, the second speech was meant to irreparably damage Verres' reputation by giving detailed descriptions of his crimes as governor in Sicily. These crimes were manifold, ranging from military scandals over extortion to the flogging and crucifying of Roman citizens without a trial. It are, in short, the extreme excesses and greed of Verres that are being denounced. It is thus not surprising that the attestations of *frugalitas* and *frugalis* are so numerous, since it was the virtue which was lacking the most in Verres, and which Cicero correspondingly wanted to accentuate in the defendants and their witnesses. The other 8 mentions of *frugi* occur in various other speeches, though no speech ever contains more than one²⁷¹. The proportion freeborn – freed – slave in the corpus as a whole, moreover roughly reflects the general spread mentioned above, since *frugi* (or a derivative) is attributed to *ingenui* 11 times (65%), to freedpersons 2 times (12%), and to slaves 3 times (18%).

In conclusion, *frugi* was – contrary to *doctus* and especially *sanctus* – a quality with which also slaves and freedmen were praised, even likely as often as *ingenui*, if we account for the relative occurrence of these status-groups throughout the literary corpora. In law texts and comedy, it was a virtue praised in slaves in particular (though never exclusively), and at least in comedy usually in a context that generalised its meaning

detailed discussion of *frugi* in these passages, see Schmeling (2011), 358, 541; Gill (1973), 181 (incl. note 29).

²⁶⁹ Sat. 75.10-1: "Sed, ut coeperam dicere, ad hanc me fortunam frugalitas mea perduxit (...) Tamen ad delicias [femina] ipsimi [domini] annos quattuordecim fui. Nec turpe est, quod dominus iubet. Ego tamen et ipsimae [dominae] satis faciebam. Scitis, quid dicam: taceo, quia non sum de gloriosus".

²⁷⁰ Ver. 2.1.71; 1.101; 1.135; 1.137; 2.110; 2.192; 3.182; 4.39; 5.20.

²⁷¹ Cic. Font. 40; Dom. 111; Sest. 21; Clu. 47; Planc. 62; Deiot. 26; Phil. 2.69; 8.32.

and effaced the literal sense of frugality or parsimony. As a quality that accentuated economy, and implied modesty and self-restraint, it was also attributed to freedmen in a way very similar – if not identical – to Cicero’s praise in Att. 7.4.1. It is thus safe to say that Cicero, when including this quality in his description of Dionysius, was drawing from a set of virtues that would have been considered by Atticus as appropriate in this context. However, its use was appropriate not because it was a typical “libertine” (or “servile”) virtue, but because it did not (unlike *sanctus*, *bonus vir*, and to a lesser degree also unlike *doctus*) imply an exalted moral trait, which the freeborn elite structurally reserved for themselves as a tool in their efforts at distinction. *Frugalitas* was thus a quality praised in these very elites too, although the crucial question must be asked (as we will do momentarily) whether in these cases, an additional marker of exalted moral ingenuity was somehow required (i.e. to implicitly endow this *frugalitas* with a sense of nobility, which would then be absent in the cases where it was used for slaves or freedmen).

Plenus officii and studiosus laudis

As briefly noted earlier – and contrary to the more straightforward terms *sanctus*, *frugi*, and *doctus* –, the expressions *plenus officii* and *studiosus laudis* reflect sentiments that can be easily conveyed without any *verbatim* citation of these expressions. Not only can the grammatical function of the words be changed without the meaning being drastically altered²⁷², but adjectives like *officiosus* or substantives like *officium* and *studium* can convey a very similar message. For example, the expression *me perofficiose observant* is arguably very close – if not identical – in meaning to *plenus officii sunt*²⁷³. Most of the time, moreover, these terms require a further determining description, which influences their exact meaning in each separate instance, and which greatly precludes putting all of them on a par. *Studium*, for example, can refer to (dedication to) literary studies, but it can also imply zealous devotion or support to any particular cause, endeavour, or person imaginable. Sometimes it denotes both, and sometimes a (wittily presented) condition in between²⁷⁴. Hellegouarc’h focussed on the political use of the term, implying an “activité déployée avec passion en faveur de quelqu’un ou quelque

²⁷² E.g. Cic. Att. 7.18.1: “mulieres nostrae Formias venerunt tuaque erga se officia plena tui suavissimi studi ad me pertulerunt”.

²⁷³ Cic. Fam. 9.20.3

²⁷⁴ E.g. Pan. 95.1 (Pliny thanks senators for appreciating his “professional services” (but implied is also his devotion in general terms) towards the allies): “in istis etiam officiis, quae studiis nostris circa tuendos socios iniunxeratis, cum fidei tum constantiae”; Hor. Ep. 1.3.6 (Horace mentions Augustus’ “learned staff” but *studiosa* may just as well denote – and both possibilities are not mutually exclusive – its general zeal in performing *operae*): “quid studiosa cohors operum struit”.

chose”²⁷⁵. He noted the relation with *amor*, but argued that since *studium* has a much less affective connotation, it is associated more closely to *officium*, since both these words imply the notion of (political) support. The difference in nuance between them is that *studium* has a more voluntary basis (it is a personal feeling of devotion deriving from true admiration or sympathy), whereas *officium* is embedded in a quasi-obligatory exchange relationship. Hellegouarc’h concluded: “le *studium* peut être la conséquence de l’*officium* et en être une forme en quelque sorte spontanée”²⁷⁶. The difference is very well expressed by Cicero in his defence of Sextus Roscius, where he states that he undertook the task not as a consequence of a personal inclination, but rather because he thought it was his duty (*me non studio accusare, sed officio defendere*)²⁷⁷.

Officium, *officiosus*, and being *plenus officii* were thus typical expressions to convey a more formal reciprocal consciousness, and differ in this regard also from more voluntary benefactions²⁷⁸. As such, it was as relevant a trait to accentuate in freeborn (clients) and freedmen alike. It comes as no surprise that within the epistolary genre, for example, most of these attestations occur in letters of recommendation. It was quintessential in these contexts to indicate that the *commendatus* had a personality which guaranteed a reciprocal conscience, and which in turn ensured a repayment of the kindness.

Because the meaning of any reference to *studium*, *officium*, or one of their many derived adjectives, adverbs, or more elaborate expressions, is highly contextual and as such different in almost every individual case, it is difficult (and arguably ill-advised) to exhaustively catalogue and process all of these passages in a way similar to that of the three much less polyvalent virtues discussed above. Indeed, should we include casual references to the *studium* of an individual, when Cicero instead presented Dionysius as much more inherently enthusiastic by using *studiosus laudis meae* (this studiousness thereby moreover contributing to Cicero’s *honour* in particular)? Should we likewise consider cases where any reciprocal dimension is lacking entirely (e.g. when someone is *studiosus* only to advance his own reputation)²⁷⁹? Moreover, *laus* is not very often the actual object of the zeal described²⁸⁰. Much more regularly, it is connected to *salus*, *dignitas*, or *voluntas*²⁸¹. Especially *salus* and *voluntas* have a much less formal (political) connotation than *laus* and *dignitas*, and the question could be rightfully asked whether

²⁷⁵ Hellegouarc’h (1963), 174-5, with many examples from Cicero’s works.

²⁷⁶ Hellegouarc’h (1963), 175.

²⁷⁷ Cic. S. Rosc. 32.91.

²⁷⁸ In Fam. 12.29.1, Cicero explicitly prefers *merita* (benefactions) over *officia* (acts of “friendship”).

²⁷⁹ E.g. Mur. 55: about Murena’s eagerness for a new distinction (*studium novae laudis [suae]*); Font. 42: Fonteio excites others by his example to the pursuit of honour and virtue (*studio laudis ac virtutis*).

²⁸⁰ Rare examples are Phil. 1.30; Font. 42; Mur. 55.

²⁸¹ Deiot. 1; Sest. 128, 130 (*salus*); Planc. 2; Dom. 142 (*dignitas*); Sul. 10 (*voluntas*)

these instances convey the same ardent message as the formulation in Att. 7.4.1. Furthermore, is a reference to *fautores tuae laudis* not the same as praising this group of people for being *studiosus tuae laudis*²⁸²? Is engaging one's *consilium*, *operae*, *labor*, or *diligentia* to someone's *dignitas* different from studiously advancing someone's reputation²⁸³? And should we include also those instances where a very banal or even sordid zeal is meant (e.g. the love for profit, swimming, the games, breeding horses, cooking, ...) rather than virtuous support embedded in a reciprocal relationship²⁸⁴? The very same goes for the *plenus officii* expression. Occurring only in Cicero's correspondence (and once in a speech of his), is it comparable at all with an instance of someone performing a single isolated *officium*? The most important reservation in all of these cases, however, is related to the question of the relative impact of the terms and qualities used in conjunction with these words (e.g. the genitives associated with *studiosus*).

In the correspondences, but also in many detached corpora, the primary meaning of *studium* is literal, i.e. denoting intellectual studies²⁸⁵. In Cicero's speeches, this use occurs occasionally, but the figurative meaning ("zeal", "loyalty") features much more prominently in this corpus²⁸⁶. The following overview therefore takes these speeches as a point of departure before briefly touching on the other literary genres.

Cicero standardly uses *studium* to denote the zeal of his opponents²⁸⁷, his own ardour²⁸⁸, or his client's enthusiasm²⁸⁹. In some cases, the relative overrepresentation of attestations in a speech is due primarily to the content of the accusation that is made or refuted. The *Pro Murena*, for example, addresses election fraud, which obviously

²⁸² Planc. 55.

²⁸³ Cic. Fam. 10.1.3. Cf. also 2.6.3; 11.5.3; 11.6.1; 11.6a.2.

²⁸⁴ E.g. Cic. Leg. Agr. 2.95 Fam. 7.10.2; 12.2.2; Cat. 3.10; Mur. 29; Deiot. 11; etc. For parallels in e.g. Terrence, see Andr. 56, 64 (cf. 822); Heaut. 23; Phor. 2, 18; Hec. 19, 23, 53, 595; or in Horace's works, Odes 3.27.29; 4.12.25; Sat. 2.3.105; 2.5.80; Ep. 2.1.109.

²⁸⁵ The attestations are far too numerous to list exhaustively. See e.g. Plin. Ep. 1.2.6; 1.3.3; 1.9.7; 1.10.1; 1.13.1,5,6; 1.22.6,11; 2.2.2; 2.3.4; 2.8.1; 2.10.8; 2.17.25; 2.18.2; 3.1.9; 3.2.3; 3.3.3; 3.5.2,5,8,9,14,15,16,18,19; 3.7.14; 3.9.8; 3.15.1; 3.18.5,11; 4.6.2; 4.8.5; 4.13.9,10; 4.16.1; 4.19.2; 4.24.4; 4.28.2; 5.6.46; 5.8.4/6; Fronto Ad M. Caes. 1.8.3; 3.12.1; 3.16.1; 4.2.1; 4.3.2-3,8; 4.5.2; 4.8; 5.29; etc. For parallels in Petronius' Satyricon, see e.g. Sat. 4.2; 48.4; 85.3; 101.2; 116.6; or with Horace's works, see e.g. Sat. 1.10.21; Ep. 1.1.81; 1.2.36; 1.3.28; 1.18.39; 2.2.82; 2.2.104; Ars 409; or with Pliny's Panegyric, see e.g. Pan. 46.5; 47.1,3; 49.8.

²⁸⁶ For the literal use in the speeches, see for example Mur. 61, 66, 75; Arch. 1-5, 12, 13, 16, 18, 19; Sest. 110; etc.

²⁸⁷ Quinct. 2.7, 9; 14.47; Ver. 2.3.22, 75, 142; 2.4.1, 33, 126; 2.5.176; Mur. 9, 56.

²⁸⁸ Sext. Rosc. 4.10; Caec. 40; Ver. 2.1.15; Leg. Agr. 2.2; Rab. Perd. 2; Cat. 4.23; Mur. 2, 6, 22; Sul. 10, 26; Flac. 52; Planc. 73.

²⁸⁹ Sext. Rosc. 17.49 (3); Ver. 2.2.83, 117, 144; Flac. 105; Sest. 5, 7.

necessitates regular references to the political *studium* of voters, clients, friends, etc.²⁹⁰ Besides these very standardised references, more concrete instances of *studium* occur as well throughout the speeches. The loyalty of an army could, for example, be expressed by this term. But even within this very confined category, it could be both a general sentiment (e.g. of patriotic Romans desiring to defend their homeland)²⁹¹ or a very personal sense of loyalty to an individual commander²⁹². The distinct order of knights could similarly be singled out as the subject (and object) of zealous behaviour²⁹³. The same goes for close friends, foreign nations, but also actors²⁹⁴. Only on one occasion, is the zeal of the body of freedmen singled out (*studia hominum libertinorum*)²⁹⁵. This happens in the fourth Catilinarian oration, and during a deliberate attempt to present *all* strata of society (*except* Catilina and his followers) as invested in their country and liberty. To achieve this polarisation, Cicero had earlier described the very similar zeal of the *multitudo ingenuorum*, a body in which he had explicitly included also its poorest members (*tenuissimorum*). It comes as no surprise that in this highly rhetorical context, freedmen (but also slaves) were subsequently treated in detail as well.

This is, as noted, the only case where the (“public”, “political”) zeal of freedmen is accentuated. Usually, then, *studium* (or the adjective *studiosus*) was used to denote the fervour shown by or towards *ingenui* (especially *virii boni et optimi*). During his defence of Milo, for example, Cicero drew attention to the support he had from *optimi virii, boni virii*, and from the *lumina florentissimis ordinibus*, of whom he said that they were *studiosi mei*²⁹⁶. When it suited his argument, Cicero naturally invoked the zeal of all orders of society (like he had done most explicitly in the case of the *studia hominum libertinorum* mentioned above). For example, when he extolled Dolabella for his exemplary behaviour in the past, Cicero empathically exclaimed that all orders, and people of all origin and station zealously lauded and congratulated him (*Cuius ordinis, cuius generis, cuius denique fortunae studia tum laudi et gratulationi tuae se non obtulerunt?*)²⁹⁷. Likewise, when the people of Puteoli (as a whole) adopted Cassius and Brutus as their patrons, they did so *magno studio*, and Cicero was on many occasions proud to note that he had

²⁹⁰ E.g. Mur. 34, 42, 45, 46, ...

²⁹¹ Phil. 7.13; 11.24.

²⁹² Phil. 5.43, 46.

²⁹³ Planc. 58: about the oration of Lucius Cassius (*digna Equitis Romani vel studio vel pudore*); Rab. Post. 43: a zealous knight is devoted to Caesar (*equitem Romanum veterem amicum suum studiosum, amantem, observantem sui*); Phil. 7.27 (*studio equestris ordinis*); Planc. 24 (*ordo publicanorum*).

²⁹⁴ Sul. 73 (friends); Balb. 25 (foreign nations); Sest. 121; Rosc. Com. 10.29 (actors).

²⁹⁵ Cat. 4.16.

²⁹⁶ Mil. 22. Among the numerous other examples are Mil. 4 (*ordines amplissimi*); Cat. 1.21 (*fortissimi*); Sul. 4 (*cives clarissimi et summi virii*); Lig. 36 (*studiosus et bonus vir*); Red. Pop. 18; Sest. 35; Planc. 89; Phil. 6.11; Mur. 90 (*boni*).

²⁹⁷ Phil. 1.30.

been backed by the zeal and loyalty of “all people” (*omnes societates; omnes ordines*)²⁹⁸. Freedmen, of course, are implicitly included in these groups, but they are – apart from the one exceptional case – never isolated in this regard (unlike *viri boni, equites*, etc.).

Being *studiosus* towards someone’s *laus* or *dignitas* was an expression with a very “public” and “political” connotation²⁹⁹, and was used consistently in a context of a reciprocal relation, as confirmed by the repeated juxtaposition of terms like *gratia*³⁰⁰. It is therefore significant, though not entirely unsurprising, that Cicero rarely describes freedmen in this way (neither in his correspondence nor in his speeches). In fact, when a freedman *does* occur in relation to this expression (which again happens in a delicate political context where his patron’s reputation is at stake), he was explicitly left out of the group of (freeborn) men that were described as such. Indeed, Quintus, Caecina, and Calvisius, for example, are described as *studiosissimi tui* in a letter to Furnius, whereas the latter’s freedman Dardanus, mentioned later in the phrase, clearly is not (*haec eadem locutus sum domi meae adhibito Quinto, fratre meo, et Caecina et Calvisio, studiosissimis tui, cum Dardanus, libertus tuus, interesset*)³⁰¹. It is certainly no coincidence that the only freedman in Cicero’s correspondence – apart from Dionysius – who is praised for being *studiosus* (*Crassi*), is Apollonius; i.e. the same freedman who was – again, together with Dionysius – the only one exceptionally attributed the quality of learnedness (cf. *supra*)³⁰².

Of course, it could be argued that the *studium* of freedmen was of less interest for Cicero when extolling the supporters of his clients during his speeches, and that a choice to include only the backing of people of high social standing related to rhetorical pragmatism rather than to a literary habit of denying ex-slaves this virtue. This seems precisely to have been Cicero’s concern in the *Pro Cluentio*. When he announced that all people from Larinum had come to Rome to pledge their support (*studium*) to his client, he noted that only slaves and women were left in the city³⁰³. Obviously, we cannot take this claim literally (no Roman audience would have either), but Cicero is clearly insinuating that the lower classes also supported Cluentius. Throughout the following passages, however, Cicero only features *high-status* groups and individuals pledging their *studium*. Examples include the Larinian testimonial of support, drafted and

²⁹⁸ Phil. 2.107; Sest. 128, 130; Leg. Man. 14, 19, 61, 69; Leg. Agr. 2.4 (*Quirites Romani*); Mur. 23, 24; Red. Pop. 6; Pis. 57; Planc. 10; Phil. 1.36 (*populus Romanus*); Dom. 94; Vat. 10 (*cives*)

²⁹⁹ Hellegouarc’h (1963), 174-6.

³⁰⁰ E.g. Fam. 3.8.3; 3.10.3; 3.13.1; 4.13.7; 5.11.1; 6.4.5. Compare with Liv. 5.8.13.

³⁰¹ Fam. 10.25.3.

³⁰² Fam. 13.16.1. On only one occasion (Fam. 16.12.6) is the expression used to describe the zeal of an *ingenuus* towards a freedman (Tiro), though this is again very likely to be a wordplay by Cicero.

³⁰³ Cic. Cluent. 195: “(...) omnes Larinates, qui valuerunt, venisse Romam, ut hunc studio frequentiaque sua quantum possent in tanto eius periculo sublevarent”. Perhaps, Cicero meant with *qui valuerunt* “those persons who matter” (i.e. important people), rather than “able-bodied men”.

presented in Rome by the *decuriones* of Larinum³⁰⁴; the zeal (*studium*, *benevolentia*, *cura*, ...) of the neighbouring communities as expressed by deputies who were *homines honestissimi, nobilissimi, equites*, and *homines summo splendore*³⁰⁵; the *labor* and *sollicitudo* of all individual honourable men Cicero sums up³⁰⁶; etc. He ends this enumeration by mentioning the enthusiasm (*studium*), trouble (*curam*), and the pains (*diligentiam*) of all these people (i.e. the honourable representatives) and his own endeavours (*laborem*)³⁰⁷. Towards the end of the speech, he summarises: “give him [Cluentius] back to his friends (*amicis*), his neighbours (*vicinis*) and his associates (*hospitibus*), whose enthusiasm (*studia*) you behold”³⁰⁸. In short, Cicero clearly included only those people whose *studium* would have impressed a jury. In this case, not explicitly mentioning freedmen’s *studium* is likely to have been a consequence of this pragmatic preoccupation.

When in Pliny’s letters someone’s zeal towards another person is meant – as was the case in Att. 7.4.1 – we notice again that it predominantly concerns freeborn individuals³⁰⁹. Only two freedmen are associated with *studium* (or derivatives). This happens in the passages that conveyed the literary proficiency of Pliny’s favourite Encolpius, and the care and services of a freed doctor³¹⁰. Although especially the latter case is embedded in a reciprocal relationship (Pliny thanks the doctor by applying for his citizenship with Trajan), neither of the passages is comparable to Dionysius’ quality of being zealous with regard to Cicero’s honour. At best, Encolpius and the doctor (privately) contributed to Pliny’s literary activity and health, but they were in no way praised for advancing his (public) reputation or prestige. In Fronto’s correspondence, *studium* is only very exceptionally used as denoting personal zeal in a reciprocal relationship: the literal use (“literary studies”) unsurprisingly prevails. When the former is denoted, no freedmen are even remotely associated with the expression³¹¹.

Terence’s comedies – even though featuring many slaves and freedmen – do not associate *studiosus* or *studium* to *liberti*. This is all the more interesting, if we note that a non-political *studium* (e.g. of a wife towards her husband or that of a mother towards

³⁰⁴ Cluent. 197.

³⁰⁵ Cluent. 197-198.

³⁰⁶ Cluent. 198.

³⁰⁷ Cluent. 199. See also Planc. 22 for the habit of getting the most important individuals of the municipality to Rome to support the defendant. For the zeal of municipalities in general, see also Mil. 94; Phil. V.36(2); VII.23; VIII.4; XII.7/20.

³⁰⁸ Cluent. 202. Cf. Planc. 30: “municipum, vicinorum, societatum studio”. No mention is made of freedmen of even his *familia*.

³⁰⁹ E.g. Ep. 1.17.3; 2.9.3; 2.11.15; 2.18.4; 6.12.4; etc.

³¹⁰ Ep. 8.1.2: “ (...) si is, cui omnis ex studiis gratia, inhabilis studiis fuerit”; 10.5.1: “iatralipten (...) cuius sollicitudini et studio tuae tantum indulgentiae beneficio referre gratiam parem possum”.

³¹¹ E.g. Ad M. Caes. 2.1: Fronto mentions his *studium impensum et propensum* towards Hadrian.

her child) is occasionally attributed to other people³¹². The only passage in Petronius' *cena Trimalchionis* that does not mention *studium* or a derivative in the literal (literary) sense, is the one where Trimalchio exclaims his passion for coin (*in argento plane studiosus sum*)³¹³. Petronius clearly alludes to the dreaded image of the *abundantia pecuniae* of freedmen³¹⁴, and does so by manipulating a description that not only had a predominantly positive connotation³¹⁵, but was moreover – as is becoming increasingly clear – reserved (at least in its “political” sense) to *ingenui* and elites. In the works of the other satirist – Juvenal –, *studium* and *studiosus* occur only with a literal meaning³¹⁶. Livy's *Ab Urbe Condita* does little more than confirming previous observations³¹⁷. When *studium* and *studiosus* occur in a reciprocal relationship and as contributing to someone's honour or reputation, it is attributed solely to *ingenui* or collectives³¹⁸. In Horace's works, *studium* is referred to twice within a reciprocal relationship, but it is again associated exclusively with *ingenui*. One of the passages, moreover, is related rather to mere literal (literary) *studium*³¹⁹. The other one features Horace asking his friend Vinius to present one of his works to the emperor. He encourages him to do so subtly so as to not “offend in your zeal for me” because that would hurt rather than advance his case. Vinius should not look like an “over-eager servant”³²⁰. Significantly, *studium* and being *studiosus* were praiseworthy qualities, but could be detrimental when exaggerated. It required the mind and judgement of a morally sound individual to recognise the line in between these two forms of behaviour, and to not succumb to mere scandalous adulation. The passage, if anything, implies that the zeal of a respectable individual like Vinius was not only different but also more effective than such sordid adulation, which is almost literally associated with slavery (*opera; minister*). Nowhere does Horace clarify whether a freedman could exhibit the “proper” kind of *studium* (Petronius obviously implied that he could not, cf. supra), but the very fact that – like in all other corpora –

³¹² E.g. Heaut. 280; Eun. 116; Hec. 202.

³¹³ Sat. 52.1.

³¹⁴ Mrozek (1976a), 122-3.

³¹⁵ “Bad” studiosness occurred as well, but was rather exceptional. E.g. Cluent. 72 (natural faults are strengthened by *studium*); Cat. 1.26; 2.9; 3.10 (Catilina is accused of “studiously” pursuing a wicked way of life). Cf. Mur. 56; Sul. 70.

³¹⁶ Sat. 7.1; 7.17 (the only attestations).

³¹⁷ In many cases, *studium* or *studiosus* simply accentuate a neutral eagerness, enthusiasm or zeal (e.g. 1.9.8; 14.8; 2.48.1; 3.19.2; 3.64.8; 5.52.10) – sometimes in relation to concrete things or occupations (e.g. spoils in 1.15.5; military action in 3.5.6; 30.11.8; 41.20.12; hunting in 5.6.3; 25.8.9; or reading in 40.29.9) – or it can (literally) denote “studies” and “learning” (e.g. 1.18.3).

³¹⁸ E.g. 1.2.5; 4.25.14; 4.52.7; 26.48.6.

³¹⁹ Ep. 1.18.65: clients have to endorse their patron's pursuits and studies (*consentire suis studiis qui crediderit te fautor*).

³²⁰ Ep. 1.13.4: “ne studio nostri pecces odiumque libellis sedulus inportes opera vehemente minister”.

the quality is rarely associated with freedmen (or slaves) in a reciprocal context that would enhance a social superior's reputation, is meaningful in its own right.

Contrary to the notion *studiosus meae laudis*, the application of the expression *plenus officii* is somewhat more easily reviewed. However, the expression only occurs (*verbatim*) in Cicero's correspondence (and in one speech). The quality of being *officiosus*, however, conveys a very similar meaning, and generally denotes a rather essential quality – again contrary to the very diversified attestations of *studium* or *studiosus* (+ genitive). When considered together (*plenus officii* + *officiosus*), this quality is – throughout Cicero's correspondence – attributed to individual people of known status 20 times; 3 times to freedmen (including Att. 7.4.1), and 17 times to *ingenui*. The expression *plenus officii* itself is mentioned *verbatim* only 6 times, and – apart from Att. 7.4.1 – always in relation to *ingenui*³²¹. The two other freedmen associated with the quality of being serviceable are C. Avianius Hammonius (in the letter recommending him to Sulpicius Rufus) and the infamous actress Volumnia Cytheris³²². The latter, however, is accused of *not* having been serviceable enough (i.e. according to Cicero's and Terentia's standards). Evidently, a consideration of the instances where the noun *officium* was used, reveals that freedmen were in fact associated with the virtue much more frequently³²³.

In Pliny's letters, *plenus officii* does never occur *verbatim*, and even the adjective *officiosus* is mentioned only twice. One of the persons thus described is Pliny's freedman Zosimus, who was besides *officiosus* also *probus*, *litteratus* and *humanus*³²⁴. The other is Gavius Bassus, a freeborn *vir egregius* whose reverence (*reverentissime*) was praised in addition to his services³²⁵. In Fronto's correspondence, finally, the only instance of *officiosus* referring to an individual is attested in a letter of recommendation. Gavius Clarus is presented as a conscientious, reasonable, unassuming, generous, and unselfish man (*nihil isto homine officiosius est, nihil modestius, nihil verecundius; liberalis etiam, si quis mihi credis, et in tanta tenuitate, quantum res patitur largus*), whose *simplicitas, castitas,*

³²¹ Fam. 3.1.2; 3.9.1: (two letters from) Ap. Claudius; 11.27.1: Trebatius Testa; 13.13.1: Castronius Paetus; Att. 6.1.1: (a letter from) Atticus.

³²² Fam. 13.21.2: "hominem pudentem et officiosum cognosces et dignum qui a te diligatur ... officio et fide singulari ... magna officia contulit mihi"; 14.16.1: "debut in te officiosior esse quam fuit". For Volumnia, see the early 5th century commentator Maurus Servius Honoratus in Serv. ad Buc. 10.1: "hic autem Gallus amavit Cytheridem meretricem, libertam Volumnii, quae, eo spreto, Antonium euntem ad Gallias est secuta". Cf. Keith (2011), 38ff.

³²³ Philotimus' dealing with the sale of Milo's property was an *officium* (Fam. 8.3.2); L. Livineius Trypho had rendered Cicero *summa officia* (Fam. 13.60.1); Tiro's many *officia* are mentioned on a regular basis (e.g. Fam. 16.1.3; 16.4.3; 16.6.1; 16.25.1); Vettius Cyrus performs *officia* as an architect (Quint. Fratr. 2.2.2); etc.

³²⁴ Ep. 5.19.3.

³²⁵ Ep. 10.21.1.

veritas, and *fides Romana* were particularly worth stressing³²⁶. Moreover, earlier in the same letter, Gavius' many *officia* as a senator towards another senator of higher age and rank had already been praised³²⁷. Gavius, in other words, was *plenus officii* towards his superiors in the same way a freedman was (or should be) in relation to his patron. In both instances it is the discrepancy in social rank rather than a specific legal status that is accentuated. As in Latin literature in general, *officium* usually implied a bond of reciprocity and duties between friends, clients and patrons, regardless of their legal status³²⁸. Both Pliny and Fronto, however, use it in their letters primarily to refer to a public duty³²⁹. Evidently, freedmen could not take up political functions. Their *officia*, as a consequence, consisted of duties within a reciprocal relation (e.g. with their patron). The fact that the former *officia* were unavailable to them, however, does not at all mean that the latter were qualitatively different from the private *officia* of *ingenui*, just like the exclusivity of expressions like *bonus vir* or qualities like *sanctitas* did not mean that shared virtues of freed and freeborn were inherently different because of the difference in legal status.

Contrary to the epistolary genre, Terence's comedies do not feature the qualities of being *plenus officii* or *officiosus*. Moreover, the noun *officium* never denotes public duties, but is used only to describe private relations. Very often, it lacks any reciprocal embeddedness, as it refers to the correct or expected behaviour of individuals ("it is the part of a gentleman, father, adolescent, ... to do this or that")³³⁰. Interestingly, it is only once used in relation to a freedman; not to denote a general delineated behavioural framework, but rather to refer to a couple of very concrete and contextual instructions, which, moreover, could have been delegated to *ingenui* just as well³³¹. On the contrary, *officium* is linked three times to slaves, when very status-specific tasks are meant. In *The Self-Tormentor*, for example, the *senex* Chremes ridicules another old man (Menedemus) for doing the tasks his many slaves were supposed to do (*servos compluris; proinde quasi nemo siet, ita attente tute illorum officia fungere*)³³². Similarly, when Syrus (in *The Brothers*) tries to obtain his freedom, Demea praises his exceptional character by summing up his accomplishments, concluding that "these are the services of no ordinary person" (*non*

³²⁶ Ad Verum Imp. 2.7.6.

³²⁷ Ad Verum Imp. 2.7.2.

³²⁸ This aspect is of course omnipresent in the correspondences (e.g. Ep. 1.7.2; 1.13.6; 3.4.6; 5.3.1; 5.16.3; 6.18.1; 6.26.2; 7.15.3; 7.31.7; 8.12.4; 8.18.7; 10.26.2; Ad Ant. Pium 4; Ad Amicos 1.6.1).

³²⁹ E.g. Ep. 1.5.11; 1.10.9; 2.1.8; 3.1.12; 3.4.3; 3.5.8/9/18/19; 3.6.6; 3.18.1; 4.15.3; 4.17.6; 4.24.3; 5.14.2; 6.15.3; 6.32.1; 7.15.1; 7.31.3; 10.3a.2; 10.8.3; 10.9.1; 10.67.; Ad M. Caes. 1.3.3; 3.13.1; Ad Amicos 2.4.1; 2.11.2. Pliny himself clearly separated official from private duties in Ep. 3.5.19. For *officia amicorum*, see also Ep. 3.11.1.

³³⁰ Andr. 236; 330; Adelphoe 464; Phor. 282; Heaut. 580.

³³¹ Andr. 168.

³³² Heaut. 65-6.

mediocris hominis haec sunt officia)³³³. Ironically, the *officia* summed up are “buying food on credit, hiring girls, and arranging drinking parties in broad daylight” (*opsonare cum fide, scortum adducere, apparare de die convivium*); hardly very important or honourable tasks at all.

In Petronius’ *Satyricon* too, the serviceability of slaves (usually expressed by *officiosus*) concerns tasks that are very manifestly “servile”, rather than embedded in an honourable exchange of services. A *puer officiosus*, for example, brings in a cool jar to soften Fortunata’s bruise, and an *officiosus capsarius* served as guardian of clothes in a bathhouse³³⁴. Other mentions are marked by the strong sarcastic undertones typical for the satiric genre in general, and for the omnipresent references to sexual activity in the *Satyricon* in particular³³⁵. Finally, the noun *officium* is, quite unsurprisingly, used throughout the *Satyricon* to denote the very concrete duties or tasks of slaves (e.g. reading out loud, warning guests for the doorstep, cleaning nails, satisfying a master sexually, etc.)³³⁶. In one case, an *officium* is even literally called *servile*³³⁷. Certainly, *officia* of freedmen and *ingenui* are referred to as well, but no qualitative distinction is made between them³³⁸. Both in Terence’s comedies and in Petronius’ *Satyricon*, then, there exist clear differences in application of the adjective *officiosus* or in the load the noun *officium* covered, but this distinction is – again – very clearly between slave and free, not between freed and freeborn.

In Livy’s *Ab Urbe Condita*, attestations of *officium* are rarely used to characterise an individual. Very often a quite literal “duty” is meant (e.g. political or military)³³⁹. As such, they do not regularly evoke the “epistolary use” of accentuating the reciprocal bonds between two or more persons. And even when this is done, it concerns larger groups of people or more abstract entities, rather than specific individuals: the obligations to gods and men in a general sense, the loyalty of colonies, an army or allies, or the services of foreign cities to Rome³⁴⁰. This different application of *officium* and its derivatives in Livy, is underscored by the complete lack of attestations of *officiosus*, which was one of the most popular ways to describe serviceability in other texts. In

³³³ Adelphe 966: “non mediocris hominis haec sunt officia”. As noted before, this was part of Demea’s plan to become popular among the lower classes and can thus not be seen as genuine or conventional behaviour.

³³⁴ Sat. 74.12; 92.11.

³³⁵ E.g. Sat. 105.9 (Lichas discovers Encolpius’ true identity by applying a *manus officiosa* to his genitals, cf. supra).

³³⁶ E.g. Sat. 30.6; 31.5; 56.8; 74.7; 140.9.

³³⁷ Sat. 26.10.

³³⁸ E.g. Sat. 64.7 (Trimalchio); 101.10 (Lichas); 107.1 (Eumolpus); 114.1 (sailors).

³³⁹ E.g. Liv. 1.35.4; 3.20.1; 4.40.6; 26.9.9 (political duties); 25.6.20; 34.39.9; 35.48.12; 37.31.7; 44.34.5 (military duties).

³⁴⁰ See for example 21.63.12; 25.6.19; 27.10.1; 28.24.2; 45.23.6; 31.11.14; 36.22.2 respectively.

Horace's works, *officium* and all its derivatives are relatively rare, no doubt owing to the demands of genre. They refer mostly to a very specific profession (e.g. that of the famous lawyer Lucius Marcius Philippus, that of Horace, or that of a judge)³⁴¹ or to daily business in general³⁴², and again much less often to reciprocal bonds between two individuals. In fact, it is this very bond that is ridiculed in the satirical advice to get appointed as an heir in the will of some old and naive person. To achieve this, Horace tells us, one should studiously strive to gain the favour of the target (*leniter in spem adrepe officiosus*)³⁴³. The officiousness is not some praiseworthy characteristic, but a pragmatic means to obtain a goal. It is the only time the adjective refers to an individual in this corpus. In Juvenal's *Satires*, *officium* occurs only once in the context of an explicit reciprocal relationship between two socially unequal persons. In this passage, Juvenal mocks the belief of certain patrons that to invite their clients to dinner is "payment in full for long-standing services" even though such a dinner does not cover these services at all³⁴⁴. Although clearly satirical, the passage shows that *officia* were a fundamental part of the patronage system (between *ingenui* or between patron and freedman). Obviously, not only freedmen were expected to be *pleni officii* towards their patron. A look at Pliny's Panegyric confirms the main trends of this discussion: there is no mention of the Ciceronian *plenus officii* expression, and the adjective *officiosus* is lacking entirely as well. When the substantive *officium* is mentioned, it typically refers to the tasks and obligations of the Emperor or the Senate³⁴⁵.

In short, being *plenus officii* or *officiosus* were qualities respectable partners in a reciprocal relationship were expected to exhibit. As such, they were praised in both freedmen and *ingenui* alike. Slaves were ideally *officiosus* too, but their serviceability pertained to the realm of activities no other (free) man would care to engage in (unless his name was Trimalchio). Like we have observed for *frugi*, then, the differences in connotation when writing about officiousness were primarily between slave and free, not between freed and freeborn. The same cannot be said, however, about the expression *studiosus meae laudis*, which was reserved solely for *ingenui*. Surely, the adjective *studiosus* or the noun *studium* had many different connotations depending on the object of the zeal in question. It is precisely this object, however, that made of being *studiosus meae laudis* a

³⁴¹ Ep. 1.7.47; Ars 306; 314. Cf. also the role of host in Sat. 2.6.109.

³⁴² E.g. Ep. 1.18.35; 2.2.68.

³⁴³ Sat. 2.5.48.

³⁴⁴ Sat. 5.13: "Primo fige loco, quod tu discumbere iussus mercedem solidam veterum capis officiorum. Fructus amicitiae magnae cibus: inputat hunc rex, et quamvis rarum tamen inputat". *Officium* and its derivatives are used also to denote specific professions like that of lawyers or prophets, but also tasks and duties in general (e.g. Sat. 2.132-4; 7.107; 11.114; 3.126; 3.239).

³⁴⁵ E.g. 91.1; 92.2.

quality rarely recognised or praised in freedmen. Evidently, freedmen could be zealous in a private relationship, but the “political” connotation of adding to someone’s honour, reputation or prestige in the public sphere (as Hellegouarc’h noted) made it a much less likely candidate for libertine appraisal.

After having observed that none of the five qualities attributed to Dionysius in Att. 7.4.1 was ever reserved for freedmen or had a “libertine” ring to it, there is only one way the claim made by Mouritsen or Fabre could be maintained, viz. that it was the *combination* of these virtues (indeed, a “set of virtues”³⁴⁶) which made Cicero worry about any libertine connotation his appraisal might evoke with Atticus (and which subsequently prompted the addition of the *ne libertinum laudare videar* phrase). However, a structural qualitative comparison of virtues associated with *doctus*, *sanctus*, *frugi*, *officiosus*, and *studiosus meae laudis*, precludes also this possibility, as we will briefly demonstrate in the following section, before highlighting the general conclusions of this overview.

7.3.2.2.2 Associated qualities as distinguishing factor?

It is one thing to note that the three qualities that were regularly attributed to freedmen (*frugi*, *officiosus*, and the non-political *studiosus*) occurred in the same (discursive) contexts, alongside the same juxtaposed terms, within the same reciprocal (patronage or *amicitia*) networks, and with similar or the same connotations as when used to describe freeborn clients or elites. But a very important point to consider is whether in the latter cases, the addition of a marker of ingenuity or moral superiority was somehow “required” or appropriate to endow these descriptions with a qualitatively different meaning (i.e. what Cicero seems to have done in the case of Dionysius, by adding *bonus vir*).

At first sight, there indeed seems to exist some evidence for this practice. For example, when Cicero refers to M. Fabius Gallus, to P. Nigidius Figulus, or to C. Matius, he explicitly links their portrayal as *homines doctissimi* with a characterisation of these men as *vir optimus*, *[homo] sanctissimus*, and *homo suavissimus* respectively³⁴⁷. Apart from the abundant use of superlatives – an element of style more than anything else³⁴⁸ – it

³⁴⁶ Mouritsen (2011), 61: “Praise of freedmen generally invoked a specific set of virtues”.

³⁴⁷ Fam. 2.14.1; 4.13.3; 7.15.2. Gallus is elsewhere described also by *summum ingenium*, *summa doctrina*, *singularis modestia*, *summa probitas*, *summa humanitas et observantia* (Fam. 2.14.1; 9.25.2; 15.14.1); Figulus by *amicissimus et acerrimus civis*, *[vir] singularis bonus* (Quint. Fratr. 1.2.16); Matius by *homo temperatus et prudens*; *fides et humanitas* (Fam. 7.15.2; 11.27.8; Att. 9.11.2). Cf. also Plin. Ep. 1.22.1; 4.26.2.

³⁴⁸ Cf. Shipley (1961), xvi and note 1 (about Velleius Paterculus, but also referring to Cicero’s works): “the superlative had already suffered so much rhetorical abuse that it had come to have little more

could be tentatively argued that these additions distinguish between a “libertine” and a “freeborn” use of *doctus*. By immediately adding a high moral principle to their learnedness, Cicero may have enhanced it, to justify its attribution to his aristocratic friends. The noble connotation of descriptions like *vir optimus*, and the exclusive application of *sanctus* to *ingenui* have been touched upon already, but *suavis* too, was similarly used by Cicero only to describe freeborn individuals, although the term did not carry the same solemn weight as *sanctus*³⁴⁹. *Doctus*, in these cases, may have been appropriate to describe freeborn peers with, due to the reference to their *ingenuitas*, implicit in other juxtaposed virtues. In the case of Aulus Caecina, Cicero even explicitly linked his learnedness to his high birth (*quapropter primum fac animo forti atque magno sis – ita enim natus, ita educatus, ita doctus es, ita etiam cognitus, ut tibi id faciendum sit*)³⁵⁰.

However, other instances where Cicero describes aristocrats as learned are not similarly “differentiated”. When writing to Terentius Varro, he mentioned their mutual friend Caninius Gallus, whom he treated as an erudite man (*homo doctus*) and a good friend (*amantissimus tui*)³⁵¹. In a letter to Q. Cornificius, Cicero playfully dismissed a difference of opinion in literary matters, by stating that disagreements between a man of learning (*homo doctus*) and a man who is not wholly unlearned (*non indoctus*) – meaning Cornificius and Cicero respectively – do not amount to much³⁵². Elsewhere too, Cicero refers to his own learnedness (albeit in a modest way) or to that of his son³⁵³. In none of these cases is *doctus* “enhanced” by a direct link to other virtues. If the word (or its derivatives and synonyms like *eruditus*) had some kind of libertine connotation, and “needed” to be supplemented by other virtues to denote a more exalted kind of learnedness, appropriate for his peers, surely Cicero would have done so in a more consistent way. The fact that he did not, and that he, for example, could simply address C. Matius (whom he had called a *homo suavissimus doctissimusque* on another occasion) as *homo doctissimus*, clearly shows that there was no such strictly defined decorum in the application of this virtue³⁵⁴.

Very similarly, Pliny’s long-time friend and Roman knight Voconius Romanus is addressed as *vir doctissimus* in a letter accompanying a draft of the *Panegyric*, and the senatorial scholar Herennius Severus is likewise referred to in a letter addressed to

value than a positive. (...) the choice between positive and superlative is frequently a mere matter of sonorousness and rhythm”.

³⁴⁹ *Medici*, for example, could be described with it as well (e.g. Fam. 7.20.3; Att. 15.1.1).

³⁵⁰ Fam. 6.5.4. The man is elsewhere connected to several “noble” virtues too, e.g. *bonus civis, dignitas et virtus, eximium ingenium summaque virtus, summa probitas, [vir] bonus* (Fam. 6.5.2-4; 6.9.1-2).

³⁵¹ Fam. 9.2.1.

³⁵² Fam. 12.17.2: “sic scilicet, ut doctum hominem a non indocto, paullulum dissidere”.

³⁵³ Fam. 9.20.3; Att. 12.38a.1; 14.7.2.

³⁵⁴ Fam. 11.27.8.

Pliny's friend Vibius Severus³⁵⁵. Neither of these persons are attributed any other trait that accentuated their high social standing, although Pliny did do this on other occasions. When writing to the consular senator Maecilius Nepos, for example, he called him not only a *vir doctissimus*, but also the future governor of an important province, and described him as *gravissimus, disertissimus*³⁵⁶. Interestingly, in a letter to Titius Aristo, Pliny defends himself against critics who had reproached him for writing light and humorous verse, by reminding them that “serious scholars of blameless reputation” (*doctissimi gravissimi sanctissimi homines*) had done so as well in the past³⁵⁷. He refers to senators like Cicero, Hortensius, Brutus, Catullus, Varro, Seneca and even to some emperors. Stepping down on the social ladder, he even includes Virgil, Cornelius Nepos, Accius, and Ennius. “Although they were not senators”, Pliny conveniently reminded his critics, “moral integrity knows no class distinctions” (*non quidem hi senatores, sed sanctitas morum non distat ordinibus*)³⁵⁸. At first, then, the description of *doctissimi gravissimi sanctissimi homines* seems reserved for esteemed men of senatorial rank only. Because it suited his argument or because he honestly believed so, Pliny subsequently decided to add the names of famous writers of lower standing (Accius even being the son of a freedman). Significantly, the passage – rhetorical as it may be – links learnedness to moral integrity, but it also explicitly denies any connection between these two virtues on the one hand, and social status on the other.

In Fronto's correspondence, *doctus* is often directly linked to a (quasi-)synonym. In fact, the frequent juxtaposition of *facundus* (“eloquent”) is a literary fashion not attested in the other correspondences, and reminds us that vocabulary and style of epistolary writing could change over time³⁵⁹. The overall use of *doctus*, however, remains very much the same as before, although it is linked slightly less to other adjectives accentuating moral virtue (such as *gravitas* or *sanctitas*). When such links do occur, the focus is rather on purely scholarly qualities, literary cultivation and *paideia*, as is to be expected from a teacher of rhetoric at the Imperial court³⁶⁰. Besides such extended

³⁵⁵ Ep. 3.13.5 and 4.28.1 respectively.

³⁵⁶ Ep. 4.26.2: “*vir gravissimus doctissimus disertissimus, super haec occupatissimus, maximae provinciae praefuturus*”. Cf. Ep. 1.22.1 (about Titius Aristo): “*Nihil est enim illo gravius sanctius doctius*”.

³⁵⁷ Ep. 5.3.3.

³⁵⁸ Ep. 5.3.6-7.

³⁵⁹ M. Caesar, Iulius Aquilinus, Antoninus Aquila, and Sardius Lupus are all referred to as *viri docti et facundi* (Ad M. Caes. 1.7.3; Ad Amicos 1.4; 1.7; 1.10).

³⁶⁰ Besides *facundus*, see also Fronto's recommendation of Iulius Aquilinus which contains descriptions like *elegans, eloquentia, eruditus*, etc. (Ad Amicos 1.4). References to moral integrity keep occurring as well, e.g. the description of Volumnius Serenus as *senex lenissimus mansuetissimus doctissimus piissimus* (Ad Amicos 2.7.8). In a letter from M. Caesar to Fronto, *doctus* is only one of the

descriptions, *doctus* keeps occurring on its own, i.e. as a single trait without further immediate digressions³⁶¹. Finally, *docta* is used only once to describe a woman, although the passage is not Fronto's but a quote from Sallust's *De Catilinae coniuratione*³⁶². Sempronia, a beautiful woman of noble birth, is characterised as well-versed in Greek and Roman literature (*litteris Graecis et Latinis docta*) but also as voluptuous, promiscuous and not at all preoccupied with traditional feminine virtues. However, after a climactic description of her vices, Sallust finally repeats that despite all this, she was a woman "of no mean talents; she could compose verses, jests, and use language which was modest, or tender, or licentious; in a word, she possessed a high degree of wit and of charm"³⁶³. Clearly, Sempronia's learnedness was not inhibited by her morally despicable behaviour. While Pliny had implied that status is irrelevant when assessing someone's learnedness and integrity, Fronto – via Sallust – indicates that morality and behaviour are so as well. Both elites with a questionable reputation, and individuals from the "lower" orders could be *doctus* despite their respective shortcomings.

Because in all three correspondences, *doctus* occurs both on its own, and as linked to other words that denote learnedness, personal affection or even noble qualities, it is clear that the addition of any of the latter qualifications was not essential when describing freeborn friends, clients, or peers. At least in epistolary writing, then, the word and its derivatives or synonyms clearly did not have any servile or libertine ring to it, that needed to be compensated by more elevated descriptions. These are observations that equally hold true for the attestations of the other virtues in both epistolary and detached sources as well.

In the correspondences, *sanctus* and its derivatives, for example, usually occur in tandem with other typical elite virtues like *prudencia*, *severitas*, *auctoritas*, *gravitas*, or *dignitas*³⁶⁴, but also with *frugalitas*, *patientia*, *abstinentia*, and other much more generally applied qualities³⁶⁵. Interestingly, the immediate linking of *doctus* and *sanctus* – similar to what Cicero did when praising Dionysius – is attested in the correspondences as well, albeit solely to laud freeborn individuals³⁶⁶. The epistolary habit of using a series of

many words the emperor uses to empathically address his *magister*: "disertissime, doctissime, mihi carissime, dulcissime, magister optatissime, desiderantissime" (Ad M. Caes. 1.6.7).

³⁶¹ E.g. Fronto's description of Sardi Saturninus' sons as *iuvenes doctissimi* (Ad Amicos I.9) or his recommendation of Faustianus as *doctus* (Ad Amicos I.5).

³⁶² Ad M. Antoninum Imp. 3.1.10.

³⁶³ Cat. 25: "Verum ingenium eius haud absurdum: posse versus facere, iocum movere, sermone uti vel modesto vel molli vel procaci; prorsus multae facetiae multusque lepos inerat".

³⁶⁴ Cic. Fam. 4.3.2 (*prudencia*, *dignitas*); Plin. Ep. 2.7.4 (*virtus*, *honor*); 4.3.1 (*verecundia*, *venerabilis*, *severitas*, *gravitas*); 4.17.4 (*auctoritas*, *gravitas*); 5.14.3 (*bonus* and *sanctus*); Fronto, Ad M. Caes. 2.16.2 (*iustus*, *gravis*).

³⁶⁵ Cic. Fam. 5.8.5 (*diligentissime*); Plin. Ep. 1.12.5 (*abstinentia*); 1.22.1 (*frugalitas*, *patientia*, ...).

³⁶⁶ Cic. Fam. 4.13.3; Plin. Ep. 1.22.1 and 5.3.3.

virtues rather than just one, is observable in the detached corpora as well. In Pliny's *Panegyric*, for example, words that are likely to be used to describe freeborn (aristocrats) – *gravitas*, *sanctitas*, *innocentia* – are very common juxtapositions to *sanctus*, but more widespread ones – *castus*, *moderatio*, *industria* – occur as well³⁶⁷. The same holds true for Cicero's speeches, etc.³⁶⁸ Sometimes two words of a different "category" (i.e. "elite" and "more general") are added to *sanctus* or *sanctitas*, once more indicating that they did not have a compensating function³⁶⁹.

Of course, *sanctus* – as we have seen – already in itself connoted moral superiority, just like *doctus* served not only to describe a superficial learnedness, but also a cultural and intellectual sensitivity. It is, then, not wholly unsurprising that these virtues were not accompanied by more exalted ones that made them "more suitable" for application to *ingenui*. In fact, they may have fulfilled this role themselves when they were attributed to the "more general" descriptions mentioned above (*castus*, *industria*, etc.). The true test for the assumption that some general virtues required additional markers of ingenuity in order to better suit a description of freeborn (elites), is thus a consideration of the words that were occasionally or even regularly ascribed to freedmen.

Take, for instance, the expression *plenus officii*, the adjective *officiosus*, and the noun *officium*. In Cicero's correspondence, Castronius Paetus' virtues range from being *plenus officii*, diligent (*diligentia*) and a good friend (*amicitia*) to *honestas*, *gravitas* and being a *bonus vir*³⁷⁰. Especially these last two qualities were used exclusively to praise freeborn aristocrats with, and may as such indicate that characterisations like *plenus officii* and *diligentia* were ideally enhanced by additional markers of high status to compensate for any base connotations. Indeed, the adjective *officiosus* or the noun *officium* (but also *frugi* or qualities that conveyed a similar meaning) were often juxtaposed to elevated qualities like *vir bonus/optimus* or *virtus*³⁷¹. Once again, however, they were *not*

³⁶⁷ Plin. Pan. 1.3 (*castus*); 3.5 (*innocentia*); 10.4 (*optimus*); 63.8 (*moderatio*); 70.4 (*industria*); 82.8 (*gravitas*, *temperantia*).

³⁶⁸ "Elite" descriptions: Cic. Quinct. 55.4 (*vir bonus*); S. Rosc. 33.5 (*ornatus*); Ver. 2.3.185; Phil. 9.15.15 (*honestus*); Cat. 1.9.4; Red. Pop. 18.10; Cael. 54.7; Balb. 12.1; Pis. 47.5; Planc. 27.5; Deiot. 10.8; 20.6 (*gravis*); Flac. 8.4; Dom. 21.1 (*fortis*); Dom. 105.17; Balb. 9.15 (*castus*); Sest. 6.2; Rab. Post. 8.10 (*severus*); Phil. 3.16.5 (*optimus*); Ver. 2.3.182; Phil. 8.16.7 (*innocens*); Cael. 52.8; Phil. 2.103.2 (*integer*). "More general" descriptions: Quinct. 55.4; Ver. 2.5.49; Cluent. 91.4; 107.5; 133.3 (*diligens*); Ver. 2.4.83; Font. 38.9 (*temperans*); Cluent. 107.5; Dom. 21.1 (*prudens*); Cluent. 133.3 (*probus*); Arch. 9.10; Balb. 50.9 (*modestus*); Flac. 71.10 (*frugalis*); Balb. 9.15 (*moderatus*).

³⁶⁹ E.g. Lucius Flacus who is not only *sanctus* and *fortis*, but also *modestus*, *diligens*, and *temperans* (Flac. 8.4); Cato who is besides *sanctus* and *fortis* also *prudens* (Dom. 21.1), and Clodius (albeit in a sarcastic passage) who is both *sanctus* and *innocens*, and *temperans* and *modestus* (Phil. 8.16.7).

³⁷⁰ Fam. 13.13.1.

³⁷¹ Fam. 5.17.3 (*sanctus*); 11.22.2 (*gratissimus*; *virtus*; *natus summo loco*); 13.1.2 (*vir bonus*; *suavis*; *officiosus*); 13.13.1 (*gravitas*); 13.22.2 (*bonus vir*); 13.29.8 (*gratissimus*; *optimus vir*); 3.11.3; Att. 1.5.1

accompanied by such exalted virtues on many other occasions³⁷². In fact, the words associated most often with freeborn attestations of *plenus officii* (or *officiosus* and *officium*), were general virtues like *humanitas*, *fides*, *diligentia*, and *frugalitas*; i.e. appropriate also to praise freedmen with³⁷³. For example, the already mentioned letter to the emperor Verus, which praised Gavius Clarus' many qualities, refers not only to his being *officiosus*, but also *modestus*, *fidus*, *frugalis*, *simplex*, etc. Similarly, combinations of the "libertine" qualities with other words that could imply "inferiority" or inequality occur in the same way for both freed and freeborn persons. The combination of *frugi* and *modestus* is a good example, attributed as it was to both freeborn, freedmen, and even slaves³⁷⁴.

Perhaps the most interesting are the instances where freeborn individuals are described in almost exactly the same terms as Dionysius in Att. 7.4.1, without there being any indication that the lack of a more exalted virtue somehow diminished the value of this description. A particularly indicative case is that of Aulus Fufius, whom Cicero praises in a letter to Gaius Memmius. The man, Cicero writes, is one of his intimate friends, most attentive and attached to him, a good scholar, a very kind natured man, and most worthy of Fufius' friendship (*unum ex meis intimis observantissimum studiosissimumque nostri, eruditum hominem et summa humanitate tuaque amicitia dignissimum*)³⁷⁵. A positive answer to the recommendation would moreover bind him to Memmius by the strongest ties of duty and respect (*ipsum praeterea summo officio et summa observantia tibi in perpetuum devinxeris*). The significant similarities with Cicero's description of Dionysius in Att. 7.4.1 are clear immediately (*summo officio* – *plenus officii*; *studiosissimus nostri* – *studiosus meae laudis*; *homo eruditus* – *homo doctus*). Clearly, even in a formal letter of recommendation, this combination of descriptions was deemed appropriate for freeborn clients. Similarly, in the eponymous *oratio* in his defence, Fonteius is praised by Cicero as a frugal, moderate, and temperate man, full of modesty, sense of duty, and piety" (*frugi igitur hominem, iudices, frugi, inquam, et in omnibus vitae*

(*virtus*). For *frugi*, see e.g. Cic. Brut. 1.8.2 (*fortis vir*); Plin. Ep. 2.6.6 (*optimus*); Fronto Ad Verum Imp. 2.7.5 (*parsimonia; frugalitas*); Ad Antoninum Pium 3.2 (*fortis; innocens*).

³⁷² Fam. 1.1.2; 1.6.2; 2.18.1; 3.4.1 (*studium*); 1.8.1; 2.13.1 (*prudencia*); 1.8.1; 3.1.2; 3.9.1; 11.15.1; Quint. Fratr. 2.14.1 (*diligentia*); Fam. 3.1.2 (*amor*); 3.9.1 (*humanitas*); 3.11.3; 12.25a.2; Att. 9.7B.2 (*fides*); 3.11.3 (*benevolentia*); 6.6.13; 6.14.1; 10.1.3 (*opera/labor*); 11.27.1 (*amantissimus nostri*); Att. 13.45.3 (*diligens; studiosus*).

³⁷³ Cic. Fam. 13.23.2; Att. 5.20.8-9 (for freedmen); Fam. 1.8.1; 2.8.1; 3.11.3; 6.14.1; 11.15.1; 12.25a.2; Att. 1.20.1; Quint. Fratr. 2.13.1; Fronto Ad Verum Imp. 2.7.5 (for *ingenui*).

³⁷⁴ For *ingenui*: e.g. Cic. Att. 4.8a.2-3; 13.28.4; for freedmen: e.g. Fam. 13.70; for slaves: e.g. Plin. Ep. 10.31.2-3.

³⁷⁵ Fam. 13.3.1: "A. Fufium, unum ex meis intimis observantissimum studiosissimumque nostri, eruditum hominem et summa humanitate tuaque amicitia dignissimum (...); ipsum praeterea summo officio et summa observantia tibi in perpetuum devinxeris".

partibus moderatum ac temperantem, plenum pudoris, plenum officii, plenum religionis videtis)³⁷⁶. Interestingly, the description reads as another clear parallel to Att. 7.4.1 (e.g. *frugi* (id.); *plenus officii* (id.); *sanctus - plenus religionis*).

7.3.2.3 Preliminary conclusion

An extensive lexical analysis unambiguously reveals that neither of the virtues ascribed to Dionysius in Att. 7.4.1 would have been recognised by Atticus as common “libertine” virtues. Not only were freedmen rarely (if ever) described by some of them, but all of these qualities – and their many possible combinations – were attributed to *ingenui* as well; sometimes almost in the exact same combination, and both with and without additional markers of ingenuity.

Mouritsen, MacLean, and especially Fabre claimed that the same virtues would nonetheless have a different semantic scope, depending on the context in which they were (discursively) situated. Within the bounds of a patron-freedman relationship in particular, a shadow was allegedly cast over these qualities because this framework implied that the freedman in question only possessed them by the grace (acknowledgment) of his patron. The argument is very tentative and subjective, as it cannot be objectively proved or disproved. Moreover, the idea that virtues can only be “innate” or “optimal” when they originate from a person’s character without there being a “recipient” seems absurd, since – especially in epistolary sources – these virtues were nearly always presented as beneficial to (usually) the receiver or writer of the letter. As we have seen in the chapter on letters of recommendation (Chapter 5), moreover, the notion that embeddedness in a patronage relationship was somehow demeaning for the inferior party, or that virtuous descriptions received somewhat of a denigrating connotation as a result, is blatantly disregarding the performative function of such descriptions in the on-going process of social negotiation. In a similar vein, then, attributing frugality, zeal, or serviceability to a person was a strategy to increase his social capital (by accentuating his reciprocal consciousness), and was applied to freedmen as well as to *ingenui*. The latter, moreover, exhibited these qualities more often than not in relation to their own (pseudo-)patron or at least social superior. One of the clearest examples is the recommendation of the freed imperial procurator Maximus. For Mouritsen, his description as *probus et industrius et diligens* is evidence for his suggestion that freedmen were praised for a “different set of qualities”³⁷⁷. Surely, being

³⁷⁶ Font. 40. In the subsequent passage (41), Fonteius is explicitly described in highly exalting terms (*hominem honestissimum, virum fortissimum, civem optimum*), but this description is not meant to “compensate” for the previous one, which could clearly feature independently.

³⁷⁷ Mouritsen (2011), 63. For Pliny’s passage, see Ep. 10.85.1: “*probum et industrium et diligentem ac sicut rei tuae amantissimum ita disciplinae tenacissimum expertus*”.

probus was a quality valued in freedmen (and slaves)³⁷⁸, but it was equally appreciated in freeborn individuals. Sometimes this happened by adding markers of ingenuity³⁷⁹, but this was certainly not always the case. In the letter following Maximus' recommendation, for example, a prefect is recommended in exactly the same terms as Maximus (*integer probus industrius*), and without additional descriptions³⁸⁰.

Returning to Att. 7.4.1, Cicero seems to have followed the advice he gave his readers in the *De Oratore*. There, he stated that laughter could be excited by a witty thought or by original use of language, but that the best jokes consist in combining both (*haec igitur sit prima partitio, quod facete dicatur, id alias in re habere, alias in verbo facetias; maxime autem homines delectari, si quando risus coniuncte re verboque moveatur*). He subsequently noted how any topic or description might evoke both amusement and serious thoughts. The difference on which this reaction depends is that “weightiness is applied to honourable subjects with gravity, quips to matters that are in some degree foul or grotesque” (*sed hoc mementote, quoscumque locos attingam, unde ridicula ducantur, ex eisdem locis fere etiam gravis sententias posse duci: tantum interest, quod gravitas honestis in rebus severisque, iocus in turpulis et quasi deformibus ponitur*)³⁸¹. By explicitly stating that his appraisal of Dionysius was transgressive (*ne libertinum laudare videar*), Cicero applied the latter rhetorical strategy, and he did so – as he recommended himself – through both the language used, and the idea behind it. Not only would the combination of the five virtues Cicero initially describes Dionysius with not be recognised as particularly “libertine”, but the inclusion of *doctus*, and especially *sanctus* and *studiosus meae laudis* would achieve quite the opposite. If Cicero's description implied any status-related connotation at all, it was much more likely a “freeborn” than a “libertine” one. Consequently, the phrase *ne libertinum laudare videar* was intended not to introduce an antithesis (“libertine” virtues versus *vir bonus*), but to enhance the already deviating initial appraisal. The expression thus served to bring home the message already anticipated by the qualities listed prior to it. It shows that Cicero was aware of the boundaries he was crossing. It is certainly no coincidence that this occurred – like Tiro's

³⁷⁸ E.g. Plin. Ep. 5.19.3 (Zosimus is a *homo probus officiosus litteratus*); 10.31–32.1 (*servi poenae* who had usurped the condition of *servi publici* had to be reduced to their original status: “in condicionem proborum ministrorum retrahuntur”).

³⁷⁹ E.g. Plin. Ep. 2.9.3 (about Sextus Erucius, recommended by Pliny to Trajan): “Quae causa si *studium* meum non incitaret, adiutum tamen cuperem iuvenem probissimum gravissimum eruditissimum, omni denique laude dignissimum, et quidem cum tota domo”.

³⁸⁰ Plin. Ep. 10.86a.1: “Gavium Bassum, domine, praefectum orae Ponticae integrum probum industrium atque inter ista reverentissimum mei expertus”. Other examples include Cic. Att.4.8a.2–3; Att. 13.28.4; Quinct. 24.77; Plin. Ep. 2.18.2–3.

³⁸¹ Cic. De Orat. 2.248. The example that follows has already been quoted earlier (i.e. that the expression *frugi servus* might be both sincere and a quip towards an extravagant slave).

“blunt” expression *valetudini fideliter inserviendo* – in the network embedded correspondence. Cicero plays with the notion that certain qualities would normally not be ascribed to Dionysius (or a fellow freedman), but he both explicitly accentuates and breaches this – what could be called a – “hidden transcript”. Atticus understood the reference and recognised its (somewhat snobbish) allusion, as his response (appropriating and deliberately surpassing Cicero’s descriptions) clearly suggests.

7.4 Conclusion: principled equality and distinction

The ingrained assumption that freedmen’s public disabilities differed fundamentally from those of the urban poor; the belief that such public disabilities significantly affected the daily lives of these lower classes; or the conviction that the artistic tastes of freedmen essentially differed from those of both the elite and freeborn members of the *plebs media*, are but a few of the many aspects of freedman socialisation that have been the subject of scrutinous revision in recent years³⁸². Sherwin-White already noted that freedmen “enjoyed a large measure of equality of private rights under the *ius civile*”, and Wiseman showed how such “discrepancy between the equality showed in private life (...) and political disadvantages” was a strategy of elite distinction not at all exclusively resorted to in relation to freedmen, but similarly applied to, for example, the Italian upper classes prior to the Social War³⁸³. Most recently, Borbonus has argued that the “contradictory experience” of manumitted slaves differed not fundamentally from that of “other nonelite Romans” or *peregrini*³⁸⁴. Despite these exponentially increasing attempts to break down modern analytical boundaries and distinctions between freedmen on the one hand, and freeborn members of the *plebs media* or even elites on the other, the notion of a distinct vocabulary or set of virtues to describe freedmen with has been consistently left unchallenged. Quite on the contrary, it very much remains an undisputed given in recent contributions, as our initial discussion of MacLean’s and Mouritsen’s recent works have shown.

³⁸² Many scholars have drawn these conclusions independently and in widely diverging contexts, e.g. Weber (1988), 257; Shaw (2000), 389-90; Mouritsen (2011), 71-3, 79, 100, 296; Perry (2014), 130-4; Petersen (2006), e.g. 230; Gardner (1993), 154; Alföldy (1988), 144-5; Borbonus (2014), 118; Knapp (2011), 174. See also the Introduction and Chapter 2.

³⁸³ Sherwin-White (1973), 326; Wiseman (1971), 63.

³⁸⁴ Borbonus (2014), *passim* (e.g. p. 11-2, 144).

The reservation of a set of descriptions for *ingenui* (usually top elite) was a tool of these elites in their attempts at distinguishing themselves – in a truly “Bourdiesian” fashion – from “outsiders”, viz. by accentuating unique features of dignity unattainable (at least from their perspective) for the subelite classes³⁸⁵. It was an unspoken rule that expressions like *vir bonus*, or qualifications like *gravis*, *honestus*, or *sanctus* should be used only when praising intrinsic virtues of freeborn individuals of relatively elevated social status. It is, however, an unwarranted leap to deduce from this observation that another set of virtues therefore *had to* be reserved for freedmen, in order to further accentuate the exceptional and reserved nature of the “elite discourse”. As we have shown, this “elite discourse” could be used to enhance a different one, which was linked to “paths to glory” other than those available solely to the elite. However, this alternative discourse (and its associated virtues, which included reverence and industry) did not imply inherent “libertine” inferiority, as it applied equally to freedmen, lower class *ingenui*, and the elites alike.

In fact, and almost paradoxically, MacLean’s study deserves ample credit for showing how freedmen and elite *shared* a path to glory and an associated discourse. Unfortunately, the chronological and causal evolution she prematurely discerns in, and imposes on, the sources, presents this path and discourse as originally having been typically “libertine”, and as only appropriated by the elite under external pressure (the domination of an emperor), but even then still retaining its connotation of inferiority. As we have indicated in this chapter, there was nothing “libertine” about accentuating upward reverence. Indeed, even *ingenui* who could resort to the exclusive “path” of ancestry or public office could just as easily stress their association to a patron³⁸⁶. Even law texts could accentuate the difference in authority, rank, and power between patrons and freeborn clients (e.g. *clientes nostros intellegimus liberos esse, etiamsi neque auctoritate neque dignitate neque viri boni nobis praesunt*)³⁸⁷. As noted in Chapter 5 (and as Chapter 8 will reiterate), however, the connection to a (pseudo-)patron was a dimension that could be, and was, voluntarily invoked because besides publicising an inherent respect for status hierarchies, it also accentuated the client’s social capital, without infringing on his fundamental freedom and citizenship. Or as Wallace-Hadrill noted: “patrons and

³⁸⁵ Bourdieu (1979) famously observed how the dominant in society (whom he defined as those groups and individuals who possess large volumes of cultural and symbolic capital) impose their conception of “distinction” between lower and higher classes, as well as the structural determinants that justify and consolidate this distinction (i.e. a specific set of elite qualities).

³⁸⁶ AE 1915, 23 (*L(ucius) Magnius Sa/turninus Se/dianus iuni/or patrono / amantissimo*); AE 1934, 26 (*M(arcus) Aemilius / M(arci) f(ilius) Pap(iria) Felix / Iunior aedil(is) / q(uaestoriciae) p(otestatis) praef(ectus) i(ure) d(icundo) / patrono op/timo sua pe/cunia posu/it itemque de/dicavit*); CIL 8, 20996 (*M(arcus) Aurelius Saturninus veteranus ex dec(urione) alario patronis dignissimis*); ... Cf. Saller (1982), e.g. 194ff.

³⁸⁷ Dig. 49.15.7.1.

clients were (mostly) fellow citizens, equal in theory before the law, and it is therefore a crucial feature of this particular structure of human inequality that it had to be compatible with the ideology of citizenship”³⁸⁸.

But the higher up the social ladder, the more rigid the norms, ideology, and attempts at distinction played. This general Bourdieusian distinction process, however, was directed not against freedmen in particular – even though they often provided the most conspicuous representation –, but rather against “the other”, i.e. the “non-elite” (or more specifically, the “non-*decuriones*”, the “non-knights”, or the “non-senators”, depending on what (contextual) level the distinction was pursued). Attempts at distinction trickled down, with the result that the highest echelons would necessarily require stricter values and boundaries (a well-known preoccupation, more pragmatically reflected in the census requirements for each *ordo*). The notion of a recognisable “libertine” set of virtues or a “libertine” vocabulary is a consequence either of unwarrantedly separating and opposing the “two paths to glory” (esp. Mouritsen and MacLean), or of a circular reasoning that explains such discourse because it *has* to exist as a consequence of the freedman’s presumed innate stigma or his perpetual subservience in relation to his patron (esp. MacLean and Fabre).

The public transcript of equality – based on the shared identity dimensions of freedom and citizenship³⁸⁹ – as well as the locus for social negotiation it provided, would not survive the driving of a wedge between the body of citizens as a whole. As noted in Chapter 1, this public transcript was beneficial to both non-elite and elite. It was a tool of the dominant to “normalise” fundamental inequalities by framing them in an acceptable “natural” order of things, but it also allowed freedmen to operate in an atmosphere of *de facto* equality, against which the elite could not protest without undermining the very transcript that consolidated their power in the first place. In this chapter, we focussed on discourse in the most literal sense, but it goes without saying that any “transcript” is made up, and in turn reinforced, by non-linguistic constituents as well. Indeed, the legal notion of inalienability of freedom, for example, precluded the reduction of informally freed slaves to mere “quasi-slaves”, no matter how assiduously some elite writers proclaimed that it should³⁹⁰. Even if an idealistic conception of the Roman citizen body was not the prime reason for elites to uphold this principled equality, surely the prospect of losing one of the most effective tools for keeping the

³⁸⁸ Wallace-Hadrill (1989a), 8.

³⁸⁹ Cf. Lavan (2013), 96 (a good emperor makes no distinction within the citizen body); Mouritsen (2011), 30: “the Romans had traditionally enfranchised their freedmen, in principle making them equal to their masters”; 122: “their citizenship in principle was equal to that of freeborn”.

³⁹⁰ Cic. Fam. 1.1.13; Tac. Ann. 13.27. For the inalienability of freedom, see Ramin & Veyne (1981); Mouritsen (2011), 10ff, 56.

slave population under control (the *spes libertatis*), or a fear that the *penuria ingenuorum* might spur ex-slaves to violent action, constituted compelling arguments³⁹¹. A similar preoccupation with safeguarding the fundamental equality of citizens lay at the core of the consistent refusals to institutionalise the procedure of *revocatio in servitutem*, or to abolish the freedman's right to vote (cf. Chapter 2). It has been duly noted, by way of comparison, that the institution of US slavery did not have its own form of public transcript of equality (largely due to racist considerations), and that this led not only to a system where repression was the most important tool to keep the slave population in line, but also to a situation where the happy few that *did* obtain their freedom became disillusioned and rebellious³⁹².

The existence of a public transcript of equality – of which discourse and vocabulary are thus but the most conspicuous manifestations – did not imply that the principal equality of free(d) citizens could not be contextually reconfigured to suit elite attempts at distinction, just like freedmen themselves would originally appropriate the “elite discourse” in their efforts of self-representation (cf. Chapter 8). A misrecognition of the counterintuitive symbiosis of “principled equality” and “distinction” lies at the core of recurrent modern misconceptions about freedman socialisation³⁹³. Indeed, a focus on detached sources (i.e. the large majority of Latin literature) leads to a disproportionate accentuation of the element of “distinction”, even though traces of “equality” are discernible already in its most radical expressions (Chapter 6). Certainly, there was disparagement, but besides being limited to the highest echelons of Roman society – which, as noted before, required a more strident discourse of exclusivity – the sneers to and condemnation of freedmen consistently stemmed from a meta-narrative that extrapolated individual cases of usurpation and elite fear to the entire “class” of ex-slaves³⁹⁴.

In all of these cases, fear stemmed primarily from the dreaded prospect of freedmen acquiring power or influence over their patron. Senators did not have to fear freedmen rising to their station, since both *mos* and *lex* clearly restricted access to this order³⁹⁵. The problem, however, was that some freedmen might gain influence through their

³⁹¹ Tac. Ann. 13.26-7.

³⁹² E.g. Fleischmann (2005), *passim* (but already accentuated on p. 1).

³⁹³ Roman law also recognised the coexistence of “superiority” and “shared freedom”. But it was a coexistence never exclusively related to freedpersons. For example, it was observed also as a trait in relations between people as a whole, e.g. Dig. 49.15.7.1: “hoc enim adicitur, ut intellegatur alterum populum superiorem esse, non ut intellegatur alterum non esse liberum”. A refreshing insight in the interaction between condescendence on the one hand, and citizen equality on the other, is one of the most interesting aspects of Perry's recent volume on the Roman freedwoman (2014).

³⁹⁴ For the elite “fear of freedmen”, see López Barja de Quiroga (2007).

³⁹⁵ Łoś (1995), 1015.

patrons (i.e. by too close an association, very similar to the one Cicero condemned in his brother's freedman Statius, or the one Tiro feared third parties might use against his patron)³⁹⁶. The consistent attacks against imperial freedmen (whose influence on malleable emperors was the most threatening of all), but also the recurrent discussions on the freedman's vote, his inability to hold public office, etc. were manifestations of the same fear. We can once more cite Andreau on this matter: "it was the *libertus* that worried them, not the *libertinus*"³⁹⁷. Nonetheless, the detached sources would typically associate isolated and circumstantial anecdotes of (mostly imperial) freedmen's depravity or usurpation, with the *ordo libertinorum* as a whole (as attested by the many occurrences of *libertinus* when compared to the network embedded sources). It was a rhetorical strategy to present an elite fear (of *liberti*) as a danger for society as a whole (order-reversing *libertini*), and as such much more profoundly threatening to the "natural" order.

An intriguing, though necessarily elusive question is how the elites would have presented freeborn members of the *plebs media* if there had been as profound an attention to this "class" as to that of freedmen in their literary works. If the figure of the *homo novus* is any indication, very similar vituperations (focussing especially on a lack of illustrious ancestry) indicate that it would have been comparable to the attempts at distinction directed against freedmen³⁹⁸. It was precisely because the freedman (privately) and the new man (publically) were in a position to threaten patronal dignity or elite exclusivity – a position the members of the *plebs media* did not share – that they became the object of elite derision. Literature and law notoriously focus on social concerns and problematic aspects of society rather than on a proportional representation of that reality³⁹⁹. It has been argued that the *mediocre* freedperson was never a concern or an interest of elite writers, but rather a banality taken for granted and therefore not worth mentioning. A similar trend is discernible in the representations of women or poor clients – who were generally considered unworthy of attention⁴⁰⁰. Women, clients, and freedmen only come to the fore in exceptional contexts, i.e. when their normality is somehow breached and their actions worthy of note (either for the good or the bad). The works of Valerius Maximus (extolling slaves who exhibited extreme loyalty and virtue) and Tacitus (consistently condemning the

³⁹⁶ Cic. Fam. 16.18; Quint. Fratr. 1.2.1-3, 8; Att. 2.18.4; 2.19.1.

³⁹⁷ Andreau (1993), 196.

³⁹⁸ Wiseman (1971), passim (e.g. 2, 7, 59).

³⁹⁹ Fitzgerald (2000), passim; Wiseman (1971), 53. For freedpersons in particular, see Perry (2014), 146; Kleijwegt (2012), 117.

⁴⁰⁰ Garnsey & Woolf (1989), e.g. p. 167.

class of *libertini* as the most profound sign of moral decay) are arguably the most illustrative examples of these trends⁴⁰¹.

When Tiro explored the boundaries of the public transcript of principled equality (by jokingly insinuating that his imposing patron saw his revalidation as an *officium*), or when Cicero did so (by drawing exceptional attention to the exclusivity of a description like *bonus vir*), the stinginess of these anecdotes derives from the involved individuals' realisation that such breaches should not be revealed *openly*. A Tacitus, on the other hand, does nowhere conceal his contempt for (the class of) freedmen. The blatant difference reveals the distinction between network embedded communication (where principled equality was consistently respected), and detached meta-narration, which, on the contrary, typically focussed on the deterioration of the institution that made the public transcript acceptable for the elite (i.e. respect for, and adherence to social hierarchy by individual freedmen). Because the latter was allegedly lacking – an essential though highly exaggerated and crystallised assumption resulting from the meta-narrative of moral decay –, detached authors did not feel the need to keep up their end of the bargain, justifying the general condemnation of an entire class that was considered a vital cause – if not the essential reason – for this decay.

In conclusion, the assumption of a “libertine” set of virtues or discourse stems from a tacit appropriation and extrapolation of the elite's detached meta-narrative, a methodological fallacy which Petersen has, in another context, famously called “Trimalchio vision”⁴⁰². It typically isolates the freedman as a (literary) object of distinction, without accounting for the fact that he is thereby lifted – “detached” – from the network embedded context in which his actions and behaviour were essentially rooted. It is no coincidence at all that it are precisely the network embedded sources that reveal the greatest care in upholding the locus for social negotiation by adhering to the public transcript of equality. Besides the letter corpora, these sources also include epigraphic texts. It is to these that we will turn in the final chapter.

⁴⁰¹ Val. Max. 6.8 (*de fide servorum*). For Tacitus' evaluation of freedmen, see Appendix 6.

⁴⁰² Petersen (2006).

Chapter 8 Identity and stigmatisation: the freedman's perspective

This final chapter is conceived as a distinct part of the dissertation – in which new questions are raised and different topics treated –, but at the same time, it also serves as a kind of epilogue to previous discussions and arguments. It is in particular the shift of focus to epigraphic source material that provides the opportunity to construe this chapter along these lines. The source base of the analysis is a database of metric epitaphs (*carmina epigraphica*), which will be introduced in section 8.5 (and which is included in Appendix 7). After a general introduction to the presence of freedmen in the epigraphic realm (8.1), we briefly expound our own assumptions with regard to the representativity and value of these sources for the study of freedman socialisation, thereby firmly rooting the discussion in the theoretical framework of transcript theory (8.2). A third (methodological) section prior to the actual analysis of the database, treats the fundamental issue of “authorship” in epigraphy, and assesses the repercussions of the often indeterminable identity of the dedicators of epitaphs (8.3). Section 8.5 focusses on the salience (and combination) of the identity dimensions freedmen felt particularly worth stressing in their epitaphs. Specific attention will be paid (both comparatively and in its own right) to the use and function of libtination in these texts (8.5.2; parallel to Chapter 4), and to the instrumentality of dedication and subservience in freedman self-presentation (8.5.3; parallel to Chapter 5). Section 8.6 focusses in detail on the traces of a *macula servitutis* in these poems, and on the salience of a “servile” past in creating a “libertine” identity. Finally, the chapter reiterates the notion of a “freedman discourse”, this time obviously from a mainly non-elite perspective (8.7; parallel to Chapter 7).

8.1 Freedmen in epigraphy

Saller and Shaw estimated that roughly three-quarters of all extant Latin inscriptions belong to the funerary realm¹. For Rome alone, this number already amounts to more than 30.000. Enormous as it may seem at first sight – especially when compared with smaller towns or non-urban contexts – this corpus constitutes barely one per cent of all the burial monuments that once existed in the city². Besides the delicate question of overall representation, socio-cultural biases in the remaining epitaphs preclude any conclusions about demographic proportions³. Even when leaving aside age and gender biases⁴, the epigraphic record also does not reflect the relative (or absolute) magnitude of any given social class.

Be that as it may, the proportion of freedmen in funerary epigraphy is notoriously great. For Rome, Taylor estimated that freedmen outnumbered the freeborn by a ratio of – at the very least – three or four to one, although she rightly noted that the true proportions greatly depend on the unknown status of the many *incerti*, who comprised roughly two-thirds of all individuals. Moreover, any random sequence of inscriptions always contains at least twice as many freedmen as freeborn (and often many more than that)⁵. This estimate was confirmed by Nielsen, who analysed the inscriptions of the people of Rome who mentioned their status when dedicating an epitaph⁶. She found that 67% of them were freedpersons, 23% slaves, and only 10% freeborn, although these numbers again (necessarily) ignore the *incerti*. Huttunen's elaborate database containing every fifth inscription of the sixth volume of the CIL, revealed a similar ratio (roughly 6:1) of freedmen and freeborn⁷. Mouritsen's analyses of samples from Ostia and Pompei show that 75% and 58% of the inscriptions respectively were made by or for ex-slaves⁸. Finally, Borbonus studied status mentions in *columbarium* epitaphs, and similarly concluded that 21% were freedpersons and only 2% freeborn, although there too 73% of the individuals mentioned were *incerti*⁹. Barring some exceptional municipal outliers,

¹ Saller & Shaw (1984), 124.

² Bodel (2008), 179.

³ E.g. Saller & Shaw (1984), 130; Hopkins (1987), 117; Shaw (1987), 33ff; and especially Parkin (1992), 19.

⁴ Hopkins (1983), 72; (1987), 114; King (2000), 123-9.

⁵ Taylor (1961), 117-9.

⁶ Nielsen (1997), 203-4. The numbers are roughly comparable to the proportion of dedicatees (62%, 14%, and 24% respectively).

⁷ Huttunen (1974), esp. 139.

⁸ Mouritsen (2005), 38. Cf. already Heinzelmänn (2000), 104.

⁹ Borbonus (2014), 119-20, 211-2. Borbonus' methodological approach, it should be noted, is exceptional in that it categorises as *incerti* all individuals who did not formally mention their status.

similar trends are found across the entire Italian peninsula, but are noticeably absent in the provinces¹⁰.

The reasons for the freedman's drive for commemoration have been variously explained, and it is now generally accepted that their predominance reflects socio-cultural trends related to the "epigraphic habit" rather than demographic ones¹¹. Their promotion to free (and often citizen) members of society, for example, was an achievement particularly worth stressing. Somewhat paradoxically, this argument has been put forward by the very same scholars who considered freedmen to be generally "ashamed" of their status¹². Moreover, Joshel noted how professional pride was an identity dimension particularly worth mentioning for slaves and freedmen, who thus comprise the great majority of people commemorated in (or establishing) occupational epitaphs¹³. Other explanations focussed on freedmen's heightened sense of awareness of what it meant to be able to have family connections, as this was arguably one of the prerogatives most desired by the unfree population. Thus Mouritsen rightly stressed that freedmen had unique and compelling reasons for commemoration in *necropoleis*, whereas municipal elites looked increasingly to the forum for the fulfilment of their existential needs¹⁴. He argued that the aspiring class of freedmen was undoubtedly inspired by the great Republican monuments of the nobles, but that this never amounted to blatant imitation. Nor should funerary habits only or primarily be interpreted as constituting a sphere of competition¹⁵. All of these possibilities have been

Even freedmen who, for example, mention a patron or a *collibertus* are thus labeled *incerti*. It is meaningful that even then, the relative proportions are in line with the results of other studies.

¹⁰ Kajanto (1968), esp. 523; D'Arms (1974), 112 note 71; George (2005), 58f. The image is confirmed also by a focus solely on "speaking stones" (i.e. *carmina* that address the reader personally). Carroll (2007-8), 45-6 thus showed that for Rome, 53% of individuals mentioned in these epitaphs were freedmen, 15% freeborn, and 13% slaves. In Italy as a whole, the relative preponderance of freedmen shrinks to 32% (35% for *ingenui*). It disappears entirely in the provinces, where freeborn individuals considerably outnumber freedpersons in these particular *carmina*.

¹¹ MacMullen (1982); Meyer (1990); Woolf (1996); Bodet (2001), 6-10. Mouritsen (2005) critiques the notion of a monolithic epigraphic habit, and argues in favour of a plethora of interacting epigraphic habits (62-3).

¹² E.g. Taylor (1961), 129-30; Carroll (2006), 247ff; and Chapter 2.

¹³ Joshel (1992), esp. 184. Slaves featured most prominently – both as commemorator (31,8%) and deceased (32,4%) – but are closely followed by freedmen (26,9% and 31,7% respectively). Freeborn craftsmen pale by comparison (1,7% and 2,9%), and would still not exceed either slaves or freedmen even if we grant that all "uncertain freeborn" (24,4% and 19,5%) are in fact *ingenui* (although in reality at least a portion of these were ex-slaves).

¹⁴ Mouritsen (2005), esp. 53ff.

¹⁵ Mouritsen (2005), esp. 47-50. Cf. Borbonus (2014), 12. Neither Mouritsen nor Borbonus recognises a specifically "libertine" form of such original appropriation. Cf. Petersen (2006). Dexheimer (2000), *passim* (e.g. 82) similarly sees in elite attitudes and values clear models for imitation from below. Although the title of the contribution insinuates that these conclusions are applicable specifically to

given their due attention, most recently, by Borbonus, who claimed that *columbarium* graves above all constituted a non-competitive sphere of commemoration¹⁶. Whereas his results for *columbaria* are indisputable and highly valuable, the claim that these burials contrast significantly in this regard to the more publicly accessible (and visible) graves alongside the great entrance roads to cities, is still heavily indebted to the scholarly tradition that views funerary practices as a sphere of conspicuous competition. It does not stand the test of Mouritsen's detailed scrutiny of the Pompeian and Ostian sites, and is incompatible with the observation that elites voluntarily withdrew from the sphere of public commemoration¹⁷.

The nature of the commemorative genre is naturally predisposed towards positive descriptions. Individuals who did not entertain a good relationship during life are less likely to honour each other in death, and even if they did (e.g. as fulfilment of a formal testamentary obligation), the social convention and traditional rules of decorum would have euphemised or omitted any pejorative reference: *de mortuis nihil nisi bene*. In any case, the degree of sincerity of emotion and feelings attested in so many epitaphs is often impossible to gauge. Robert Knapp, for example, writing about the freedman-patron relationship in particular, argued that despite sporadic cases of feigned adulation, the "frequency of positive remembrances must reflect good relations in many situations"¹⁸. Although this seems a very common sense assumption, he does not qualify this claim anywhere in his analysis. Much more compelling is King's detailed analysis that shows that even the standardised expressions of grief and loss reveal true emotion on the part of the dedicators of funeral inscriptions. The debate is a very heated one, as emotion, psychology, and mentality are areas notoriously complicated by their subjectivity, and many a scholar of epigraphy is subsequently reluctant to engage in it. Although the past two decades have been marked by a crystallisation of this debate around the emotions expressed by parents of deceased children, the arguments can often be extrapolated – *mutatis mutandis* – to more generalised contexts¹⁹. The central problem in all of these discussions is that cases can be made *in utramque partem*, without cynical nor more optimistic historians being able to convincingly settle the matter. Already in 1983, Keith Hopkins, one of the first ancient historians to highly and

liberti, it also recognises similar patterns for e.g. slaves and veterans. Leppin (1996) shows how imperial freedmen originally appropriated elite values to create their own social identity.

¹⁶ Borbonus (2014), *passim* (esp. 106ff).

¹⁷ Among the many scholars who interpret funerary epigraphy in terms of imitation and competition are Woolf (1996); Dexheimer (2000); Carroll (2006), e.g. 16, 229.

¹⁸ Knapp (2011), 184.

¹⁹ E.g. Golden (1988), *passim*; Dixon (1992), 13; Nielsen (1997), 199f. King (2000), 119-21 provides a more detailed overview of the debate.

consistently value sociological models and insights in his analyses, deemed it self-evident that he could not define the connection “between the experience of feelings and their expression”²⁰.

In the following two sections, we expound in more detail our approach to these and similar caveats related to the contentious issue of representative value of epigraphic sources, while focussing in particular on the ramifications for a study of freedman socialisation.

8.2 Epigraphy as “transcript”

8.2.1 Hidden and public transcript

Even though epigraphic sources have been repeatedly hailed as giving voice to Rome’s lower classes – and as such contrast sharply with the literary sources –, they by no means represent the “hidden transcript” of these groups²¹. As noted in Chapter 1, expressions of displeasure or resistance to domination typically occur in “off-stage” contexts, where anonymity and disguise provide the necessary framework for concealment. If there is one thing the realm of funerary epigraphy was not, it was such an anonymous “off-stage” context, as these inscriptions were intended for conspicuous (self)representation. These texts were explicitly meant to be read by anyone who passed by, and did not, in general, hide the identity of dedicator and dedicatee – quite on the contrary. Even in the less ostentatious *columbarium* contexts, respecting the “public transcript” – shaped by and reproducing the norms and values of the slave-owning class – was a *conditio sine qua non* for being guaranteed a valued spot in these tombs. Subordinates were expected to extend their adherence to the public transcript after death, and an ingrained mechanism of “social control” ensured that an explicit deviation of these norms would not be tolerated. Even though this transcript acknowledged and respected freedmen’s fundamental liberty and equality as citizens, it also prescribed an adherence to traditional status hierarchies. In a sense then, when freedmen are “speaking” in their epitaphs, very similar biases occur as in the elite literary sources these epitaphs are so often contrasted with. The internalisation of the

²⁰ Hopkins (1983), 204.

²¹ Taylor (1961), 129-30; Saller & Shaw (1984), 145; Carroll (2006), *passim* (e.g. vii); Bruun (2015), 605ff.

socio-cultural *habitus* of a Roman citizen, and the implied adherence to the public transcript of respect for social superiors were non-optional expectations for freedmen.

8.2.2 The patronal prerogative of complaint

For these reasons, it is no coincidence that there exist no examples of freedmen publicly condemning or derogating their patrons in their inscriptions, whereas strained relations *were* on occasion aired by these very patrons themselves (an exact mirror of the practice in literary sources). The latter was usually done by excluding freedmen from the tomb of a patron(ess) whom they had disrespected during their life. The imperial freedman Publius Aelius Melitimus, for instance, made a grave monument for all his male and female freedpersons, as well as for their descendants (*libertis libertabusque meis posterisque eorum*). Only one of these, his freedman Eutyches, was explicitly denied access²². Likewise, M. Aemilius Artema excluded his freedman Hermes from his family grave because of his “misdeeds” (*delicta*)²³. We are not told what the precise nature of these misdeeds was, but similar inscriptions reveal some of the motivations that could move a patron to punish a freedman this way. The freedwoman Caecilia Secundina, for example, was excluded from her patron Felix’ tomb “because she had not shown the proper respect to him” (*impia [fuit] adversus Caecilium Felicem patronum suum*)²⁴. Likewise, a certain Eutyches was excluded from the group of freedmen that was allowed access to their patron’s tomb, because of his “bad behaviour” (*malae merito*)²⁵. An unnamed father concluded the emotional inscription in honour of his deceased daughter with the wish that his freedman Atimetus – whom he held responsible for this loss – would go and hang himself. Although he was even willing to provide the rope and nail himself, the inscription does not elaborate on Atimetus’

²² CIL 6, 8857: “D(is) M(anibus) / P(ublius) Aelius Aug(usti) lib(ertus) Melitinus / invitator fecit sibi et Aeliae / Severae uxori karissimae / lib(ertis) libertab(us)q(ue) meis posteris/que eorum except<a=O> Euty/che lib(erto) meo cuius neque cor/pus neque ossa in hoc mon<u=I>mento / inferri volo”.

²³ CIL 6, 11027: “M(arcus) Aemilius Artema / fecit / M(arco) Licinio Successo fratri / bene merenti et / Caeciliae Modestae coniugi / suae et sibi et suis libertis / libertabusq(ue) posterisq(ue) eorum / excepto Hermete lib(erto) quem veto / propter delicta sua aditum ambitum ne / ullum accessum habeat in hoc monumentum”.

²⁴ CIL 6, 13732: “C(aius) Caecilius Felix / et C(aius) Caecilius Urbicus / locum ita uti est concamaratum / parietibus et pila comprehensis longum / p(edes) VI latum p(edes) VII s(emis) consecrarunt sibi et / C(aio) Caecilio Rufino et C(aio) Caecilio Materno et / libertis libertabusque posterisque eorum / excepta Secundina liberta impia / adversus Caecilium Felicem patronum suum / h(oc) m(onumentum) h(eredem) n(on) s(equetur)”.

²⁵ CIL 6, 14930: “praeter Eutucho libert(o) / mal{a}e merito de se”.

deception (*dolus*) that had allegedly robbed this father of his daughter²⁶. Very similar complaints, however, were made against doctors who had not been able to prevent a patient from succumbing to a wound or disease. An imperial freedman, for example, deplored the sudden death (*mors subita*) of his own excellent freedman and *alumnus* Euhelpistus, and blamed the doctors who “cut him open” and thereby “killed” him²⁷. Lethal incompetence of *medici* was a *topos* also in satire. Martial, for example, scorned the career shift of a certain Diaulus, who – as a doctor – all too easily changed to the profession of undertaker, implying that his practicing medicine had not been without casualties: “what the undertaker does, the doctor used to do”²⁸. Although this may also have been the accusation implicitly made against Atimetus, the true nature of the affair remains obscure, as his own version of events was naturally not included.

Finally, in the bilingual inscription adorning his family tomb, Marcus Antonius Encolpius notes that the monument is accessible to all his freedpersons – even calling a particularly virtuous one by name – but making an exception for M. Antonius Athenio, who was not only denied burial but also the right to visit the tomb while still alive. The reason quite explicitly mentioned, is that this Athenio – in addition to many other insults (*multas iniurias*) – had denied that Encolpius was his father (*me parentem sibi amnegaverit*)²⁹. Whether “father” should be taken literally or figuratively (e.g. as a more emotional substitute for *patronus*) is not clear. It seems very likely that the two were connected by both a biological and a patronage bond. But the fact that Encolpius explicitly numbers Athenio among his freedmen (and that he does not describe or address him as a son), suggests that his “many insults” pertained first and foremost to the patronage relation. Moreover, the choice of *parentem* instead of *patrem* may have been a very deliberate one, since the former term also evokes a sense of disobedience (being not only the accusative of the noun *parens*, but also of the adjective *parens*, “obedient”).

The individuals who explicitly provided burial space for their freedmen in their own tombs were often freedmen themselves³⁰. Moreover, the manifest exclusion of

²⁶ CIL 6, 12649: “Atimeto lib(erto) / cuius dolo filiam amisi restem et clavom / unde sibi collum alliget”.

²⁷ CLE 2140 (= CIL 6, 37337): “D(is) M(anibus) / Euhelpisti lib(erti) qui et / Manes vixit annis XXVII / mens(ibus) IIII dieb(us) XI floren/tes annos mors subita / eripuit anima inno/centissima quem / medici secarunt / et occiderunt / P(ublius) Aelius Aug(usti) lib(ertus) Peculiaris / alumno suo”.

²⁸ Mart. 1.47: “Nuper erat medicus, nunc est vispillo Diaulus: quod vispillo facit, fecerat et medicus”. Cf. 1.30: “Chirurgus fuerat, nunc est vispillo Diaulus. Coepit quo poterat clinicus esse modo”.

²⁹ CIL 6, 14672: “excepto M(arco) Antonio Athenione quem veto / in eo mon=<u>I=mento aditum habere neque iter ambitum / introitum ullum in eo habere neque sepulturae causa / reliquias eius posterorumque eius inferri ... quia me pos(t) multas iniurias parentem sibi amnegaverit”.

³⁰ Schumacher (2001), 297.

subordinates from their graves was more than simply a punishment of some specific persons. To be sure, this punishment in itself was already very severe, since it not only deprived the freedman of a secure locus for commemoration, but it also greatly tarnished his reputation and social capital, as people from his network would “learn” of his faithlessness and untrustworthiness through the inscription. In addition, however, such exclusions conspicuously present a (freed) patron in a position of power over his own dependents. In this respect, Nicolas Tran reminds us how the extremely popular phrase *libertis libertabusque posterisque eorum* (and variations) did not necessarily refer to actual freedmen, but sometimes merely served to express the *potential* of a tomb-owner to have freedmen, thus accentuating his position of control³¹. In a similar vein, Kleijwegt argued that the phenomenon of ex-slaves owning slaves themselves should not be morally condemned, but rather respected as contextually embedded in its own historical setting. He noted how a “desire to acquire recognition from the freeborn population” and a wish to “distance themselves from the slave segment in society” prompted ex-slaves to proudly present themselves as slave-owners³².

One of the harsher examples of this socialisation strategy is that of Marcus Iunius Euphrosynus³³. The language of the inscription in which he cruelly condemns his runaway wife and freedwoman Acte is reminiscent of a curse tablet. Since *defixiones* were not meant to be found or read out loud, the fact that Euphrosynus chose to express his indignation in this particular format is therefore meaningful in its own right (i.e. even when disconnected from the actual content of the *carmen* written on it). It signifies a realisation and exploitation of his right as a patron to take recourse to a discourse that was unavailable to Acte-as-freedwoman. In fact, if we cautiously assume that Euphrosynus’ Greek *cognomen* is an indication of freed status, the inscription is a useful reminder not to analytically separate any “patron class” from a “freedman class”, as both categories would often overlap³⁴. In this particular case, Euphrosynus clearly assumes the role of (cheated and hurt) patron. The specific choice to construct a “curse tablet” in stone not only suits the particular purpose of the message Euphrosynus tried to convey, but it also accentuates his discursive agency and effective power – rendering all the more shocking the way in which it was blatantly disrespected by Acte. Unlike his freedwoman, Euphrosynus did not need to secretly write a real *defixio* to air his resentment; he could simply make a public one for all to see.

³¹ Tran (2006), 465-8.

³² Kleijwegt (2006a), 53-4.

³³ CLE 95 (= CIL 6, 20905).

³⁴ CIL 6, 8442, for example, features Primilla (a freedwoman of the freedman Eutyches). She is listed next to her patron as commemorating the latter’s patron (Strato) in turn. As such, she is virtually put on a par with her own patron (i.e. as freedwoman of Strato).

The expectation of respect for a patron – enforced also by Roman law – did not prevent freedmen from uttering critiques or from outright condemning fellow-citizens *other* than their patron. In his epitaph, attached to his impressive funerary monument outside the Nuceria gate in Pompeii, the freedman Publius Vesonius Phileros famously honoured his (freeborn) *patrona* Vesonia and his (freed) *amicus* Marcus Orfellius Faustus. The plaque identified all three individuals, who were moreover gloriously presented as Roman citizens with toga (and stola) in the aedicula above it³⁵. That Phileros had made the tomb while still alive (perhaps at the passing of his patroness), is confirmed by the fact that he later added a second inscription – in verse – underneath the first one³⁶. This text reveals a very significant deterioration of the relationship between Phileros and Faustus (Vesonia is not mentioned anymore). Apparently, Faustus was no longer Phileros’ friend because he had falsely accused him in court³⁷:



Figure 2 The grave inscriptions of Publius Vesonius Phileros

³⁵ AE 1986, 166: “P(ublius) Vesonius |(mulieris) l(ibertus) / Phileros Augustalis / vivu=Os monument(um) / fecit sibi et suis // Vesoniae P(ubli) f(iliae) / patronae et // M(arco) Orfello M(arci) l(iberto) / Fausto amico”.

³⁶ It is, of course, already clear also from the inclusion of *vivu=Os fecit* and from the fact that *Augustalis* and *suis* were added to the original inscription in a later phase.

³⁷ AE 1964, 160: “Hospes paullisper morare / si non est molestum et quid evites / cognosce amicum hunc quem / speraveram mi(hi) esse ab eo mihi accusato/res subiecti et iudicia instaurata deis / gratias ago et meae innocentiae omni / molestia liberatus sum qui nostrum mentitur / eum nec Di Penates nec inferi recipient”.

“Stranger, linger for a while, if it is not too much to ask, and learn what you should try to avoid. This fellow, a friend of mine - or so at least I hoped - handed me over to interrogators, resulting in a charge being formulated against me. I thanked the gods and my innocence, for I was acquitted and freed from all distress. May that man, who lied about our business, not be received neither by the household gods nor by the gods of the underworld”. (Pompeii)

Even though formally acquitted, Phileros clearly did not forget the betrayal by his “friend”. The second - metric - inscription is very clearly designed to resemble a curse tablet. Especially the “nail” in the middle - leaving a deliberately carved depression in the stone in order to make it look like metal had been pierced - is a clear reference to the realm of magical cursing³⁸. Indeed, the last verse of the poem implores all gods to make sure Faustus would be eternally punished for his crime. Phileros’ discursive agency and his ability to freely air his indignation via a medium often used in secret by those who could not express it in the public sphere, matches the freedman’s freedom as a Roman citizen, both being explicitly accentuated by the monument’s iconography.

On these relatively rare occasions where freedmen did express indignation, hate, or another unusually negative emotion, this disparagement consistently ran “downwards” on the social ladder. As patrons, Aelius Melitimus, Caecilius Felix, Antonius Encolpius, and Iunius Euphrosynus - like so many other ex-slaves - adopted the discourse of slave-owners by expecting loyalty and respect from their own freedmen (and by similarly punishing deviations from the expected norm). Much like the picture painted by literary sources, the prerogative of complaint could be rightfully claimed only by an individual in relation to a socially inferior person. The pungency of Martial’s many sneers towards his own idle or too eagerly imposing patrons, derives precisely from the fact that these statements usurp this prerogative³⁹. In this regard, it is meaningful that these witty complaints feature in a collection of “epigrams”. Originally, epigrams (*ἐπίγραμμα*) were - quite literally - inscriptions written on stone. Ever since the Greek lyric poet Simonides started composing non-monumental epigrams in the fifth century BCE, it gradually became a literary genre *sui generis*. Surely, the genre was almost entirely disconnected from its roots half a millennium later in Martial’s time, but Martial himself kept the link to monumental writing very much alive by occasionally

³⁸ For a much more detailed discussion of this monument (and its connection to *defixiones*), see especially Elefante (1985). Petersen (2006), 77-80 completely ignores the “curse tablet” in her analysis of the monument (the photograph on p. 79 not even showing it). Williams (2012), 260-6 provides a discussion of the value of the monument for the study of Roman friendship.

³⁹ E.g. Mart. 2.32 (where Martial complains about his patron’s idleness); 3.46 (where he contrarily accuses a patron of expecting too much from his client).

including full-fledged epitaphs among his epigrams⁴⁰. Expressing potentially transgressive thoughts (e.g. complaints about a patron) via a medium that very closely represented the realm of the public transcript (“epigrams”), endowed Martial’s sneers with an “unnatural” awkwardness that greatly helped in driving home their point.

In short, the strong overlap between the analytical groups of “patrons” and “freedmen”, the public nature of (funerary) inscriptions, the strong element of social control that derived from it, and the resulting bias towards positive representations within the epigraphic habit, render a priori problematic any attempt at reconstructing the “freedman’s voice” from this source material. An additional caveat lurks in the thorny issue of “authorship” in the realm of funerary epigraphy, which we will briefly discuss before turning to our database of *carmina epigraphica*.

8.3 Authorship in epigraphy

8.3.1 Concealed dedicators and deceitful “I”s

Another impediment to approaching freedmen’s epitaphs as real ego-documents relates to our inability, in several cases, to ascertain the identity of the original dedicator. The large majority of *carmina* in our database that mention their original creator (cf. infra), were dedicated by a close family member of the deceased (usually a spouse, parent, or child). A freedwoman from Salona, for example, claimed responsibility for the erection of a monument in honour of her husband (and their son), who apparently had not survived abduction by bandits. She drew specific attention to her agency because it constituted a deplorable deviation from the ideal of children erecting epitaphs for their parents (rather than vice versa)⁴¹. When Aurelius Maximus erected the monument in honour of his freedman Timavius, he similarly accentuated his own role in the commemoration of this *alumnus dulcissimus et sanctissimus* by consistently addressing the deceased in the second person: “You, Timavius, receive these sweet vows of mine ...

⁴⁰ E.g. the famous epitaphs for Melior’s freedman Glaucias (Mart. 6.28-9).

⁴¹ CLE 818 (= CIL 3, 2544): “[...]bricia L(uci) l(iberta) Primigen(ia) / [co]niugi et filio pos(u)it / [fili]us hunc titulum / [debe]at ponere matri”. This was a recurrent thought in epitaphs erected by parents for their deceased children, although the formulae through which it was expressed varied greatly. Compare, for example, with CLE 55 (= CIL 6, 10096): “reliqui fletum nata genitori meo / et antecessi genita post leti diem”; 1155 (= CIL 6, 30110): “[Ve]rius hunc titulum matri tu nata dicasses / quam mater miserae nunc tibi nata facit”; 1194 (= CIL 2, 3453): “Mater si poss[em libens] / fili(i) vice morti s[uccumberem]”.

With your last words, you sang me consolations”⁴². Maximus does not hide the fact that he is expressing his own grief, and does not pretend to speak in the name of the deceased.

Messages like these, when dedicated by a party other than the deceased, and especially if this was accentuated by the use of the second or third person, have only a limited value in reconstructing the *deceased’s* thoughts, since they do not genuinely reflect his or her *own* sentiments. A monument found in Comum, immortalising the freedwoman Annia Agathonice, ensures us that “she had lived her life piously” and that “her spirit shone brightly” (*morum vita beata fuit spiri/tus hic nituit*), before describing the sorrow and grief of Annia’s parents⁴³. The message of the rest of the poem is impersonal, expressing a somewhat odd and philosophically inspired thought – that a short life is better than a long one because it provides less opportunity for corruption by crimes. The final verses of the poem, however, reveal that it was Agathonice’s patroness who had set up the inscription. She explains that the odd message of the *carmen* serves as consolation (*solacium*), somehow rendering sufferable the death of a bright young woman. However, her motivations for erecting the monument were loyalty and a sense of duty (*dat t/amen haec patronae pietas sola/cia fidae iugera quot terrae*). *Fides* and *pietas* were virtues that stressed the ability to reciprocate in a longterm relationship, and especially in a familial context, they carried a strong connotation of moral obligation of support or – in this case – commemoration⁴⁴. As such, these motivations contrast sharply with, for example, *amor* as the primary reason behind a funerary dedication⁴⁵. Here, then, we are hearing the patroness’ voice, rather than the freedwoman’s. It seems unlikely indeed, that Agathonice would have similarly considered her premature death a blessing rather than a curse, or that she would have dedicated the limited space available on the stone to the expression of such thoughts, rather than to more concrete aspects of her life (cf. *infra*).

Although all these cases clearly betray the identity of the true “speaker”, it is well known that even a poem rendered in the first person singular does not in itself guarantee that it was made or ordered by the deceased. The freedman Marcus Aurelius Zosimus from Albanum, for example, was remembered by a lengthy *carmen*, which at first sight had him narrate his own life story⁴⁶. “I admit I was a freedman”, it sets out at the very beginning. The rest of the poem, however, treats the many advantages he had

⁴² CLE 2140 (= CIL 13, 8371): “tu Timav[i] ... du[lcib]us votis ad/es ... cum mihi extremis ca/nebas vocibus solamin[a]”.

⁴³ CLE 1203 (= CIL 5, 5320).

⁴⁴ See especially Saller (1988).

⁴⁵ E.g. CLE 81 (= 6, 4379); 465 (= CIL 12, 533); 972 (= CIL 6, 28810).

⁴⁶ CLE 990 (= CIL 14, 2298).

derived from the association with his patron: Marcus Aurelius Maximus Cotta Messalinus⁴⁷. The latter had bestowed a small fortune on his freedman (*qui mihi saepe libens census donavit equestris*), entrusted him with his business affairs (*quique suas commisit opes / mihi semper*), provided dowries for his daughters (*dotavit / natas ut pater ipse meas*), etc. Although Zosimus remains at the centre of attention throughout this enumeration, he is merely the recipient of these benefactions. What the *carmen* truly conveys, therefore, is the benevolence and generosity of Cotta-as-patron (who, with exception of the initial verse, is also the grammatical subject of the entire inscription). Whereas Eck and Heinrichs leave open the possibility that the *carmen* expressed Zosimus' true feelings, Kleijwegt's reluctance to accept this optimistic interpretation is undoubtedly justified: "[a]ny identity that Zosimus may have claimed is completely overwritten by that of his overbearing patron"⁴⁸. In this particular case, we are fortunate to have this suspicion confirmed by the last verse of the inscription, which explicitly points to Cotta as its maker (*carmina tristis haec dedit*). Interestingly, then, the use of the almost apologetic *fateor* in the first verse was a choice made by Cotta, and therefore not necessarily a reflection of how Zosimus would have thought of or referred to his condition.

Similarly, the verse epitaph lamenting the premature death of Seccius Lesbius, uses the first person for emotional effect – as if the deceased was still talking to the living through his monument⁴⁹. “I could not reap the fruits of my young age” (*ae/tatis praemia nulla <t=I>u/li*), the 20-year-old freedman himself seems to tell the reader. However, focus is shifted immediately afterwards to Lesbius' patron Seccius, as the freedman starts invoking the favour of the gods, asking them to grant this Seccius a long life (*di meli/ora precor pro nostro / munera casu sentiat / et plures possit habere / suos*). Like in Zosimus' case, the last line of the poem reveals that this prayer does not necessarily reflect Lesbius' sentiment, but rather his patron's. It was the latter, indeed, who not only gifted the freedman his tomb (*tumulum*), but also ordered its inscription (*titulum*).

Other verse epitaphs have a similar structure and content, but fail to reveal as explicitly the actual dedicator. For example, the inscription of a doctor from Iguvium reads⁵⁰:

⁴⁷ For Cotta, see Tac. Ann. 6.5-7; Plin. NH 10.52. A more positive (though equally one-sided) characterisation is given by Juvenal (7.94) and Cotta's literary *protégé* Horace (e.g. Pont. 2.8.1-36; Trist. 4.5.1.34).

⁴⁸ Eck and Heinrichs (1993), 214-5; Kleijwegt (2006b), 96. This could work the other way around as well. See, for example, CLE 1009 (= CIL 11, 1273), where a freedwoman commemorates her patron, but uses the *carmen* mainly to highlight her own qualities.

⁴⁹ CLE 1116 (= CIL 13, 7105).

⁵⁰ CLE 1252 (= CIL 11, 5836): “L(ucius) Sabinus L(uci) l(ibertus) / Primigenius / ortus ab Iguvio medicus fora multa secutus / arte feror nota nobiliore fide / me consurgentem valida Fortuna

“Lucius Sabinus Primigenius, freedman of Lucius. I, a physician from Iguvium, having visited many towns, was praised for my known ability and my even more famous trustworthiness. While I was growing up, Fortune deprived me of my healthy youth and placed me on a premature funerary pyre. My ashes that were left by the fire were sent to a Clusian grave and my patron buried my bones in my homeland”. (Iguvium)

The *carmen* clearly has Primigenius himself speak out these words, but since it was the patron who apparently provided his freedman with a grave, some caution is warranted as to the real author of the poem. This doubt does not in itself undermine the value of the epitaph for our current purpose, as surely Primigenius too would have thought his skill and trustworthiness worth mentioning. It does, however, serve as a useful reminder that funerary poems – even when rendered in the first person – do not unequivocally represent “freedmen’s voices”, and that the question of authorship needs to feature prominently throughout any discussion.

Only in a few cases do the freedmen in our database clarify that they were *themselves* the creators of their epitaph. For example, Marcus Publicius Unio, a freedman from Tusculum, starts out his lengthy *carmen* by reassuring his readers that he himself had ordered and dictated it (*versus quos ego / dictavi et iussi scribere*)⁵¹. The rest of the poem is rendered entirely in the first person singular, thus confirming this initial claim (e.g. *quiesco, reddedi, coagulavi, turbavi, praestiti*, etc.). Similarly, Lucius Claudius Rufinus proudly announced that he had made his epitaph while he was still alive, so that it might cover his grave as a “surviving witness of my existence” and ensure the “eternal remembrance of my voice”⁵². In this case, the first person (*[domus saxea] meam retinet vocem*) can be safely considered as a reflection of the freedman’s own agency in composing his verse epitaph. Even though it was his patron who took care of the actual erection of the monument after Rufinus’ passing (*curante Cl(audio) Sequente patrono*), the ending of the *carmen* again stresses that the freedman was the original dedicator of the inscription, which commemorated besides himself also his wetnurse (*nutrix*) Marciana and his foster sister (*conlactia*) Verina. Surely, the determining influence of the person

iuventa / destituit rapidis imposuitque rogis / clusino cineres flammae cessere sepulcro / patronus patrio condidit ossa solo”.

⁵¹ CLE 477 (= CIL 14, 2605).

⁵² CLE 1278 (= CIL 13, 2104): “Cl(audio) hunc viv(u)s Stygias Rufinus / ad umbras instituit / titulum post animae requ/iem qui testis vitae fati / sit lege futurus cum do/mus accipiet saxea corpus ha/bens quodque meam / retinet vocem data litte/ra saxo vo[ce] tua vivet / quisque lege[s] titu[lo]s”.

eventually carving out a text on stone should be taken into account in every instance, although this can rarely be more than a theoretical consideration⁵³.

8.3.2 “Fortunata”: *ego aut patronus*?

The epitaph erected in memory of the freedwoman Fortunata from Naronia (*Dalmatia*) is a good example to illustrate the complexity and importance of the questions related to authorship mentioned above. The stele contains a touching poem of which the dedicator is not explicitly mentioned⁵⁴:

“Here lies Fortunata, freedwoman of Caius, who lived for 18 years. If it is beneficial for someone to live modestly, I beg you, Manes, may the Earth be light to me [i.e. “reward me for my modesty!"]. My freedom was once promised to me, but because of my death, this promise was overruled by the will of fate. Live happily, you for whom Fortune is a survivor. Fate has wrecked my hope, in Illyricum”. (Naronia)

⁵³ Bradley (1995), 448 thought that this influence could sometimes entirely alter the content and tone of an epitaph. Although this may have happened once or twice, it should not be considered a general truth.

⁵⁴ CLE 1117 (= CIL 3, 1854): “] / C(ai) l(iberta) Fortu[nata] / an(norum) h(ic) s(ita) e(st) XIIX / si pietas prodest / cuiquam vixisse / modeste vos precor / o Mane[s sit] mihi / terra lev[i]s / libertas [cui] olim fuerat / promissa [s]e<d=T> ante ditis sub / fatum venit [i]n arbitrium / vivite felices quibu[s] / est Fortuna superste[s] / spe<m=N>que meam oppress[i]t / fatus in {H}Il(l)<y=U>ricum”.



Figure 3 The grave stele of Fortunata

“Fortunata” claims that she had been promised her freedom, but reveals that at least for her, the adage *nomen est omen* was painfully inaccurate, as her hopes were cut short by a premature death at the age of 18. However, her full nomenclature – still clearly discernible, though cut in half horizontally by the breaking of the monument – included formal libertination, and as such indicates that she was in fact no longer a slave at the moment of her death.

Being only 18 years old, she would have had to wait at least another 12 years before she could be formally freed – that is, if we are right in dating the inscription after the promulgation of the *lex Aelia Sentia* of 4 CE, as the appeal to the *Manes* surely seems to suggest. Only a *iusta causa* would allow a formal manumission at a younger age (e.g. when Fortunata’s master wanted to marry her, when she was his biological daughter,

etc.)⁵⁵ However, no trace of such a relationship with her master is attested in Fortunata's epitaph. Of course, nothing prevented Fortunata's master from *informally* freeing her before that time. Alföldy, among others, has famously shown how the legal prescriptions of the *lex Aelia Sentia* did not at all reflect or suddenly change the ingrained habit of (informally) freeing slaves at a much younger age than 30, even though his radical conclusion that virtually all urban slaves could expect manumission relatively early in their lives is unwarranted⁵⁶.

In fact, informal manumission is precisely what seems to have happened at the end of Fortunata's short life: she was freed on her deathbed, as a more worldly reward for her *pietas* and *modestia*. Manumission at the end of a slave's life was mainly a symbolical act without many practical consequences. The legal status of any children Fortunata may have had – even at the age of 18 – would have remained “unimpaired” (from the master's perspective). Moreover, since the manumission would be informal, any property Fortunata possessed (e.g. a *peculium* that usually accompanied the grant of freedom) would have automatically reverted to her patron. The limited impact of an informal manumission surely played a role in Fortunata's master's decision of honouring her *in extremis*. However, all of this holds true also for a manumission at an earlier date, and does not explain *per se* why he waited till the very end of Fortunata's life to free her, if freeing her was his intention all along (as his earlier promise indicates).

This leaves open the intriguing possibility that by *libertas*, the dedicator did not mean “freedom” in the most basic sense – viz. as opposed to unfree status – but rather “formal freedom” – viz. freedom, and citizenship, formally obtained after the age of 30. Indeed, the explicit focus on the denial of freedom by a harsh fate seems rather odd when the *praescriptum* had already clearly identified Fortunata as a freedwoman. Formal freedom is also what the slave Narcissus of Venafrum (or rather the dedicator of his monument) had in mind when he wrote that “the freedom that was owed to me has been denied by law, but now granted to me for all eternity by a premature death”⁵⁷. The *praescriptum* to this brief *carmen* presents Narcissus as a *vilicus* with a single name. Especially when we take into account that his masters are represented by their full names (Titus Titucus Florianus and Teia Galla, daughter of Lucius), these elements indicate that Narcissus was

⁵⁵ Gai. Inst. 1.19; 1.39; Dig. 40.2.13.

⁵⁶ Alföldy (1986), esp. 290-6, which is a revised version of a 1972 study, that includes Alföldy's responses to some critiques on his arguments. Cf. Harper (1972). The debate is conveniently discussed in Mouritsen (2011), 131ff (including many further references). Mouritsen (esp. p. 133) rightly accentuates the main flaw in these and similar studies, which too readily accept the epigraphic record as a reflection of demographic composition or proportions.

⁵⁷ CLE 1015 (=CIL 10, 4917): “Narcissus vil(icus) / T(iti) Tituci Floriani / et Teiae L(uci) f(iliae) Gallae / vixit an(nos) XXV / debita libertas iuveni mihi lege / negata / morte immatura reddita perpetua est”.

still a slave at his death, and that the “freedom granted by death” was – unlike Fortunata’s – not legal but merely proverbial⁵⁸.

However, at least some masters seem to have been reluctant to informally manumit their slaves. Roman law provides illuminating examples of masters who stated in their testament that they wanted to free a certain slave, but only after he had reached the age of 30⁵⁹. A similar reluctance may also have withheld Narcissus’ and Fortunata’s masters from prematurely fulfilling their promise. This is perhaps the correct interpretation of Fortunata’s “harsh fate”, and would be much more in line with the general observation that neither patrons nor freedmen, be it in literature or in the funerary realm, tend to discriminate between formal and informal freedom⁶⁰. Most likely, then, Narcissus and Fortunata had had the prospect of freedom at the age of 30 tauntingly looming in their minds, explaining the severely felt disappointment caused by a premature death.

Surely, freedom must have been a condition coveted by many slaves. But the question remains whether it was also considered an almost guaranteed automatism – as insinuated by, especially, Narcissus’ epitaph – and whether a cruel denial of this freedom was something a slave would accentuate him- or herself. This case-specific warning is but one facet of a much more general methodological caveat. Indeed, whether sentiments expressed in freedpersons’ epitaphs are reflections of their own state of mind rather than projections of the patron’s perspective, is a question that needs to be answered for every epitaph individually, and is indissolubly connected to the question as to who the real author of the monument was. In Narcissus’ case, the extensive mention of his masters suggests that they were responsible for the erection of their *vilicus*’ tombstone. The explicit mention of the *lex* as the reason for the denial of “deserved freedom” thus served as an apologetic statement by which these owners washed their hands in innocence: it was not their fault the law postponed manumission⁶¹. In Fortunata’s epitaph, however, no mention of a master or patron

⁵⁸ Cf. Brassloff (1932), 242-3. Compare, for example, with CLE 1331 (= CIL 8, 25006), where the death of a young child – deliberately remaining anonymous so as not to cause further grief – prevented him or her from enjoying freedom. The only solace the (also unnamed) dedicator had, was that eternal death now provided its own form of freedom instead (*mors vitam vicit ne li/bertatem teneres / ... / nunc mors perpetua liber/tatem dedit*).

⁵⁹ E.g. Dig. 10.2.39.2: “Servo libertatem dedit qui erat annorum quindecim, cum erit annorum triginta”; 34.5.29: “Plures testamento manumiserat, in quibus sabinam et cyprogeniam, cum quisque eorum ad trigesimum annum aetatis pervenisset”. In this sense, the *lex Aelia Sentia* (deliberately or not) provided masters who wanted to motivate their slaves, with a legal argument, pointing out to them that a relatively late manumission was definitely worth the wait.

⁶⁰ Cf. Knapp (2011), 174: “The absence in the evidence probably reflects a lack of concern in people’s minds to distinguish between freedmen with full citizenship and those with Latin citizenship”.

⁶¹ Cf. Wiedemann (1985), 168.

occurs – unless it was part of a lost *praescriptum* (the stone is severely damaged at the top) – making it much more delicate to determine authorship⁶².

However, if her master/patron had dedicated the monument, the contradiction between legal status and the “denial of freedom” seems even more striking. Much like Pliny the Younger, many a patron would consider it a consolation knowing that his close slaves had died as free persons (i.e. that they had received their freedom on their deathbeds), and would prefer to stress this end-of-life achievement, rather than a “too little too late” remark like Fortunata’s⁶³. Moreover, it would greatly benefit the patron’s public *persona* to appear as a benefactor towards his own familial dependents. Thus the extraordinary funerary monument of Alfius Felix Flavianus from Sicca Veneria in Africa noted (among other things) that the deceased had wanted to free his house-born slaves, first and foremost because “he wanted to evoke reverence and affection from his family members”, giving only as a second reason (*quoque*) their individual merit⁶⁴. Fortunata’s tombstone, however, leaves something of a sour taste in any reader’s mouth, as the manumission came too late for Fortunata to enjoy it. This sentiment is very different indeed when compared to Pliny’s perspective, perhaps suggesting – without stressing the point too hard – that Fortunata herself (or a close relative of the same station) rather than her patron was responsible for the poem. The formal libertination in the *praescriptum* then both accentuates the *pietas* and *modestia* Fortunata had shown throughout her life (and for which she was rewarded *in extremis*), and adds to the drama of a premature death. It implies, whether true or not, that Fortunata may have actually never known that she had received her freedom.

The visual arrangement of the tombstone perhaps provides another – though unavoidably tentative – clue as to its production. What strikes any observer even before any reading takes place, is that the craftsmanship displayed was very sloppy. As was often the case, the dedicator had apparently bought a semi-finished stone from a stonemason, containing only a carved out frame in which a text still needed to be written. However, the finishing touch left much to be desired. The initial letters are relatively long, but the carver seems to have realised along the way that he would not be able to fit the entire poem in the space provided. The letters thus become smaller and smaller, and the lines at the end are curved so as to save up as much space as possible. Despite this valiant effort, the carver was forced to finish the epitaph outside of the frame. The text that falls outside of it, moreover, was not merely a later addition.

⁶² The *carmen*, on the contrary, is intact and does not feature a master or patron.

⁶³ Plin. Ep. 8.16.1: “Solacia duo nequaquam paria tanto dolori, solacia tamen; unum facilitas manumittendi (videor enim non omnino immaturos perdidisse, quos iam liberos perdididi) ...”.

⁶⁴ CLE 1869 (= CIL 8, 27587): “vernulis quos habuit libertate consuluit data ... gratum se atque pium ut commendaret suis / ad circa meritos quoque fecit plurimos”.

Indeed, the traditional *memento mori* (*vivite felices quibu[s] est Fortuna superste[s]*) starts out within the frame, but breaks off at *quibu[s]*, only to continue with *est* underneath the bottom line of the frame.

Clearly, the dedicator was affluent enough to provide a stone, but not wealthy (or willing) enough to have it inscribed properly (if such a concern was felt at all, rather than merely being an infringement on modern aesthetic sensitivities). It seems safe to assume that a patron, desiring to accentuate his own magnanimity through the ostentatious publication of his slave girl's elevation, is more likely to be bothered by such imperfections, even though such cases are not without parallel in the epigraphic record. Thus when Gaius Quinctius Valgus – an extremely rich land-owner, and a generous patron of Aeclanum and Pompeii – had an epitaph made for his beloved and popular freedman Protymus, he was not troubled by its manifest imperfection⁶⁵. Even though the entire left side of the inscription is lost, it was clearly a metric text. Its poetic nature is confirmed by each verse ending on *-us*, the first and the last containing the full names of freedman and patron respectively, thus “framing” the lines in between. Moreover, whereas Valgus' name is given in the traditional order (*praenomen – nomen – cognomen*), Protymus' needed a more exceptional one in order not to disturb the rhythm of the verse (*nomen – praenomen – cognomen*). The purpose of these and similar operations was, however, defeated entirely when the carver of the stone faced a lack of space while writing *alumnus* on the third line. He managed to go as far as *alum-*, but *-nus* was simply added after the last word of the fourth line (*patronus*) underneath. To indicate that this syllable belonged to the previous line, the carver even separated *patronus* from *-nus* by an awkward broken line in between. Not only was the rhythm of the third line broken, but the first impression one would get when watching the monument was also greatly tarnished by this visual imperfection. However, for Valgus, who is explicitly identified as the dedicator, this seems not to have been a problem – or at least not one big enough to have the epitaph remade. It is possible that Fortunata's master – in the less likely event that he was the dedicator of the epitaph – was equally indifferent, even though the imperfections here were far more visible than in Protymus' case.

Finally, another cry of desperation felt at a premature death that snatched away an almost certain manumission may provide an illuminating parallel. A metric inscription found in Pisaurum tells the story of the slave Petronius Antigene (or rather “Petronius,

⁶⁵ CLE 12 (= CIL 10, 5282). For Valgus, see Cic. Leg. Agr. 3.2.8; 3.4.14; CIL 9, 1140; 10, 844; 10, 852. Cf. especially Harvey (1973), 80-4; Gabba (1994), 226-7; Santangelo (2007), 72-3, 161.

slave of Antigenes”, depending on the reading of *Antigenidis*)⁶⁶. The boy, born in the house of his master, was barely 10 years old when he passed away. It becomes clear already by a mere cursory reading that Petronius was one of the luckier slaves: he was well fed (*nutritus*) and loved (*amatus*) throughout his life, enjoyed a very good education in the liberal arts, and habitually played “funny games”. Responsible for all of this, the *carmen* continues, was his father Hilarus, who would also have become his patron, if only fate had granted little Petronius a longer life (*haec Hilarus mihi contulerat pater ipse patronus / si non infelix contraria fata habuissem*).

It is unlikely that Hilarus was his own son’s master. “Petronius” calls him “father” rather than “master”, but most importantly, the *lex Aelia Sentia* – as mentioned earlier – would have considered their blood relation a *iusta causa* for formal manumission. Instead, both Hilarus and Petronius were waiting for the moment on which to transform their relationship, the only thing they thought they needed being time – which was precisely what Fate was reluctant to grant them. Apparently, Hilarus was waiting for Petronius’ master to sell him his son, so that he could free him himself, perhaps facilitating – in a later stage – an adoption, by which Hilarus would also become Petronius’ *legal* father. The closeness of father and son surely suggests that they belonged to the same household. Either Hilarus was already freed at the time (and thus legally allowed to perform the manumission) but his patron as of yet unwilling to sell the charming boy, or Hilarus was still a slave himself and waiting for his own manumission. It is not difficult to see how in both cases, the unnamed master could greatly benefit from this situation by using the young boy as leverage in the social negotiation with Hilarus. This is especially true if the latter was already freed, in which case the patron would have had few means more efficient than this one to enforce his freedman’s loyalty. The fact that Petronius and Hilarus seem to have had very concrete plans also suggests that Petronius’ manumission was a distinct possibility in the near future, which would similarly be consistent with Hilarus being already freed himself.

Either way, the joyful prospect of freedom, but especially the hard-felt grief at its abrupt denial by a premature death, seem to have been sentiments sincerely felt – if not by Petronius himself – at least by Hilarus, who was almost certainly the dedicator of the inscription. The sentiment is echoed in the inscription the parents of the slave boy and

⁶⁶ CLE 434 (= CIL 11, 6435): “D(is) M(anibus) / Petroni Antigenidis / tu pede qui stricto vadis per semita viator / siste rogo titulumque meum ne spreveris oro / bis quinos annos mensesq(ue) duo duo soles / at superos feci tenere nutritus amatus / dogmata Pythagorae sensusq(ue) meavi sophorum / et lyricos legi legi pia carmina Homeri / s{c}iv<e=I> quid(!) Euclides abaco praescripta tulisset / delicias habui pariter lususque procaces / haec Hilarus mihi contulerat pater ipse patronus / si non infelix contraria fata habuissem / nunc modo ad infernas sedes Acher<o=V>ntis ad undas / t{a}etraque Tartarei sidera possideo / effugi tumidam vitam spes et fortuna valete / ni(hi)l mihi vobiscum est alios deludite quaeso / hac domus aeterna hic sum situs hic ero semper”.

delicium domini Bebryx made for their son⁶⁷. Besides attesting to their pride in being able to provide their son with a funerary poem (*formosum cantu detinet iste rogas*), it also expresses the crushed hope they had once held for their boy (*spes expectata parentum*). These parallels confirm that the very similar thought expressed in Fortunata's epitaph is very likely to have been one entertained by Fortunata herself and/or by her fellow-slaves. This does not in itself prove that her inscription was *not* made by her master; after all, the thought expressed is a very common sense one, especially if said master had been a slave himself. It *does*, however, indicate that authorship (potentially) had at least as much impact as intended audience ("public transcript") on the content of an epitaph (cf. *supra*). Whereas literary sources are very straightforward in this regard – we know in many cases who their author was, and have a fairly adequate understanding of his ideology, norms, and values –, reconstructing the "freedman's voice" from epitaphs requires a constant evaluation and heeding of these methodological caveats.

In conclusion, monumental writing was not the area in which ex-slaves (or any other social group) could freely express their deepest sentiments or feelings. Nor should we overstate the differences between epigraphy and literary sources in this regard. This is not to say that emotions expressed or thoughts uttered were a priori contrived or even hypocritical⁶⁸, but we should at all times account for the fact that they were, from a transcript theory point of view, conditioned by the same social norms and decorum of the public transcript. As a result, the question as to what extent opinions could be expressed "truthfully" – viz. in light of various mechanisms of "straightjacketing" (be it public discourse, financial limitations, issues related to the "epigraphic habit" or yet other concerns) – becomes moot. However, throughout this chapter, our point of departure is that epigraphy *did* provide a locus for self-presentation and self-commemoration for common freedmen that literature simply did not. Put differently, inscriptions may not give us a more authentic image of *the* freedman's perspective, but monumental writing did constitute the arena in which *an* original appropriation, moulding, and stretching of conventions could take place. This difference between the often generalising and detached elite discourse on the one hand, and an individual reconciliation of the public transcript and individual identity dimensions on the other, constitutes the more nuanced perspective of epigraphic sources. As such, rather than somehow being a reflection of ex-slaves' hidden transcript, this uniqueness is closely related to the network embeddedness of these documents; respecting the "code" of the public transcript, but simultaneously reflecting daily practice in which strategies of social negotiation were rooted.

⁶⁷ CLE 1075 (= CIL 10, 4041).

⁶⁸ Cf. King (2000).

8.4 *Carmina Latina Epigraphica*

8.4.1 Structure, content, and standardisation

Among the most fascinating sources available to the ancient historian are inscriptions that were written in verse form, the so called *carmina latina epigraphica* (CLE). Not only the inescapable realisation of the trouble people went through to commemorate their loved ones, but also the fact that these poems often address the reader directly and personally, unavoidably evoke empathy even 2000 years after they were composed. “You who read this epitaph”, a man from Puteoli has his deceased freed wife address the readers of her epitaph, “why strive to know my name, or who I was, what man I married, of whom I was the freedwoman, or how many years I have lived? Because if you realise all this, you will cry for sure. Therefore, to not encumber you with this grief, listen to this poem, I beg you”⁶⁹. Verse epitaphs like this remind us that the people who set up these inscriptions were concrete individuals, with a unique life-course and personal feelings; a reminder particularly valuable in light of the many “de-humanising” statistical studies that draw mainly from the standardised inscriptions in prose, or indeed, in light of a modern monolithic framework that attributes to all freedpersons a moral inferiority that not only influenced their public life, but also extended to their self-appraisals (cf. Chapter 2)⁷⁰.

Although *carmina* often provided the dedicator with the opportunity (and space) to commemorate identity dimensions that would necessarily remain unexposed in a briefer epitaph, a selection still had to be made, which – much like the vocabulary by which it was presented – reveals a great deal about attitudes and mentalities (cf. infra). There exists a clear correlation between the length of a *carmen* and the amount of identity dimensions highlighted in it. The poems that only reference the deceased’s occupation are – on average – 4,5 lines long. The number of lines increases when we consider the poems that accentuate, for example, occupation and legal status (6 lines) or legal status and family relations (9 lines), and reaches a maximum average of 12 lines in the inscriptions where all three identity dimensions are treated⁷¹. This observation suggests that when given the opportunity, in general, commemorators would elaborate

⁶⁹ CLE 420 (= CIL 10, 2311): “[qui] legis hunc titulum quid no[men] scire laboras / [qua]e fuerim quo nupta viro [libe]rtave quous / [an]nos quod tulerim mec[um] miserabere certe / [si] scieris ergo ne sit dolor hoc precor audi”.

⁷⁰ Cf. Carroll (2006), 23.

⁷¹ The averages were calculated by considering a standardised edition of the poems (in a digital text processor), thus compensating for differences in original letter-size or monument-width, etc.). They should therefore be considered as a reflection of proportions, and not in absolute terms.

on aspects of the deceased's life that usually did not make the cut. It also suggests, however, that when space was limited, only the identity dimensions considered most salient survived the selection process (although in this regard especially, the question of authorship becomes most pertinent).

All of this, it might be noted, holds true also for non-metric inscriptions. The reason why this chapter focusses on *carmina epigraphica* in particular, then, is that these texts resemble the narrative structure of the elite literary sources more than any other (non-metric) subgenre in Latin epigraphy. Indeed, non-metric inscriptions often include no additional information about a deceased's life other than his or her name, age, and perhaps profession or a familial relationship (usually with the dedicator of the monument). As such, these epitaphs are less interesting for an analysis of (self-)representations of freedmen, whereas verse inscriptions, on the contrary, provide detailed information about individual cases and persons, through a plotted narrative with clearly demarcated content and coherent syntax. Sometimes, they consist of only one or two lines. Especially when these lines in addition contain very recurrent and standardised expressions, the personal information conveyed about the deceased is minimal. Thus the epitaph of the freedman Lucius Seppius Princeps addressed his mother with the words: "Do not suffer, mother, from what has happened to me. Time wanted it that way, it was my destiny"⁷². The same message, in almost identical wordings, is conveyed in many other epitaphs, including that for another freedman – Caius Iulius Faustus from Rome – where an even more compressed variation of the verse is added in tiny letters underneath Faustus' name⁷³. Yet other *carmina* express the sentiment much more elaborately (and less standardised). Take, for example, the epitaph two freed parents made for their freeborn daughter: "My father and my own mother, I pray and beseech you, cease your mourning and stop shedding complaining tears. If I, while alive, was delightful and a pleasure for you, my husband, my friends and all those who knew me, then I want now, since fate has decided it so, that you carry it with equal mind and live in agreement"⁷⁴.

Nonetheless, even very short *carmina* often reveal attitudes, characteristics, or relations that non-metric epitaphs simply do not. The poem for a certain Carfinia, for example, contained only one verse in addition to the *praescriptum* that revealed her age (20 years) and her legal status as a freedwoman. In it, however, she (or rather: the dedicator) accentuated the relationships that had been important to her, and the

⁷² CLE 148 (= CIL 10, 5153): "noli dolere mater factui meo / hoc tempus volvit hoc fuit fatus meus".

⁷³ CLE 147 (= CIL 6, 19989): "dolere noli matrem faciundum fuit".

⁷⁴ CLE 59 (= CIL 6, 25369): "pater mei et genetrix germana oro atque o[bsecro] / desinite luctu questu lacrimas fundere / sei in vita iucunda vobeis voluptatei fuei / viro atque amiceis noteisque omnibus / nunc quoniam fatum se ita tolit animo vo[lo] / aequo vos ferre concordisque vivere".

conduct and attitude by which she had entertained these relations: “[She was] pleasant to her relatives, most grateful to her friends, and zealous towards all”⁷⁵. The longer the inscription, the more likely it is to contain recurrent commonplaces. Scholars disagree on the precise reason for these remarkable *topoi* that are often attested well beyond provincial borders⁷⁶. One argument is that inspiration from widely disseminated literary works is responsible for this phenomenon⁷⁷. When the patron of Allia Potestas had a *carmen* made for his beloved freedwoman, for example, he reassured himself that by these verses, the memory of this example of feminine virtue would be kept alive (*quantumq(ue) tamen praeconia nostra valebunt / versiculis vives quandiu cumque meis*). The expression is obviously taken from the two final verses of Ovid’s ode to his wife (*quantumcumque tamen praeconia nostra valebunt, carminibus vives tempus in omne meis*), but were slightly modified to claim at least some originality (the connection between *quantumque* and *quandiu cumque* being a particularly artful intervention)⁷⁸. In the same poem – though overall mostly original – other references to literary works are much more disguised⁷⁹. After making a comparison with Helen of Troy, for example, the dedicator hoped that it was decent to compare such great things with the mere sorrows of a bereaved patron (*sit precor hoc iustum exemplis in parvo grandibus uti*). An identical sentiment is expressed in the same work of Horace, even though the connection with the original is much less obvious (*grandia si parvis adsimilare licet*)⁸⁰.

Another line of reasoning suggests that the recurrence of *topoi* and catchphrases was merely a consequence of the specific genre, much like the standardisation in the “epigraphic habit” as a whole⁸¹. Perhaps more compelling is the assumption that workshops and individual stonemasons had model books from which their clients could choose the particular epitaph they wanted⁸². An intriguing inscription from Hippo Regius, for example, reads: “Here lies the body of the boy, here has to come a name”⁸³. Apparently, a distracted carver had not realised that he had to fill in the name of the

⁷⁵ CLE 364 (= CIL 6, 14397): “Carfinia M(arci) l(iberta) M[3] / vixit an(nos) XX / iucunda su{e}is / gratissima amiceis / omnibus officiosa / fuit”.

⁷⁶ For some intriguing examples of the same formulas occurring in different parts of the empire, see Carroll (2006), 106-8.

⁷⁷ For the influence of individual Roman poets on verse epitaphs (in terms of both content and style), see (for Virgil) Hoogma (1959); (for Catullus, Tibullus, and Propertius) Popova (1973); Lissberger (1934); (for Horace) Popova (1976).

⁷⁸ Ovid. *Trist.* 1.6.35-6.

⁷⁹ See Horsfall (1985), 254 gives a general overview of the literary influences (yet overall originality) of the *carmen*. His verse-by-verse discussion of the epitaph (257-72) includes more details. The list of literary references in Bourne (1916), 115 is still useful.

⁸⁰ Ovid. *Trist.* 1.6.28.

⁸¹ Cugusi (2007), 190.

⁸² Cf. Galletier (1922a), 225-35; Zarker (1958), 110-21.

⁸³ AE 1931, 112: “Hic corpus iacet / pueri nominandi”.

deceased himself, and instead merely copied the line his model book prescribed. But the practice of choosing from a selection of traditional poems is unlikely to be the only (or even the most important) reason for the standardisation in verse epitaphs⁸⁴. Most likely, then, standardisation in verse epitaphs derived from a combination of factors, of which the ones mentioned above are only a few.

Many *carmina*, however, refrained from taking recourse to standardised expressions (or at least added some personal touches to it), and it are these that are particularly valuable for our purpose (cf. *infra*). A very personalised example is the poem of the freedman Ancarenus Nothus of Rome. In the *praescriptum*, he mentions his name (including formal libertination) and his age – he was 43 years old –, and commemorates the long duration of his marriage (19 years). The most vivid description of his life, however, is given in the metric part of the inscription underneath⁸⁵:

“What remains for the mortal man: my bones rest in peace. I do no longer have to fear that I might suddenly find myself without food, I do not suffer from gout anymore, and I do no longer have to pledge my body for my rent. I now freely enjoy an eternal guesthome”. (Rome)

Clearly, Nothus’ existence had not been an easy one. Not only did he suffer from painful arthritis, but he also had to work hard to pay for the roof over his head, not even knowing if he would have enough money left to buy food at the end of the day. It were probably these precarious consequences of independence and freedom Epictetus had in mind when he warned slaves not to be too eager or naïve in pursuing manumission⁸⁶. When even a relatively short *carmen* like this can already convey a highly personalised story, one gets a fairly accurate impression of the wealth of information contained in the much more lengthy ones, e.g. that of the freedwoman Allia Potestas (50 verses)⁸⁷.

The format of epitaphs that contain a poem, usually followed a rather general pattern, although many variations coexisted. A non-metric *praescriptum* often introduces the *dramatis personae*, i.e. at least the deceased, but often also the dedicator. This was done

⁸⁴ Schetter (1989), 228.

⁸⁵ CLE 1247 (= CIL 6, 33241): “An]carenus [(mulieris) l(ibertus) Nothus ann(or)um XLIII / [c]um coniuge sua vixit ann(os) XVIII / quod superest homini requiescunt dulciter ossa / nec sum sollicitus ne subito esuriam / et podagram careo nec sum pensionibus arra / et gratis aeterno perfruor hospitio”.

⁸⁶ Epict. Disc. 4.1.33-5 (cited in Chapter 6 note 10).

⁸⁷ CLE 1988 (= CIL 6, 37965). The lengthiest extant *carmen* is the one written on the sides of the tomb of the Flavii in Cillium, Africa, which contains no less than 110 verses (CLE 1552 = CIL 8, 212). The average *carmen* in our database contains roughly 10 verses, although this is partially due to our selection criteria (for which, see Appendix 7).

with a very standardised and recognisable phrase – like in the examples of Carfinia and Nothus mentioned above. Sometimes, however, the epitaph immediately started out with the poem and ended with a non-metric *postscriptum*, elucidating the full identity of the commemorated individual(s). But even in these instances, the name of the deceased would usually already feature prominently at the beginning of the *carmen*. This was the case, for instance, in the inscription that immortalised the lives of Ummidia Ge and Ummidius Primigenius, who had been simultaneously crushed to death by a city crowd. The names of both persons are spelled out in full only in the *postscriptum*, but the first two verses of the poem already unambiguously introduce them: “This grave-hill covers at the same time the spirits of Ummidia and Primigenius, the home-born slave, both of whom one single day snatched away”⁸⁸. Of course, poems could be both headed and concluded by a non-metric phrase⁸⁹. In yet other instances, only a few metric verses were included in a predominantly non-metric text (a category of inscriptions closely related to Bücheler’s *commatica*, cf. *infra*). In short, although there was no strict format for *carmina epigraphica* in any literal sense of the word, they often did to certain extent resemble one another in general structure.

8.4.2 Numbers

Only between 1% and 2% of the 400.000 or so extant Latin inscriptions are rendered (partially) in verse form⁹⁰. In total, about 3200 relatively extensive verse epitaphs are known, roughly four-fifths of which are included in Bücheler’s volume of *Carmina Latina Epigraphica* (cf. Appendix 7). One third of the total amount of *carmina epigraphica* was found in Rome, another third in the rest of Italy. The remaining third originates from the provinces. This predominance of Italian inscriptions, reminds us that any conclusions drawn from the corpus of verse epitaphs are likely to reflect the habits and mentalities of the people of the heartland of the empire, rather than those of the provincials in the periphery, although fascinating *carmina* have been preserved that feature the ambiguous desire to accentuate both foreign origin and *romanitas* (cf. section 8.6.1).

⁸⁸ CLE 1159 (= CIL 6, 29436): “Ummidiae Manes tumulus tegit / iste simulque Primigeni verna / quos tulit una dies”. The relation between Ummidia and Ummidius is not certain. The latter’s age of 13 makes him too young for marriage. Their common *nomen* might suggest that they were *colliberti*, though only Ummidius is explicitly called a *verna*. They may just as well have been mother and son, or even patroness and freedman.

⁸⁹ E.g. CLE 1090 (= CIL 6, 15806): “Clodia |(mulieris) l(iberta) / Elegans / vix(it) an(nos) XXX / hic Clodia cara / cunctis iustisque piis/que est sita et subito / tempore rapta abiit / quem flet amissam / aeterno tempore / coniunx // C(aius) Memmius / C(ai) et |(mulieris) l(ibertus) Milo”.

⁹⁰ Schmidt (2015), 764.

Most of the *carmina epigraphica* were composed by and for the non-elite strata of society. At least a segment of the elite experimented with the genre during the mid-Republic (the oldest verse epitaphs are those of the Scipiones and are dated to the third century BCE⁹¹), but no traces of elite interest in metric inscriptions is discernible from the end of the Republic onward, when they became increasingly popular. By this time, the genre had been all but monopolised by Rome's sub-elite classes, of which freedmen notoriously constituted a considerable portion.

8.5 Freedmen in *Carmina Latina Epigraphica*

The source base of the following analytical sections is a collection of 150 funerary verse epitaphs dedicated by or to ex-slaves. The great majority of these *carmina* are taken from Bücheler's collection, the internal ordering of which is also the near universal way of referring to them⁹². The selection criteria we used to establish this database are described in greater detail in Appendix 7, which also contains some comments on the database's representativity. Useful to briefly note here, are the data that are included for each entry:

- 1) The number of the *carmen* in Bücheler's collection of *carmina Latina epigraphica* (CLE), or, if not included in these volumes, a reference to its number in the *Corpus Inscriptionum Latinarum* (CIL) or *L'Année Épigraphique* (AE). Indeed, Bücheler's edition originally contained all Latin verse epitaphs, but inscriptions found after 1926 (when Lommatzsch last updated the original collection) are not included.
- 2) A transcription of the original epitaph. The critical apparatus and conjectures are adopted from the Clauss-Slaby restorations of the texts, unless Bücheler's seemed preferable. The restoration of the unreadable passages in CLE 88, for example, differs significantly in both collections. The entire right side of this inscription is lost, thus necessitating considerable conjecture. The Clauss-Slaby database follows Bücheler's initial restoration as cited by the CIL editors (9,

⁹¹ CLE 6 (= CIL 6, 1287); 7 (= CIL 6, 1284). Cf. Van Sickle (1987); Kruschwitz (1998); Massaro (2002).

⁹² Bücheler (1982) [1895-1930], 2 volumes. We will use the standard reference of "CLE xxxx" to refer to a *carmen* (also including, where possible, its number in the CIL or AE volumes). For a good introduction to Bücheler's collection, its intention, its content, and its ordering, see Schmidt (2015), 769-71.

4016)⁹³. The revised restoration in Bücheler’s CLE collection, however, is more acceptable on account of the less intrusive nature of the assumptions made (vol. I, 45)⁹⁴. We therefore opted for the latter in our own database. In any case, unless conjecture is fairly certain because the verse in question was part of a standard or recurrent expression, these restorations have been treated with caution (they are, for example, not included in the lexical count). Finally, Bücheler’s CLE volumes include *prae-* and *postscripta* only in the short commentary provided after each *carmen*, whereas our transcriptions – for the sake of clarity – leave them in their original position.

- 3) A translation of the *carmen*. Unless otherwise noted, translations are my own (in some cases inspired by the Spanish ones by Fernández Martínez⁹⁵).
- 4) A field that evaluates the general sentiment of the *carmen* in the same way as was done for the attestations of freedmen in the literary sources (positive, neutral, or negative). Note that this evaluation is not of the *carmen* per se, but of how the *freedperson* in question is presented in it. As will become clear momentarily, the “negative” category is negligible. Moreover, since the very nature of funerary commemoration tends to present individuals positively, only those *carmina* that explicitly draw attention to the good qualities, character, or walk of life of the freedperson are counted as “positive”. The epitaph in honour of the freedwoman Rusticelia Cytheris (CLE 965), for instance, expresses her husband’s severe grief at her passing – reflecting a cordial relationship and the amiable character of Rusticelia. However, because she is not described with any specific terms or expressions that attest to her individual personality or qualities, the inscription is interpreted as the reflection merely of spousal grief in general, rather than as a positive evaluation of the deceased in particular. Most of the “neutral” entries resemble this situation (thus leaning more the a “positive” characterisation than to a “negative” one).
- 5) Three fields that record a) whether freed status was explicitly mentioned or accentuated; b) whether familial relationships or values were mentioned or accentuated; and c) whether (professional) occupation was mentioned or accentuated. It should be stressed that we only took into consideration the metric part of the epitaphs, any lines in prose that were (accidentally) inserted

⁹³ “Novana T(iti) l(iberta) Tryphera ex [testamento(?)] / studium habui ut facerem viva mihi aet[ernam domum iam postquam mors praeripuit me vir optime] / tua bonitas fecit titulus declarat meus quo[d nomen mihi quae patria qui coniunx fuit]”. The *testamento* conjecture is an original addition by the Clauss-Slaby editors, found in neither the CIL, nor in the CLE volumes.

⁹⁴ “Novana T(iti) l(iberta) Tryphera ex [...] / studium habui ut facerem viva mihi aet[ernam domum mors intercessit, iam mihi, coniunx optime] / tua bonitas fecit titulus declarat meus quo[d fuerit studium me erga pietatis tibi]”.

⁹⁵ Fernández Martínez (1998-1999).

into it, and passages that somehow complemented or even completed the *carmen* (Bücheler's so-called *commatica*)⁹⁶. References in *prae-* and *postscripta* were explicitly excluded, since including them would on many occasions render moot any attempt at categorisation of the poems. This would, for example, inflate the instances where freed status was mentioned, by ironing out the difference between inscriptions that mention legal status only briefly and formally (e.g. in a *praescriptum*'s libertination) on the one hand, and those that draw explicit attention to it through the narratively structured poem on the other.

Indeed, many inscriptions are known to belong to (or to have been made by) freedmen, only because they include libertination in a *prae-* or *postscriptum*. Especially in Republican and early Imperial epitaphs, libertination featured prominently, but precisely therefore – i.e. as a standardised identification formula – it tells us little about the stress (if any) a dedicator wanted to put on this status. If, however, libertination (or other circumstantial evidence for freed status like mentions of a patron, a *collibertus*, manumission, servile birth, etc.) was explicitly included in the *carmen*, this points to a specific desire to publicise status or social advancement. The same goes for attestations of family relations and professional prowess. In fact, exhaustively including all mentions of occupation or family relations would be largely derivative, since structural research into the inscriptions that mention these identity dimensions has already been conducted by, among others, Saller & Shaw and Joshel⁹⁷.

Our focus, in other words, is on the identity dimensions that were willingly and deliberately accentuated in the *narration* by which freedmen were presented. By “narration” we mean both textual and visual representation of a person's life or character. Thus the epitaph of the Milanese trader Caius Pomponius Sacco mentions his profession (*copo*), but does so only in the *praescriptum*⁹⁸. Because, however, the tombstone is headed by a portrait of Sacco carrying an amphora – clearly representing his occupation – the field indicating mention of profession has been filled in in the affirmative for this *carmen*.

A result of this specific methodology is that any quantitative rendering of relations between, for example, status mention and familial commemoration, does not adequately represent how many people proportionally commemorated these identity dimensions (see in more detail the notes on representativity in Appendix 7). It does, however, give an impression of what (combination of)

⁹⁶ Bücheler (1982) [1895-1930], II, 755-82. Cf. Kruschwitz (2002); Schmidt (2015), 769.

⁹⁷ Saller & Shaw (1984) elucidated social relations within the private sphere based on an extensive database of inscriptions; Joshel (1992) studied the references to occupation and work in the epitaphs of non-elite individuals.

⁹⁸ CLE 410 (= CIL 5, 5931): “C(aius) Pomponius C(ai) l(ibertus) Pal(atina) / Sacco copo”.

dimensions were felt worth stressing in *extended* narratives (as opposed to “one-liners” that only mention name, age, and perhaps profession, and which greatly skew the statistical data of, for example, Joshel and Saller & Shaw). Quantitative trends, in other words, may not be representative for the total body of inscriptions set up by or for ex-slaves, but because our heuristic strategies and selection criteria were specifically designed to trace and include extended and personalised *carmina*, they do give an impression of relative proportions within this specific body of metric inscriptions.

8.5.1 The identity dimensions of freedmen in *carmina epigraphica*

The identity dimension most frequently attested in the metric inscriptions of ex-slaves is familial status as a parent, spouse, child, etc. 77 of the 150 *carmina* include information of this kind. Accentuation of freed status occurs in 51 cases, whereas occupational or professional prowess was only deemed worthy of mention 25 times. Three out of four mentions of a familial relationship are explicitly positive. The remaining quarter is less outspoken, and categorised as neutral. A similar observation can be made for mentions of occupation, where the ratio “positive” to “neutral” is also roughly 4:1. These proportions are slightly more crystallised in the case of status mentions, where 41 out of 55 poems (80%) present this identity dimension in unambiguously positive terms, whereas the neutral category contains only 9. The only negative reference to a freedperson focusses on the dimension of legal status, but uses it to accentuate the – in this case – freedwoman’s concrete disloyal behaviour toward her patron⁹⁹. It is little more than an elaborate variation on the recurrent theme (mostly in non-metric inscriptions) of patrons excluding a specific freedperson from their funerary monument, and has as such nothing to do with any inherent inferiority due to a servile past (cf. *supra*). For a complete overview of the salience and combination of identity dimensions in the metric epitaphs included in our database, see Tables 17 and 18 below.

Table 17 The salience of identity dimensions in freedpersons’ metric epitaphs

	FREED STATUS	FAMILY	OCCUPATION
POSITIVE	41	57	18
NEGATIVE	1	0	0
NEUTRAL	9	20	7
TOTAL	51	77	25

⁹⁹ CLE 95 (= CIL 6, 20905). This is the inscription of the cursed freedwoman Acte mentioned above.

Table 18 The combination of identity dimensions in freedpersons' metric epitaphs

	STATUS + FAMILY	STATUS + OCCUPATION	FAMILY + OCCUPATION	STATUS + FAMILY + OCCUPATION
POSITIVE	16	4	3	6
NEGATIVE	0	0	0	0
NEUTRAL	3	0	0	0
TOTAL	19	4	3	6

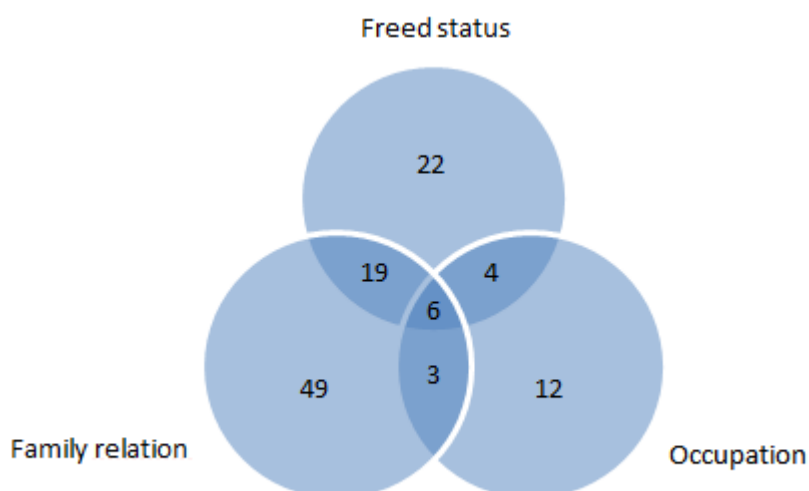


Figure 4 Visual representation of the salience and combination of identity dimensions in freedpersons' metric epitaphs

What stands out first and foremost is the relatively small amount of occupational references when compared to mentions of legal status or family. They are attested in merely 25 out of 150 *carmina* (17%). This is, however, in line with the statistical evidence derived from non-metric epitaphs, which clearly shows that only a very small minority of individuals accentuated their profession¹⁰⁰. In this regard, 17% for metric inscriptions is actually a rather high proportion. This is due primarily to the fact that freedmen, as a demographic category, had an outspoken propensity to accentuate their profession¹⁰¹. It

¹⁰⁰ Joshel (1992), 16 found “merely” 1470 individuals who mentioned occupational title; a very small number in comparison to the tens of thousands individuals mentioned in epigraphic sources as a whole (even when accounting for Joshel’s omission of imperial freedmen).

¹⁰¹ Joshel (1992), esp. 184.

is due also to the fact that we considered not only “occupational titles”, but references to professional activity in general, i.e. references that are particularly prone to appear in typically longer and less standardised *carmina*.

The “underrepresentation” of occupational references (i.e. relative to mentions of family or status) could be a consequence of the epitaph being set up by a patron who did not value this identity dimension as much as his deceased freedman (again highlighting the importance of “authorship” in assessing these identity dimensions). The inscription commemorating Lucius Cominius Firmus and Oppia Eunoëa, for example, is revealing¹⁰². Firmus is identified in the *praescriptum* as a praetor and quaestor of the treasury and child-allowances. That he was at least a second-generation freeborn is given its due stress by the extended filiation, which not only referenced his father, but also his grandfather. Eunoëa is identified as the freedwoman of a certain Sextus Oppius and his wife, indicating that Firmus was not her patron¹⁰³. The most likely bond between Firmus and Eunoëa, then, was a marital one. Indeed, “Oppia is snatched away from Firmus” (*erepta est Oppia Firmo*) is an expression that suggests an intimate connection, and that often occurs in the commemoration of a spouse¹⁰⁴. But most importantly, the comparison of Eunoëa with two of the most illustrious women in the Roman and Greek world respectively – Arria and Laodamia – undoubtedly betrays a marital relation, since these women were known in particular for their extreme devotion to their husbands¹⁰⁵. This might point to a very interesting case of a senator ignoring the Augustan ban on senator-freedwoman marriages¹⁰⁶. Some scholars have argued that Eunoëa could not have been Firmus’ wife precisely because of this ban¹⁰⁷, but that reasoning is circular, and moreover ignores the fact that such marriages would not have been declared void

¹⁰² CLE 423 (= CIL 10, 5920): “L(ucio) Cominio L(uci) f(ilio) L(uci) n(epoti) Pa[l](atina) / Firmo pr(aetori) q(uaestori) aer(arii) et al[im](entorum) / Oppiae Sex(ti) et [(mulieris) l]ibertae Eunoëa[e] / exemplum perit castae lugete puellae / Oppia iam non est erepta est Oppia Firmo / accipite hanc animam numeroque augete sacr[at]o / Arria Romano et tu Graio Laodamia / hunc titulum meritis servat tibi fama superstes / sibi suis posterisq(ue) eorum”.

¹⁰³ Adoption of Firmus by a L. Cominius after Eunoëa’s manumission is virtually impossible, given the strong accentuation of paternal ancestry. Moreover, if he was originally named Sextus Oppius, Firmus would very likely have retained a modified form of his *nomen* after adoption (e.g. Lucius Cominius Oppianus).

¹⁰⁴ E.g. CLE 1041 (= CIL 6, 24049): “erepta est subito coniugis e gremio”; 1544 (= CIL 6, 20370): “ereptam viro”.

¹⁰⁵ See Plin. Ep. 3.16 for Arria’s killing herself to save the reputation of her husband Caecina Paetus, and Ovid. Her. 13 for Laodamia’s suicide that would reunite her with her fallen husband Protesilaus. Voisin (1987), 280 suggests the parallel indicated that Eunoëa had similarly opted for a “mort volontaire” in reverence to her husband, but this seems unlikely, since Firmus was still alive at the time. The comparison was meant to accentuate Eunoëa’s devotion in general, rather than the radical expression of it (as attested in the cases of Arria and Laodamia).

¹⁰⁶ Cf. Courtney (1995), 371-2; Keegan (2008), 4.

¹⁰⁷ E.g. Parkin & Pomeroy (2007), 89.

(despite the imposition of penalties)¹⁰⁸. In any case, the inscription as a whole clearly shows that Firmus chose to focus on Eunoëa's elevated character: she was a most exemplary girl (*exemplum castae puellae*) with a great reputation (*fama*) and very deserving (*merita*), worthy, moreover, of inclusion in the "sacred group" (*numero sacro*) of famous women, and put on a par with exceptionally renowned Roman matrons. As an elite patron, Firmus completely downplayed any "menial" occupation his freedwoman may have had (or any reference to her servile past, for that matter) in favour of more exalted identity dimensions. In this particular case, an additional apologetic motivation may have played a role too, since Firmus would have been well aware of the inappropriateness of his relation with Eunoëa.

Moreover, it is perhaps no coincidence that merely 7 out of 25 inscriptions that focus on professional prowess were erected by the freedperson's patron, and that none of these patrons can be securely identified as *ingenui*, let alone as members of the elite. In fact, at least three of these patrons – but perhaps all seven – were ex-slaves themselves¹⁰⁹. Three freedmen (and perhaps seven) mentioned their occupation in an inscription they had set up themselves¹¹⁰. The rest of the dedicators were either close relatives (parents or spouses), or freedmen who deemed it worthwhile to reference professional activity in an epitaph for their (freed or freeborn) patron¹¹¹.

But even if we account for the influence of a patron-dedicator on the inscription's content, the spouses, parents, and even freedpersons themselves who did not mention their occupation, greatly outnumber those who did, suggesting that it was simply a less salient identity dimension when compared to familial pride or legal status. The next section focusses in particular on this last dimension, pays specific attention to the contextual use of libertination, and thereby constitutes an approach parallel to Chapter 4. We will show how attention could be drawn to freed status in a variety of ways, and that a structural assessment of these differences betrays clear patterns that in turn reveal the importance and value freedmen themselves attached to the publicising of their status.

¹⁰⁸ Treggiari (1991), 63-4. The bond between Firmus and Eunoëa need not have been formalised through marriage. Eunoëa may well have been Firmus' *concubina*, even though such bond too would not be socially accepted (Eunoëa not being Firmus' own *liberta*), cf. McGinn (1991) 347ff; Mouritsen (2011), 43.

¹⁰⁹ CLE 56 (freed couple for their daughter-in-law); 465 (a certain Felix for his *alumnus*); 1091 (a certain Fortunata for her freedwoman); 1252; 1589; 1944; 1988 (all patrons of unknown status).

¹¹⁰ CLE 53; 74; 83; and perhaps also 71; 134; 410; 1814.

¹¹¹ CLE 36 (freeborn patron); 1095 (freed patron); 2154 (unknown patron).

8.5.2 Freed status in *carmina epigraphica*

8.5.2.1 Representing freed status and patronal presence

One third of the *carmina* dedicated by or to freedpersons draws attention to freed status, not merely in the *praescriptum*, but also in the poem itself. This was most conspicuously done by carefully fitting status indicators in the cadence of the epitaph. (Co)libertus/-a is spelled out in full 16 times¹¹². Since this notation is found in not even a third of the *carmina* mentioning freed status, it seems safe to assume that it was intended to highlight in particular this identity dimension, especially when it was placed at the very beginning of the *carmen*¹¹³. This is the case for the epitaphs of Marcus Aurelius Zosimus (*libertinus eram fateor...*), Petronia Thallusa (*liberta et coniunx Petronia cara patrono / Thallusa...*), and the one erected by Socconia Attice for herself and her patron (*[libe]rta hoc titulo patronum pietatis honorat...*)¹¹⁴.

The instances where libertination is spelled out in full, contrast with the poems where formal libertination – normally conveyed in a non-metric *praescriptum* – is inserted in the poem¹¹⁵. These are often *commatica*, as libertination was in some cases not metric itself, but nonetheless inserted into the poem. Consider, for example, the *carmen* for the pearl-trader Euhodus, which is interrupted in the middle by the man's formal libertination (*C(aius) Ateilius Serrani l(ibertus) Euhodus*)¹¹⁶. These *carmina* draw less attention to legal status by using this formal and standard notation, and by referencing status only by the abbreviation “L” or “LIB”. Though less conspicuous than a mention of (co)libert(in)us/-a outside of formal libertination, the deliberate attempt to render such formal libertination metrically (or to insert it in the *carmen*) does point to a certain desire to accentuate this status or connection. This is confirmed by the fact that formal libertination is rarely metric in itself, and that dedicators were prepared to change the order of names or terms to comply with the poem's rhythm. The *carmen* for Lucius Annius Argeus, for example, had to place libertination at the end of the naming formula (*L(ucius) / Annius Argeus / Compsi l(ibertus)*) instead of adhering to traditional practice (*Lucius Annius Compsi libertus Argeus*), which would not agree with the pulse of the poem. A more intrusive operation was needed for the rendering of the address of the imperial

¹¹² CLE numbers 95; 396; 401; 420; 627; 959; 1009; 1011; 1041; 1115; 1140; 1534; 1558; 1564 (*libertus/-a*); 990; 1125 (*libertinus*).

¹¹³ Cf. Weaver (1963), 276-7, who showed how the abbreviation of *libertus* by “LIB” (rather than by the less conspicuous “L”) became more popular among imperial freedmen, who – more than private freedmen – deemed their status an important information to mention on their epitaph.

¹¹⁴ CLE numbers 990; 1041; 1009 respectively.

¹¹⁵ This happens in CLE 74; 134; 1189; 1563; 1589; 1843; 2161.

¹¹⁶ CLE 74 (= CIL 6, 9545).

freedman Metrobius. It required the construction of a hyperbaton, that quite artfully separated his name (in the vocative) from his formal status mention (*reliquiae cineris tumulo man/data quiescun(t) Aug(usti) lib(erte) sacro hoc tibi Metro/bie*)¹¹⁷. The rhythm of the distichon for Nassius Amandus similarly necessitated a separation of words. Instead of respecting the traditional scheme (*Nassius Luci libertus Amandus*), a slight modification ensured a satisfying cadence (*Nassius hic situs sum L(uci) / l(ibertus) Amandus*)¹¹⁸. Finally, the very cumbersome nomenclature of Gaius Gargilius Haemon can be partially explained by the requirements of rhythm: *C(aius) Gargilius Haemon Proculi / Philagri divi Aug(usti) l(iberti) Agrippiani filii / paedagogus idem l(ibertus)*¹¹⁹.

Interpretation of this last epitaph hinges on the restoration of the filiation “F”. Some scholars thought it an abbreviation for a nominative *filius* (interpreting Haemon as the freeborn son of an imperial freedman)¹²⁰. The great majority of scholars, however, accepts the restoration of a genitive *fili* (interpreting Haemon as a freedman of the freeborn son of an imperial freedman)¹²¹. The context of the inscription – it was part of a *columbarium* alongside the *via Nomentana* – explains the unclear presentation of relations (and the lack of interest in avoiding ambiguity), since visitors were expected to know all the individuals mentioned¹²². Haemon was perhaps himself the dedicator of the epitaph. Indeed, the plaque has a “V” hovering in between the start of lines 2 and 3. This letter is usually not included in modern editions, but it may signify that Haemon made the inscription himself while still alive (*vivus*). In addition to concerns about rhythm, then, the extensive nomenclature may well have been the result of a more pertinent desire: the dedicator deemed the connection with the imperial household particularly worth stressing, even going back two generations to highlight it.

Together, both categories ((*co*)*libert(in)us*/-*a* or formal libertination inserted in the *carmen*) constitute the group of epitaphs that most conspicuously draw attention to freed status. However, this was done only in 23 out of 150 metric inscriptions. 28 more poems accentuated legal status, but these used other strategies than the two mentioned above. A reference to the grant (or achievement) of freedom occurs in five epitaphs. A certain Zoticus obtained the “highest good” (*plurima res*) for himself and his relatives, Lucius Valerius Aries and two *alumni* from Iuvanum had received the “light” and “accomplishment” of freedom respectively (*lux libertatis; opus libertatis*), Egnatuleia

¹¹⁷ CLE 1189.

¹¹⁸ CLE 1843.

¹¹⁹ CLE 134.

¹²⁰ E.g. Courrier (2014), 279 note 286.

¹²¹ Thus already the editors of the *CIL* and Bücheler (1982) [1895-1930], 74-5, but more recently also Gardner & Wiedemann (1991), 64.

¹²² Cf. Nielsen (1996), 37-8; Hasegawa (2005), 4-29.

Urbana was “freed from her servile name” (*me servili nomine preivat*), and Fortunata, as has been noted, had been promised her freedom by her master (*libertas fuerat promissa*)¹²³. Another strategy was to allude to social promotion in general, which would be further clarified by the explicit mention of freed status by formal libertination in a *prae-* or *postscriptum* (seven times attested). Thus Anicia Glucera thanked her husband “for elevating her from the lowest rank to the highest honour” (*[vir bonus] qui me ab imo / ordine ad summum / perduxit honorem*)¹²⁴. Both Valeria Lycisca and Caius Iulius Mygdonius noted that “Rome gave them the rights of a citizen” (*[Roma] quae mihi iura{e} dedit civis; factus / cives R(omanus)*)¹²⁵. Gaius Ofillius Arimnestus wanted to “augment the name he had received from his father [i.e. with a Roman *gentilicium*]” (*quaesitum ex pat[re] / ut potuit s[i]bi nomen adaux[it]*)¹²⁶. And though less visibly, the imperial freedman Trophimus alluded to his considerable elevation by stating that “he was once the child of a Phrygian shepherd” (*reliquiae pueri quondam / Phrygii pastoris*)¹²⁷. The other two epitaphs in this category describe the freedpersons mentioned in them as *alumni* or *vernae*; terms that similarly imply a transition from slave to free, as the freed status of the individuals was clear from their *tria nomina* (Sextus Iulius Felicissimus, Ummidia Ge, and P. Ummidius Primigenius)¹²⁸.

The 16 remaining epitaphs that explicitly draw attention to legal status, do so by implicitly or explicitly referencing the freedperson’s patron (*patronus/-a* or *dominus/-a*). This strategy was, in other words, as frequently applied as spelling out (*co*)*libert(in)us/-a* in a *carmen*, and together they comprise well over half of the attestations of poems that mention freed status (32 of 51)¹²⁹. It should be noted, however, that in 20 or 21 of these cases, the inscription was explicitly set up by the patron(ess) him- or herself. Thus the tombstone of Annia Agathonice in Comum attests to the piety of her loyal patroness, whose generosity had granted Agathonice the plot of land on which it stood (*dat t/amen haec patronae pietas sola/cia fidae iugera quot terrae / dedicat hic tumulus*)¹³⁰. When Marcus

¹²³ CLE 71; 89; 1210; 963; 1117. The “*plurima*” in Zoticus’ epitaph is conjectured by Bücheler and based on similar verses in other inscriptions, Bücheler (1982) [1895-1930], 37.

¹²⁴ CLE 66.

¹²⁵ CLE 1054; 1580.

¹²⁶ CLE 1276.

¹²⁷ CLE 1815. The repetition of genitives makes the epitaph ambiguous. Trophimus could have been a *puer Phrygii pastoris*, or a *puer (et) Phrygius pastor*. The word group may be a reference to bucolic literature, where Phrygian shepherds were a beloved commonplace. E.g. Apuleius’ *Metamorphoses* features a young man (*adulescens*) dressed *in modum Phrygii pastoris* (10.30.2).

¹²⁸ CLE 465 (*alumnus*); 1159 (*verna*).

¹²⁹ This is, of course, partially due to the fact that these inscriptions are most easily recognisable as belonging to freedpersons. From this perspective, the fact that half of our *carmina* that mention freed status, do so in other, more original ways, is meaningful in its own right.

¹³⁰ CLE 1203.

Gellius Maximus made an epitaph for his beloved freedman Phoebus, he noted that he had done so with great affection (*adflectus omnis possidet iste lapis*), and even implied that he would take his freedman's place if only the Fates allowed it (*quod si mutari potuissent fila sororum / gauderet condi Maximus hoc tumulo*)¹³¹. In these cases, it are the good qualities and generosity of the patron(ess) that are stressed above all, only second to which comes the attention to the deceased freedperson. Phoebus, for example, is even quite literally subordinated to his patron by his description as a “most important part of Gellius” (*Gelli pars maxima*). Similarly, the *carmen* for the freedman Caius Quintius Fortunatus, made for him by his patron Agathemerus, centres primarily around the latter and his sense of loss, that is, insofar as we can reconstruct the text, of which the entire left part is missing. The only certain words are a) “a long life” (*vita senilis*) – which must have been preceded by a negative statement, since Fortunatus was only 20 years old when he died; b) “he was” (*ille fuit*), which Bücheler conjecturally completes by *optimus*; c) “who was taken away” (*[que]m rapuere*); d) “longing for him” (*me cupide*); e) “patron” (*patronus*); and “he/there existed” (*extiterat*), which Bücheler again completes by adding *quoi non libertus gratior*. Nearly all of these elements reflect the centrality of Agathemerus or his grief at the premature passing of his beloved freedman. Moreover, the entire poem is enclosed by a non-metric *praescriptum* and *postscriptum*, which greatly accentuate not only the dedicatee, but also (and especially) the dedicating patron. The stress on the latter is most clear in the final part of the inscription (*C(aius) Quintius / medicus / VIvir / patronus Fortunati*), where the name and profession of Agathemerus are rendered in larger letters than *patronus Fortunati*¹³².

Table 19 below gives a quantitative representation of the spread of epitaphs that alluded to freed status, and gives an indication of the role of the patron in these instances.

¹³¹ CLE 1248.

¹³² CLE 1766: “C(aius) Quintius / Fortunatus / ann(or)um XX / Agathemerus / liberto / [3] vita senilis / [3 optimus] ille fuit / [3 fata invida que]m rapuere / [dum peteret meritis vincer]e me cupide / [3 feci monumenta] patronus / [quoi non libertus gratior] extiterat / C(aius) Quintius / medicus / VIvir / patronus Fortunati”. Attention is drawn to *C. Quintius ... liberto* and *C. Quintius medicus VIvir* by the bigger letters in which these non-metric passages are rendered.

Table 19 The contextual accentuation of freed status in freedpersons' metric epitaphs

	<i>(Co)libert(in)us/-a</i> in <i>carmen</i>	Formal libertination in <i>carmen</i>	<i>Patronus/-a</i>	Reception of freedom	General social promotion
#	16	7	16	5	7
Association with patron	13	0 ¹³³	16	1	2
Made by patron	10	1 (3) ¹³⁴	10 (11) ¹³⁵	0 (3) ¹³⁶	1 (4) ¹³⁷

The Table unambiguously shows that in the majority of cases where explicit status markers like *(co)libert(in)us/-a* or *patronus/-a* were used, this was a decision made (or at least influenced) by the patron, even though freedpersons certainly did not shy away from doing this themselves (cf. *infra*). On the other hand, the reception of freedom or a more general social promotion were features almost exclusively mentioned in epitaphs erected by freedpersons themselves (the few instances where a patron *may* have been responsible do not at any rate reveal the agency of this patron). Patronal presence, in other words, was downplayed in instances where individual merit was chosen as the primary locus of commemoration.

Clearly, there were several strategies dedicators could resort to in order to highlight the freed status of the deceased, depending on the precise purpose of the commemoration (e.g. stressing social promotion, embeddedness in a patron's social/trust network, etc.). Even though the agency of patrons-as-dedicators somehow distorts this impression, it should be clear that their own legal status was not a priori abhorred by ex-slaves (or considered inappropriate by patrons – often freed themselves). Such suspicion may, of course, be the initial reflex after observing that nearly two-thirds of our *carmina* do not include any reference to freed status. However, this “shame”-hypothesis – as amply referred to in previous chapters – does not stand the test of several approaches to the varied source material. Even a quick glance, by way of digression, on the membership

¹³³ By this number is meant an association with the patron other than the one already implied by formal libertination (inclusion of which would render this field moot). In other words, no epitaph of a freedman who is identified by formal libertination elaborates on the link between patron and freedman any further.

¹³⁴ The dedicators of CLE 134 and 1843 are unknown. There is the possibility that the patron erected the monument, but this is nowhere made explicit.

¹³⁵ The dedicator of CLE 1003 is unknown, although the vehement stress on the masters (and later patrons) to whom the freedman was a pleasure, suggests that they may have been responsible for the erection (*[Gra]tus qui fuera[t d]ominis liberq(ue) patronis / [c]oncidit et lapide hoc ossa tegenda dedit*).

¹³⁶ The dedicators of CLE 963, 1117, and 1210 are unknown. See note 134.

¹³⁷ The dedicators of CLE 66, 1054, and 1815 are unknown. See note 134.

lists (*alba*) of the professional associations (*collegia*) of Ostia and Portus illustrates that status was simply a less salient identity dimension in these contexts, rather than a dimension the *collegiati* deliberately tried to downplay.

8.5.2.2 The salience of legal status in *collegium* membership lists

First and foremost, *alba* were often set up without revealing any information as to the legal status of the members listed¹³⁸. This is the case, for example, for an unknown *collegium* from Ostia. Despite the fact that many (if not all) of its members were very likely ex-slaves¹³⁹, the *album* does not say so explicitly. Once again, this might be interpreted as emanating from a desire to conceal freed status, but a comparison with other lists clearly suggests that status simply played a less prominent role in the lives of ordinary Romans. This is borne out also by the observation that the makers of at least some *alba* did not seem to have cared a whole lot about any doubt that might have arisen as a result of careless notations. The membership list of the Ostian *corpus lenunculariorum tabulariorum auxiliatorum*, for example, lists 6 patrons and 8 *quinquennales* under the heading of “EQUIT ROM” (*equites romani*), even though only the first two can be securely identified as belonging to this *ordo*¹⁴⁰. It is most doubtful whether the other 12 men were similarly knights, and it has been plausibly suggested that they were listed under this heading simply because there was no more space available elsewhere on the stone¹⁴¹. The contrast between a very pragmatic consideration like this and the elite (literary) practice of consistently stressing status hierarchies and distinctions, could hardly have been more pronounced.

The lack of interest in separating freed from freeborn on *collegium alba* is perhaps best illustrated by those cases where the (single) names of slave members are outlined to the right of a *column*, so as to leave space – in the event of manumission – to add a *praenomen* and *nomen* in front of it¹⁴². This points to a very real sense of expectation – the *spes libertatis* often alluded to in slaves’ epitaphs (cf. *supra*). But evidently, we know of these cases precisely because at least some slaves never saw this expectation fulfilled, and would thus forever remain recognisable as slaves. An unknown amount of freedmen listed on *collegium alba* may have once been recorded solely by their *cognomen*. Whereas the distinction between slave and free was thus stressed – although it may have been a corollary of practical concerns more than anything else – the acquisition of freedom

¹³⁸ Throughout this section, we make use of the material compiled and analysed by Royden (1988).

¹³⁹ CIL 14, 258. Cf. Rohde (2012), 372-3: “es handelt sich somit augenscheinlich um einen Verein, deren Mitglieder allesamt Freigelassen waren” (373).

¹⁴⁰ CIL 14, 251.

¹⁴¹ Cf. Royden (1988), 41-3 discusses the case extensively.

¹⁴² E.g. AE 1929, 161 (third frame, line 13). For this practice, see Tran (2006), 489-90.

would remove all traces of a servile past, the freedman's *tria nomina* now figuring in a list of "peers". In a sense, then, this practice is almost a metaphor for the ideological transition caused by manumission, i.e. the freedman becoming equal in principle to his fellow free Romans.

Even in the cases where legal status was explicitly referred to, there existed no standardised format for doing so, and a separation of freed and freeborn (e.g. in separate columns) was resorted to only occasionally¹⁴³. The Ostian *collegium dendrophorum*, for one, included filiation for its freeborn members, but did not physically separate them from the freed members¹⁴⁴. Moreover, only one out of eight patrons (Larcus Lepidus) is recorded with filiation, even though all of them were probably freeborn¹⁴⁵. In addition to the lack of (physical) separation of freed and freeborn members, the inconsistency in mentioning filiation – at least in the case of the patrons – is significant. Nor is this an isolated instance. The album of the *corpus lenunculariorum tabulariorum auxiliariorum*, for example, only lists the first 4 (of 8) patrons with full filiation¹⁴⁶.

Moreover, a pragmatic concern again seems to have played in several cases where indicators of legal status were included. The occasional mention of IUN(ior) in the album of the *corpus fabrum navalium Portensium*, for example, was intended merely to distinguish the men to whose names it was attached, from their fathers who bore the same name, not to accentuate freeborn status¹⁴⁷. Some names occur more than once without there being added a mark of distinction like IUN¹⁴⁸. It is likely that in these cases no difference in status or paternal relation existed that could serve to distinguish these men. In one case, mention of an occupation may have fulfilled this need, but this

¹⁴³ For example, an *album* found in Herculaneum – the function of which is unknown – listed freed and freeborn members in separate columns (CIL 10, 1403). For a detailed discussion (with a focus on the inscription's value for the study of *Latini Iuniani*), see Mouritsen (2007a), including many references.

¹⁴⁴ CIL 14, 281. See again Royden (1988), 57-9 for some remarks concerning the status-determination of the members of this association.

¹⁴⁵ This is suggested by the extensive nomenclature, which would be most atypical for freedmen (e.g. M. Acilius Priscus Egrilius Plarianus). See also CIL 14, 326 where two patrons of our list (Istorius Octavianus and Pomponius Quirinus) are distinguished from the freedman Abascantus, who similarly features in CIL 14, 281. Surely, one of the patrons of the *collegium dendrophorum* received the suffix IUN(ior), but this served to distinguish him from his homonymous father, rather than to accentuate his freeborn status (as filiation would have done).

¹⁴⁶ CIL 14, 250. The carver did make sure to identify the only freedman among them (Aurelius Strenion) with libertination.

¹⁴⁷ CIL 14, 256: line 40 (to distinguish from, line 28); line 56 (*idem*, line 7); line 246 (*idem*, line 11); line 267 (*idem*, lines 266 and 329). Unless line 235 (-elius) has to be linked to line 42 (Helvius), to line 171 (Aurelius), or to a lost name, it looks like a unique deviation from this practice. Cf. Tran (2006), 475.

¹⁴⁸ E.g. in the same inscription; lines 50 and 66; lines 293 and 326.

cannot be ascertained, since a professional title could be included without this being necessitated by the occurrence on the list of double names¹⁴⁹.

Likewise, the sole mention of IUN(ior) on the album of the *corpus lenunculariorum tabulariorum auxiliariorum*, can be explained like this¹⁵⁰. This *collegium* also featured the suffixes LIB(ertus) and F(ilius) on its membership list, in order to distinguish the persons thus tagged from members with the same name (i.c. their patrons and fathers). These markers occur three and four times respectively¹⁵¹. Because it is highly unlikely that the *collegium* counted only three freedmen or only four *ingenui* among its members, the pragmatic function of these suffixes seems beyond doubt in this case too¹⁵². On another *album* of the same association – compiled some 40 years later – F(ilius) and IUN(ior), but also P(A)(T)(er) and SEN(ior) are used exclusively to distinguish homonymous individuals or to accentuate family ties, rather than to express freeborn status¹⁵³.

In other words, mentioning legal status was clearly not a priority for the *collegiati* of Ostia and Portus¹⁵⁴. If it had been, surely the freeborn M. Magius Marsus of the *corpus scaphariorum et lenunculariorum traiectus Luculli* would have mentioned his status, just like his son did. The latter, however, did so by adding F(ilius) to his name, a practice that, again, did not derive from concerns related to legal status. It did not bother Marsus that he was not distinguished (in terms of status markers) from his freedman M. Magius Iustus, mentioned on the same list¹⁵⁵. The members of the *collegia* valued collegiality – in a literal and figurative sense – over status distinctions, which is precisely why the

¹⁴⁹ E.g. in the same inscription: line 141 (mentioning a *sesquiplicarius*) to distinguish from line 193. Line 179 mentions an occupation without it being “necessary” (from our point of view).

¹⁵⁰ CIL 14, 250: column 4, line 33 (to distinguish from, column 2, line 23).

¹⁵¹ In the same inscription: for LIB(ertus): column 3, line 30 (to distinguish from, column 1, line 32); column 4, line 26 (idem, column 2, line 11 and column 2, line 28); column 4, line 27 (idem). The reasons for the use of LIB(ertus) in these instances may thus be less “obscure” than Tran (2006), 132 assumed. For F(ilius): column 2, line 9 (idem, column 1, line 7); column 2, line 30 (idem, column 1, line 33); column 4, line 9 (idem, column 1, line 23); columns 4, line 31 (idem, column 1, line 27). The remark referred to in note 149 is applicable in this instance too (e.g. column 3, lines 5 and 20).

¹⁵² Even though we cannot ascertain the legal status of most individuals mentioned, at least a portion of the members that were not characterised as LIB(ertus) must have been in fact freedmen (especially given the “servile” nature of many *cognomina*). Cf. Mouritsen (2005), 41; Tran (2006), 112-24.

¹⁵³ CIL 14.251.

¹⁵⁴ On official state lists, the elite habit of including legal status was much more strictly adhered to. See, for example, the list of the *magistri vicorum* of Rome (2nd century CE) in CIL 6, 975. Although status is referenced consistently, freed and freeborn are not (physically) separated from one another. In fact, the large majority of *ingenui* must have been merely first or second generation freeborn, cf. Duff (1928), 132.

¹⁵⁵ CIL 14, 246: M. Magius Marsus (columns 2, line 20); M. Magius Marsus F(ilius) (column 6, line 9); M. Magius Iustus (column 5, line 18). For the status of these individuals, see Royden (1988), 91-2.

associative context established “une proximité de vie sociale entre ingénus et affranchis”, and provided freedmen with the locus *par excellence* for practically exercising the respectability they were endowed with the moment they became free Romans¹⁵⁶.

When we are lucky enough to find several inscriptions from one and the same person, the importance of contextual factors in deciding whether or not to draw attention to legal status can be neatly illustrated. When, for example, the freedman Publius Aufidius Faustianus dedicated a monument for his patron Fortis or to the latter’s son, he consistently included a formal status marker (whether the reference to a *patronus indulgentissimus* or the mention of *libertus*)¹⁵⁷. When the same Faustianus occurs in a professional context – dedicating a monument to a *procurator annonae* in his capacity as *quinquennalis* of the Ostian college of grain traders – he completely omits any status marker¹⁵⁸. In his professional life, status was simply less salient.

In short, the use or omission of status indicators in the context of professional *collegia* – arguably more indicative of an ex-slave’s actual socialisation than any image the detached sources present – was influenced by highly contextual factors. Although senatorial or equestrian patrons often (though not always) included their legal status, no rigid standard or convention prescribed the way in which this should be done. Among the *plebs* of the *collegia*, status was even less relevant. Any confusion or misrepresentation resulting from the non-formalised use of status indicators was not considered problematic. Status as identity dimension, in other words, did not play the same structuring and distinguishing role it did in detached elite discourse. Accentuating membership of a *collegium*, and avoiding confusion about the identity of members of the same name – at the same time highlighting familial bonds – were much more pressing concerns for the body of common *collegia* members. Or as Tran succinctly concluded: “Aussi explicites et tranchés que soient les clivages juridiques, toute image de netteté tend à s’estomper, en partie, quand le regard se porte sur le terrain des pratiques sociales”¹⁵⁹.

Returning to our *carmina epigraphica*, then, the omission of status in 2 out of 3 cases needs not be indicative of any shame or desire to explicitly downplay legal status; it may simply not have been considered relevant in several cases. This is equally borne out of the observation that occupation or family relations were, generally speaking, not

¹⁵⁶ Tran (2006), *passim* (e.g. p. 111-2, 124ff, 468, 490-2). The quote is from p. 132. Cf. Hopkins (1978), 117 note 37 for a similar observation for religious associations.

¹⁵⁷ CIL 14, 4621 and 4622.

¹⁵⁸ CIL 14, 161.

¹⁵⁹ Tran (2006), 133.

invoked to somehow downplay or compensate for legal status. Of the 77 *carmina* that accentuate family, merely a third also includes an explicit reference to legal status. Similarly, of the 25 *carmina* that draw attention to occupation, not even half also mention legal status. Put differently, freed status is deliberately alluded to without any “compensation” in 22 out of 51 poems. Only in slightly more than half of the cases, then, it was accompanied by a reference to family relations and/or occupation. These observations suggest not only that the deliberation as to which identity dimensions to include was circumstantial (with financial resources and authorship being two of the most important determining factors), but also that freed status was eagerly resorted to for commemorative purposes, without there being any indication that it had to be somehow compensated by other traits. We will come back to this point in more detail shortly.

In the next subsection, however, we first reiterate an issue raised in Chapter 5, namely the question to what extent freedmen “needed” the patronage relationship as an “enabling framework” to advertise their qualities and virtues, and whether it was, as such, an instrument for social stratification, accentuating the inferior status of ex-slaves. Our main focus will be on the implications of the nuanced answers to these questions for our attempt at reconfiguring the debate on freedmen socialisation from a monolithic *macula* framework to a dynamic symbiosis of principled equality and elite distinction.

8.5.3 Dedication and subservience as social capital

The pyramidal structure and pervasiveness of patronage relations in Roman society as a whole, ensured that on almost every level patrons were themselves in turn clients (or freedmen) of social superiors. Each individual who had the means to immortalise his life, had the opportunity to accentuate the identity dimension he deemed most salient at the time. These choices were by definition highly contextual, and the external influences that steered commemoration in one direction or another (e.g. burial in a family grave, financial help of a patron in erecting a tombstone, etc.) are often untraceable for modern interpreters. In Martial’s work, this structure is laid bare on many occasions. In one epigram, he scorns his own patron because he appears to be a client of another patron himself, and because he performs the same duties to that third party as Martial to him: he too attends the morning salutation: *sumus ergo pares*, he too fishes for dinner invitations: *sumus ergo pares*, and he too escorts his patron during excursions: *sumus ergo pares*. Martial subsequently – and exaggeratingly – compares this

condition with that of a slave (*servus*), but notes that he might have been able to bear it, if only his patron was an independent and noble man. Instead, however, he turned out to be a slave himself, making Martial the slave of a slave (*vicarius*)¹⁶⁰. The central lamentation of the epigram is that a patron should be like a king (*rex*), and thus not have a patron of his own. But the reality of Roman social relations was, of course, much less idealistic. Martial regularly uses the same metaphor of the extremes of slavery and (regal) domination to address this issue.

On another occasion, for example, he is upset that his patron is too encumbered with obligations to his own social superiors, and as a consequence neglects to defend Martial's interests. It is not good to be a client (*servire*) of a friend who is himself a slave (*servus*), Martial notes. He once again demands that he who wants to be his lord (*dominus*) should be free (*liber*) from such obligations¹⁶¹. In yet another epigram, he lets his patron Olus know that he will henceforth address him by his name instead of the titles he had used up till then: lord and master (*quod te nomine iam tuo salute, quem regem et dominum prius vocabam, ne me dixeris esse contumacem*)¹⁶². The message he thereby wanted to convey was that he wanted to get rid of Olus as a patron, and presents this emancipation as a manumission (*totis pillea sarcinis redemi*). The "payment" for his "freedom" symbolises the forfeiture of any future benefits Martial would have kept receiving if he remained under Olus' patronage¹⁶³. This, however, was a price he gladly paid for regaining his independence. Men who desire what lords and masters desire (i.e. influence over subordinates), Martial concludes, too easily subjugate *themselves* to lords and masters in order to acquire it (*reges et dominos habere debet qui se non habet atque concupiscit quod reges dominique concupiscunt*).

Dedication and subservience have often been recognised by scholars as the primary virtues from which ex-slaves derived their sense of self, and via which they could aspire to glory otherwise denied by restrictions in public life¹⁶⁴. This assumption is confirmed

¹⁶⁰ Mart. 2.18: "Capto tuam, pudet heu, sed capto, Maxime, cenam, tu captas aliam: iam sumus ergo pares. Mane salutatum venio, tu diceris isse ante salutatum: iam sumus ergo pares. Sum comes ipse tuus tumidique anteambulo regis, tu comes alterius: iam sumus ergo pares. Esse sat est servum, iam nolo vicarius esse. Qui rex est, regem, Maxime non habeat". Compare with Mart. 10.10, where virtually the same complaint is made in similar terms against a consul who did not shy away from cashing in *sportulae*, carrying other men's litters, slavishly flattering performers by excessively applauding them, etc.

¹⁶¹ Mart. 2.32: "Non bene, crede mihi, servo servitur amico: sit liber, dominus qui volet esse meus".

¹⁶² Mart. 2.68.

¹⁶³ Cf. Mart. 1.112: "Cum te non nossem, dominum regemque vocabam: nunc bene te novi; iam mihi Priscus eris". For a discussion of the reoccurrence of these themes and terms throughout Martial's work, see Williams (2004), 83-9; 124-7; 220-2.

¹⁶⁴ Mouritsen (2011), 61f; MacLean (2012), passim (e.g. 45). On p. 30ff, she discusses "freed virtues" – considered "different from [those] applied to freeborn adult males and freeborn women and children" – like *obsequium*, *fides*, and *industria*. See also Chapter 7.

by the epigraphic record, but consistently ignores or undervalues the crucial dimension of authorship. It is true that Larcia Horaea is explicitly described as virtuous (*proba*) and subservient to her masters (*parens domineis*), but this description originates from her parents-in-law (who were also her patrons), and her husband (who was the son of these patrons)¹⁶⁵. Likewise, Allia Potestas was most virtuous (*proba*), diligent (*sedula*), and loyal (*fidissima*) toward her patron, but the entire description breathes the agency of her patron in establishing the monument¹⁶⁶. The same observation can be made for the epitaph of Fortunatus (already mentioned above), which – if the restoration roughly resembles its original thought – similarly represents the freedman’s merit and achievement only in relation to his patron Agathemerus¹⁶⁷. As noted before, however, it was the latter who ascribed this pride to Fortunatus.

To briefly reiterate a point made earlier, authorship is most easily ignored in the epitaphs that have freedpersons speak in the first person, where the discourse is represented as a direct reflection of that freedperson’s attitude and sentiments. Iulia Erotis, for example, says that she was pleasing to her husband and her patron (*viro et patrono placui*)¹⁶⁸. But the words are not hers. It was this very husband and patron (perhaps one and the same person?) who dedicated the inscription¹⁶⁹. Similarly, Vettiena Spychē (sic) considered herself blessed for always having been pious toward her patron (*Vettiena Spychē benedicta / hic sum in patrono meo / semper pia*)¹⁷⁰. As the *praescriptum* indicates, however, the inscription was made by Vettiena’s husband ([*lost name*] *coniugi pien/tissimae bene me/renti de se fecit / et sibi*). It is more than likely that this husband was also her patron – as was so often the case – but even if he was not, this would not change the fact that the inclusion of the mention of Vettiena’s deference to her patron was not a decision made by this freedwoman herself. A final – and perhaps the most clear – example, is the epitaph for Tinuleia Musa, which reads¹⁷¹:

“Tinuleia Musa, freedwoman of Sextus. If those who are taken away from the light somehow enjoy the voices of the living, this monument shows that I was pleasing to my patron, who gave me a splendid funeral out of vehement gratitude. On the last day, he cried when he buried me, the woman he lost. That made me a happy

¹⁶⁵ CLE 56.

¹⁶⁶ CLE 1988.

¹⁶⁷ CLE 1766 (cf. note 132 above).

¹⁶⁸ CLE 86.

¹⁶⁹ For a discussion on the identity of this patron and husband, see Perry (2014), 106.

¹⁷⁰ CLE 1792.

¹⁷¹ AE 1946, 208: “Tinulei[a S]ex(ti) l(iberta) Mus[a] / si voce superum ga[udent] qui a luce abierunt / placuisse me patrono [mo]nu-mentum indicat / quo funere amplo per f[re]quentem gratiam / die supremo lacr*=U*>mans(!) [me] amissam intulit / in quo hoc effecit me feli[ce]m mortuam / ut dicant omnes quod [pat]rono placuerim”.

deceased woman because now all will say that I was pleasing to my patron”.
(Regium Lepidi)

Musa was greatly pleased because the intense grief of her patron – to which the beautifully carved out tombstone publicly attested – would forever remain a sign for anyone to see that she had been a pleasing freedwoman. The phrase *placere patrono* is used twice to convey this sentiment, which – if the epitaph is taken as a representation of Musa’s own attitude – was the one and only identity dimension and concern this freedwoman thought worthy of commemoration. But of course, the very first line already implies that Musa did not make the monument herself, since the question whether the poem would be successful in posthumously delighting a deceased, is typically one posed by those still living (*voce superum*). This is confirmed more explicitly in the next lines, where Sextus is identified as the man responsible for the *funus amplum*.

In all of these cases, then, the characterisation of the freedperson as a particularly obliging dependent, was a choice made by the patron *qua* dedicator. In doing so, the latter not only honoured his deceased dependent, but he also highlighted his own social and symbolic capital, by commemorating the pious fulfilment of his patronal obligations. At the same time, he presented himself as a good *pater familias*, who had not only been right in freeing this worthy individual in the first place, but who had subsequently also commanded respect and devotion from his subordinates, thus consolidating and conforming to the social hierarchies on which order and harmony – at least from the slave-owning class’ perspective – depended. As noted earlier, this motive was particularly salient for patrons who had once been slaves themselves, like in the cases of Larcia Horaea, Iulia Erotis (if the names Celadus and/or Blastus are any indication of freed status), Fortunatus, etc. For these individuals, their rise from slavery would be enhanced even further by explicitly showing that they now belonged to the slave-owning class themselves¹⁷².

Nicolas Tran rightly stresses this multidimensional nature of patronage relations when he discusses the socialising potential of Roman *collegia*. These associations provided freedmen with an opportunity to acquire respectability and prestige, thus constituting the context *par excellence* for freedmen to actualise in *practice* the principled equality the *legal* act of manumission bestowed on them¹⁷³. He notes that on many occasions, freedmen would accentuate their own position as master and patron over

¹⁷² Kleijwegt (2006a), 53-4.

¹⁷³ Tran (2006), 112: “Les collèges admettent en leur sein un grand nombre d’affranchis, qui, mêlés aux ingénus sur un pied d’égalité, trouvent dans ces collectivités un moyen de gagner en respectabilité et parfois en prestige”.

their dependents, thus drawing attention away from their own subordination. Focussing on other identity dimensions, and omitting any reference to their own patron in their inscriptions served a very similar purpose: “lorsqu’ils sont les auteurs des inscriptions, les *collegiati* sont portés à taire les relations de patronat dans lesquelles ils sont enserrés, dans une position de subordination” and “les *collegiati* affranchis semblent chercher à stomper l’image de subordination propre à leur statut en se présentant eux-mêmes comme patrons”¹⁷⁴. In a sense, then, this was a way for freedmen to partake in a path to glory highly valued also by the elites. The sense of personal power and control, and occupying the superior position in a relation of dependence was arguably far more important than participation in political life, which – even if it had not been formally restricted to *ingenui* – would have been unreachable for the large majority of common freedmen (or freeborn members of the *plebs media*, for that matter)¹⁷⁵.

The same observation can be made, *mutatis mutandis*, for freedmen commemorating themselves via metric epitaphs. Most striking is Manlia Gnome’s tombstone found in Rome¹⁷⁶:

Manlia Gnome, freedwoman of Titus, has passed. Here lies a woman who has always lived with an upright character. I have had many clients. This one place I have procured for myself. I have thus lived my life for as long as I wanted. I never owed anyone anything and I have lived faithfully. I trusted my bones to the earth and my body to Vulcanus, thus discharging the last duties of Death.

This is the only extant verse epitaph that mentions a freedperson as the socially superior party in a patron-client relationship. Unsurprisingly, the exceptional passage occurs in a text that strongly accentuates the agency of the deceased (discursively reflected also by the many verbs in first person; *habui*, *optinui*, *volui*, *debui*, etc.). Having many clients was but one way to express a strong sense of individuality. Claiming financial independence (*nemine unquam / debui*), for example, was another, though this expression occurs in many other epitaphs as well, usually in tandem with another

¹⁷⁴ Tran (2006), 462-8 (the quotes are from p. 463-4)

¹⁷⁵ Weber (1988), 257: “(...) es war Freigelassenen nicht möglich, öffentliche Ämter zu bekleiden (...). Aber [diesen] Nachteil teilten sie mit der weitaus überwiegenden Mehrheit der Bevölkerung”; Knapp (2011), 191: “Almost all freedmen, like almost all freeborn, cared not at all for office-holding and public life beyond neighborhood offices in professional and social clubs and associations, and found their satisfaction in their work, families, and friends”.

¹⁷⁶ CLE 67 (= CIL 6, 21975): “[Obita) Manlia T(iti) l(iberta) Gnome / haec est quae vix{s}it semper / natura proba clientes habui / multos locum hoc unum opti/nui mihi itaque quoad aetatem volui / exsegi meam nemine unquam / debui vix{s}i quom fide / ossa dedi terrae corpus Volchano dedi/di e<g=C>o ut suprema mortis man/data edidi”.

popular attestation of moral virtue (e.g. that the deceased has never been accused of wrongdoing)¹⁷⁷. It is a claim particularly often made by people whose occupation required a reputation of fidelity and reliability, leading several scholars to the very plausible hypothesis (especially when taking into account her many clients) that Manlia must have been some kind of businesswoman¹⁷⁸. She even implies that she defied Fate itself by having lived for precisely as long as she wanted (*itaque quoad aetatem volui / exsegi meam*). This claim contrasts sharply with the more common expression that one has lived “as long as was allowed”¹⁷⁹, and again presents Manlia as a determined individual, accountable to no one but herself.

The inscription is particularly valuable because it explicitly names Manlia as the dedicator of her own epitaph (*locum hoc unum opti/nui mihi*). Although no doubt intended to yet again draw attention to her assertiveness, this information allows us to take this poem as the reflection of the freedwoman’s own thoughts and attitude (that is, within the limiting framework of the public transcript). In this regard, it is meaningful also that Manlia only references her patron Titus in the *praescriptum*, but that she chose to entirely omit him or her relationship to him in the metric part of the inscription. Manlia’s success was no doubt due at least in part to patronal backing (Titus’ social and economic capital would have greatly facilitated the construction of her network of clients), but in what was one day to become the final testimony to her life, character, and success, Manlia explicitly preferred not to mention this. The exceptional claim of having had many clients, the high degree of real-life and discursive agency, and the complete absence of a patron in the poem, make this inscription as a whole indiscernible from that of freeborn members of the *plebs media*. Especially relevant, finally, is Manlia’s claim that she not only had an inherently upright character (*natura proba*) at the moment of her death, but that she had had it for her entire life. Manlia clearly perceived her own character as having been virtuous all along, manumission only having been a mere *legal* recognition – albeit hugely important for all practical means and purposes – of an innate goodness she already possessed as a slave girl¹⁸⁰. She did not contrast her time as a slave with the rest of her life as a free woman. Instead, she focussed entirely on the latter, omitting any reference to her servile past, and

¹⁷⁷ CLE 134 (= CIL 6, 8012): “vixi (...) sine lite / sine rixa sine controversia / sine aere alieno”; CLE 477 (= CIL 14, 2605): “vixit semper honeste / praestiti quod potui semper sine lite recessi”. Petronius also has a *collibertus* of Trimalchio’s express a similar idea: “(...) assem aerarium nemini debeo; constitutum habui nunquam; nemo mihi in foro dixit: 'Redde quod debes'”.

¹⁷⁸ Veyne (2000), 1188; Kruschwitz (2001), 53.

¹⁷⁹ E.g. CLE 81 (= CIL 6, 4379): “properavit aetas hoc dedit fatus mihi”; 134 (= CIL 6, 8012): “vixi quam diu potui”; 1944 (= CIL 11, 7470): “vixi vicenni / temporis aevo / dum mihi vita fuit / dum fata deusque / sinebant”.

¹⁸⁰ Cf. also below for the case of Veratia Eleutheris.

presenting her life as one continuum which was determined by and centred on her own individuality rather than her legal status (cf. *infra*).

Although some freedpersons thus clearly chose to highlight their own superior position in relations of dependence, this does not in itself mean that a desire to suppress a “*macule servile*” was responsible for this choice¹⁸¹. In fact, some freedmen readily chose to mention their patron, without there being – at first sight – any “reason” to do so. To conclude the eulogy of his freed daughter – including the glory and successes she achieved as a famous dancer –, the father of a certain Eucharis gladly noted how she had been reverential towards her patroness, without the latter being mentioned elsewhere in the *carmen*¹⁸². Likewise, when commemorating his freeborn daughter, the freedman Quictus Rancius Protus drew attention to her devotion to her husband, parents, and friends, but also to the twins she had given birth to. These, he meaningfully adds, meant a great increase in prestige for his own patron¹⁸³. This patron may very well have been the unnamed daughter’s husband – and father of the twins – but his relation to her is presented only by his identification as Protus’ patron.

The voluntary mention of a patron(ess) is most clear in the epitaph for the little Ikadium. Ikadium was the son of Anthis, a freedwoman of Caesar’s wife Calpurnia. It was Anthis who set up the epitaph for her son, who was, like his mother, freed by Calpurnia¹⁸⁴:

“Calpurnia Anthis made this. I was fortunate with my reputation, destiny, and patroness, the wife of the great and divine Caesar. I was kept safe by her. I myself was useful to my dear friends, who cared for me greatly. Anthis, the reason for my life, buried my dear bones in her own tomb. I am called Ikadium”. (Rome)

Prior to elucidating Ikadium’s loyalty to his friends, his mother explicitly – and lengthily – invokes her (and his) patroness Calpurnia. In the wake of Caesar’s murder (*Caesaris illa dei*), her care and protection would have meant a great deal to both Anthis and Ikadium¹⁸⁵. The reason for invoking Calpurnia (and having her featuring prominently in

¹⁸¹ Pace Tran (2006), 463-4: “l’existence même du lien patronal révèle l’incapacité de l’ancien esclave à réussir pleinement, c’est-à-dire à effacer la *macule servile*”.

¹⁸² CLE 55 (= CIL 10096).

¹⁸³ CLE 59 (= CIL 6, 25369).

¹⁸⁴ CLE 964 (= CIL 6, 14211): “Calpurnia Anthis fecit / dextera fama mihi fuit et fortuna patrona / magnifici coniunx Caesaris illa dei / qua bene tutus eram caris nec vilis amicis / quis etiam mecum plurima cura fuit / Anthis causa meae vitae quae cara sepulcro / condidit ossa suo nominor Ikadium”.

¹⁸⁵ Cf. MacLean (2012), 51-2.

the *carmen*) is clearly intended to accentuate the upward ties Ikadium and Anthis had. Much like the connections to patrons or pseudo-patrons in letters of recommendations, these ties served to highlight the social capital and network embeddedness of, in this case, both commemorator and deceased. The same preoccupation can be discerned in the cases of Eucharis and Protus' daughter mentioned above.

Finally, the *carmen* made by an unnamed freedwoman for her daughter confirms this image. At the end of the poem – expressing the mother's grief at the loss of her child – this mother quite literally invokes the Manes of her “deserving and sacred patroness” as protection for the grave (*o-b=P>testor Manes meritae sanctaeque patronae*)¹⁸⁶. The inscription does not only express the devotion and reverence of the freedwoman towards her patroness, but it also – much more explicitly than the previous epitaphs – accentuates the concrete benefits the relation might entail for these individuals (i.e. protection), and for which the explicit commemoration of this patronage relation was a confirmation, a guarantee, and a reciprocal sign of gratitude.

In conclusion, reverence and devotion to a patron were accentuated by both freedperson and patron alike. In both cases, it served as a means to accentuate social capital (and arguably also symbolic capital when the patron did so). Surely, in several cases, ex-slaves felt that the omission of any patron was a more efficient way of immortalising their lives than stressing the social capital they derived from this connection. But assuming that a desire to downplay a *macula servitutis* was responsible for these omissions greatly undervalues individual motivations. The choice was always personal and contextual, and as such cannot be reduced to a monolithic model (like “shame” or a “stain of slavery”) postulating that freedmen would *d'office* leave out their patron from their epitaph when they had the chance. This is ignoring the great value network embeddedness and social capital entailed for people who were just starting to create their own “family”. Accentuation of patronal ties was beneficial for both parties, rather than a necessary corollary of any imposed obligation of *obsequium*. It was this private relationship that was the structuring factor in identity formation and representation in funerary epitaphs, not an overarching and omnipresent sense of moral inferiority (cf. Chapter 2). As noted repeatedly, this latter notion has frequently led to rather problematic readings of the source material. To conclude this section, we very briefly draw attention to one of these, namely the assumption that freedmen regularly tried to conceal their “servile” *cognomina*.

¹⁸⁶ CLE 1155 (= CIL 6, 30110).

8.5.4 “Nomen si quaeris titulus tibi vera fatetur”

Immortalising one’s name was a particularly pertinent concern of many Romans. Many epitaphs therefore draw extraordinary attention to the *nomen* of the deceased, and appeal to the passer-by’s willingness to speak it out in order to have it live on among the living¹⁸⁷. Wordplays on the name of a deceased occurred frequently, and may come across as inappropriate to modern readers, but only if they are taken at face value instead of as deliberate attempts at drawing attention to that name. Thus the first verse on the monument of Fortunata, a freedwoman from Rome, explained that she had been very lucky (*fortunata*) to live together with a good husband¹⁸⁸. Likewise, the patron of Gaius Attius Maturus began the poem for his 16 year-old *alumnus* by saying that despite being “Maturus in name”, he was not “mature in age” at the moment of his death¹⁸⁹.

For freedpersons in particular, of course, accentuating a (full) name was also a means to highlight free (citizen) status. Whether Iunian Latin or citizen *optimo iure*, freedmen received a (*prae*)*nomen* to distinguish them from members of the unfree class, from which they had been able to rise themselves. Thus Egnatuleia Urbana was particularly grateful to her patroness Hilara because “she had freed her from her servile name and endowed her with her own”¹⁹⁰. Similarly, Caius Seccius Lesbium deplored that by dying, he had made his patron Seccius weep for his own name¹⁹¹. More than merely drawing attention to Lesbium’s *nomen*, this rather exceptional phrase also perhaps suggests that Seccius had freed his slave with the specific intention to pass on his family name, but that these plans had been thwarted by the premature death of the latter at the age of 20¹⁹². This is likely also the meaning of the commemorative poem the freedman Artemisius dedicated to Fabia Pyralis. This “best and blessed patroness” had already during her life ordered the construction of a tomb that would become the last resting place of her descendants for generations to come. “Our name is secure”, Artemisius gladly noted. “It will always be remembered by these descendants who will

¹⁸⁷ E.g. CLE 1184 (= CIL 6, 18385): “[semper ego ut Manes possint] audire iterabo // Flavia Nicopolis nomen dulce tuum”; 801 (= CIL 6, 22215): “quid sumus aut loquimur ... stat lapis et nomen tantum vestigia nulla”; 420 (= CIL 10, 2311): “[qui] legis hunc titulum quid no[m]en scire laboras”; 465 (= CIL 12, 533): “nomen si quaeris / titulus tibi vera fatetur”; 965 (= CIL 6, 25617): “quandocumque ... incisum et duro nom[en] erit lapide; 1086 (= CIL 6, 19175): “si quis forte leget titulum nome[n] requirit”; 1125 (= CIL 9, 3358): “oramus / lecto nomine pauca legas”. It was a preoccupation also of the elites, similarly expressed in their literature, e.g. Plin. Ep. 6.10.4-6.

¹⁸⁸ CLE 389 (= CIL 6, 27278): “[Fortuna]ta fui et vixi te digna / [marit]o”.

¹⁸⁹ CLE 2177 (= AE 1920, 83): “nomine eram / maturus non aetate”.

¹⁹⁰ CLE 963 (= CIL 6, 17130): “hilaram / quae me servili nomine preivat / et dulci suo participat cinerem”.

¹⁹¹ CLE 1116 (= CIL 13, 7105): “proprium no[m]en d[e]stinat in lac[r]i[m]as”.

¹⁹² Cf. Saller (1994), 79-80.

commemorate it forever”. The epitaph meaningfully ends with an address to all future family members: “Remember the old name and the epitaph which grants you this spot”¹⁹³.

In all of these cases, however, it is the *nomen* – rather than the *cognomen* – that is alluded to. Urbana was not really “freed” of her slave name (she still carried it as a *cognomen*), but her name was no longer “servile” because it now included a *nomen gentilicium*. Similarly, Seccius wept for his own *family* name, and by stressing “our name”, Artemisius meant the *nomen* Fabius he and his descendants had received from his patroness. In all of these cases, then, it was the promotion from slave to free that inspired the explicit focus on nomenclature, not a desire to downplay a servile past. Indeed, ex-slaves were as prone as freeborn individuals to draw attention to their personal *cognomina* – e.g. when asking the passer-by to read them aloud so as to keep them “alive” – even though these were often “servile” Greek ones instead of Roman ones¹⁹⁴.

However, Bodel, among many others, has nonetheless suggested that ex-slaves occasionally tried to get rid of names that reflected a servile past¹⁹⁵. Only in very few instances – not coincidentally occurring in literary sources – do we see this assumption confirmed. Thus Suetonius relates the story of the rich imperial freedman Cerylus, who pretended to be freeborn by changing his name to Laches in order to not have parts of his inheritance (perhaps all of it if he was a Iunian Latin) go to the emperor at his death (*et de Cerylo liberto, qui dives admodum ob subterfugiendum quandoque ius fisci ingenuum se et Lachetem mutata nomine coeperat ferre*)¹⁹⁶. But Kleijwegt’s more nuanced observations warrant due attention. He recognises that the phenomenon of name-change occurred and that “concerns with the symbols of their suffering” may have occasionally inspired freedmen to do this, but argues that it cannot be generalised or considered a representation of “the” attitude of ex-slaves in general¹⁹⁷. He furthermore gives several examples of the practice of changing Greek names to Roman ones, but convincingly

¹⁹³ CLE 1216 (= CIL CIL 6, 17622): “securus colimus memores de / nomine nostro et faciet / suboles multos memorata per annos / sacra deis patribusque suis / memoresque priorum et memo/res nostri nostrorumque alta/ propago aeterno servent / semper memorabile nomen / quisquis es{t} aut olim nostra de / stirpe futurus sis memor / antiqui nominis et tituli in / quorum titulo hic datur esse / locus”.

¹⁹⁴ Mouritsen (2005), 41 note 17.

¹⁹⁵ Bodel (1984), 54; Frank (1916); Hasegawa (2005), 79-80. Cf. already Duff (1958), 56-7: “Thus oppressed with the burden of a servile name, it was hard for a freedman to pass as a man of ingenuous Roman birth. How he still felt the incubus of a past slavery, how his spirit revolted against the slur to which his origin exposed him, is shown by his efforts to start afresh in life with a new name”.

¹⁹⁶ Suet. Vesp. 23.

¹⁹⁷ Kleijwegt (2006b), 94 (with note 22 containing further references). For similar critiques, see Weaver (1972), 84-9; Huttunen (1974), 195-6.

argues that this was not necessarily motivated by a desire to erase the memory of a servile past. Thus Lucius Crassicius Pasicles changed his name to Pansa. But since the man had been originally freeborn (and had received his name from his parents rather than from a master), his subsequent choice to “romanise” it reflects a desire to present himself as Roman rather than Greek (not as freeborn instead of freed)¹⁹⁸. Evidently, we do not know how many freedmen changed their “servile” Greek name to a “good” Roman one, since only less successful attempts are visible in the source record¹⁹⁹. But it is no doubt meaningful that in Rome alone already, more than 60 cases are attested where a Roman name is appropriated, but the old Greek one maintained and recorded next to it²⁰⁰. The practice is well known also from literary sources, and suggests that the true intention of such operations was increasing *romanitas* rather than downplaying *libertinitas*²⁰¹. Finally, the habit of many freed couples to give their freeborn children a Greek or “servile” Latin name seems incomprehensible if a generally shared desire to remove all traces of servile descent existed among this group of people²⁰².

In any case, many freedmen eagerly appropriated the habit of drawing attention to their (non-Roman) names, clearly not worrying about any allusion to their servile past this habit could evoke in the readers of their epitaphs. One particularly revealing example to conclude this overview is the poem the freedman Lucius Claudius Rufinus made for himself in Lugdunum. In it, he reveals that he had made it while still alive “so that when my spirit rests among the shades in the Styx, and when my body has been received in this house of stone, this epitaph will be a surviving witness of my existence by the laws of fortune, and my voice, preserved by these verses on stone will live on by your voice, whoever you are, traveller, who reads them”²⁰³. Interestingly however, in the next part of the inscription, the deceased calls himself Rottio instead of Rufinus. Certainly, consistency in writing names on funerary monuments was not a priority to many commemorators²⁰⁴, but the change from Rufinus (stressed in both the *praescriptum* and the first distichon of the *carmen*) to Rottio is evidently due to a deliberate choice rather than to accidental inconsistency. The earliest editors of this

¹⁹⁸ Suet. Gram. 18.

¹⁹⁹ The antithesis quoted is from Sullivan (1939), 504 (an outdated, and at any rate too tentative presentation of social reality).

²⁰⁰ Wiseman (1985), 189

²⁰¹ Cf. Borbonus (2014), 144. E.g. Tac. Hist. 1.13, 49 (Marcianus Icelus).

²⁰² Duff (1958), 57-8; Tran (2006), 115; Mouritsen (2005), 41 note 17; (2011), 286-9.

²⁰³ CLE 1278 (= CIL 13, 2104): “Cl(audius) hunc viv(u)s Stygias Rufinus / ad umbras instituit / titulum post animae requ/iem qui testis vitae fati / sit lege futurus cum do/mus accipiet saxea corpus ha/bens quodque meam / retinet vocem data litte/ra saxo vo[ce] tua vivet / quisque lege[s titu]los”.

²⁰⁴ E.g. CLE 396 (= CIL 8, 10533): Hippolithe = Hippolite; 959 (= CIL 6, 9499): Philematio = Philematium; CLE 1064 (= CIL 6, 20466): Felicula = Felicla; etc.

inscription considered Rottio to be an endearing nickname, given to Rufinus by his wetnurse and foster-sister (who are commemorated with him in this later part of the epitaph)²⁰⁵. Bücheler and later commentators, however, corrected this interpretation by plausibly suggesting – and taking into consideration the monument’s origin – that Rottio had been the deceased’s original (Germanic) name²⁰⁶. Interestingly then, Rottio’s master had given him a “Roman” name on enslavement, but Rottio himself stuck to his old name, even though he did not ignore the value of including his “Roman” one at the top of the inscription²⁰⁷.

The next section focusses in more detail on a very similar topic. It explores the variety of ways in which freedpersons incorporated explicit references to their servile past in their metric epitaphs, and gauges their possible motivations for doing so. It tries to reconstruct the way in which these freedpersons themselves perceived the moment that changed their life (manumission), asks whether this was considered a significant milestone at all, and explores how it was integrated in their life-stories.

8.6 The stain of a servile past in *carmina epigraphica*?

Although verse epitaphs that reference *maculae* or *labes* in a metaphorical sense (e.g. as stains on a reputation or soul) occur predominantly in Christian contexts, these inscriptions will not be structurally included in our discussion here, because they require evaluation in a framework of Christian conceptions of virtue and sin that greatly exceeds the scope of our intentions. Usually, these inscriptions contrast earthly flaws (*labes terrenae*) or stains of life (*vitae maculae*) with heavenly spirits (*caelestes animae*) or a cleansing (*purgatio*) in heaven (*aethra; caelum*) after a pious life of reverence to God or Christ²⁰⁸. Expressions that bodily stains (*carnis maculae*) can be washed away by water,

²⁰⁵ Allmer & Dissard (1890), 227.

²⁰⁶ Bücheler (1982) [1895-1930], II, 600; Galletier (1922b), 301-2.

²⁰⁷ The inclusion of the Roman name may also have been (in part) a consequence of Rottio’s patron being the person actually taking care of the erection of the monument (*curante Cl(audio) Sequente patrono*).

²⁰⁸ E.g. CLE 311 (= CIL 6, 41379): “Qui peccatorum sordes abolere priorum / terrenisq(ue) optas maculis absolvere vitam”; CLE 704 (= CIL 5, 6723), verses 22-25, on the virtue of Eusebius, episcopus et martur: “omnes / terrenas vicit labes purgator aethra / vitarum maculas puro qui decoquit igni / rebus qui docuit populos factisq(ue) vocavit”; CLE 783 (= CIL 5, 7640), verses 1-3 (= lines 1-6): “Caelestes animae / damnant quae crimina / vitae terrenas metuunt labes sub iudice C(h)risto /

but that faith (*fides*) is required to more profoundly efface sin and purify the soul, are legion in the Christian tradition²⁰⁹. Since literal attestations of *maculae*, *labes*, and other kinds of stains have been discussed in Chapter 2, this section focusses on less explicit references to a servile past, and to the ways these served to mediate a freedperson's identity.

8.6.1 Natal alienation, rebirth, and the *macula servitutis*

In her recent monograph on Roman funerary commemoration, Maureen Carroll contrasted the freeborn (elite) with the freed population by drawing attention to the fact that whereas freeborn people could highlight a family history and ancestors, ex-slaves only “began their ‘history’ with their manumission”²¹⁰. Though this is true in a strictly legal sense, it is not at all the way in which slaves and freedmen themselves thought about or commemorated their (familial) lives. Certainly, failure to indicate a legal father was a popular *topos* in elite literature. In his *De Oratore*, Cicero cited an angry outburst of Scaurus, who had in turn drawn from one of Statius' verses to make the point that people who could not name a father or a mother should not act haughtily²¹¹. Similarly, Martial could live with a freedman obtaining the *ius natorum* – excusing him from *munera* and *tutela legitima* – as long as nobody gave him a mother or a father²¹². Although a certain Diodorus invited senators and knights to his table, nobody believed – Martial elsewhere tells us – that he was “born”²¹³. Livy, finally, provides the most illuminating example when he defines patricians as those men who could name their father, and when he explicitly relates this ability to free birth (*patricios, qui patrem ciere possent, id est, ingenuos*)²¹⁴. In all of these cases, the one more disparaging than the other, a lack of legal parentage is considered among the most important identity dimensions of freedmen; a result of their “social death” and “natal alienation”²¹⁵.

corporeo laetae gaude/nt se carcere solvi”. See Raschieri (2014), 108-10 for a contextualisation of these and similar *carmina* in a broader Christian literary context.

²⁰⁹ E.g. CLE 913 (= AE 2000, 188), verses 5-6: “unda lavat carnis maculas sed crimina purgat / purificatque animas mundior amne fides”.

²¹⁰ Carroll (2006), 39. For social death and natal alienation, see the hallmark study of Patterson (1982).

²¹¹ Cic. De Or. 2.257: “St, tacete, quid hoc clamoris? Quibus nec mater nec pater, tanta confidentia? Auferte istam enim superbiam”.

²¹² Mart. 11.12: “Ius tibi natorum vel septem, Zoile, detur, dum matrem nemo det tibi, nemo patrem”.

²¹³ Mart. 10.27.4: “Natali, Diodore, tuo conviva senatus accubat, et rarus non adhibetur eques, et tua tricenos largitur sportula nummos. Nemo tamen natum te, Diodore, putat”.

²¹⁴ Livy 10.8.10. See, however, Gardner (1993), 16-7 for the observation that *ingenuus*, in this instance, refers not simply to free birth, but to noble birth.

²¹⁵ Patterson (1982), passim (e.g. 1-13, 35ff); Mouritsen (2011), 37-8 (including many more examples).

However, even leaving aside the fact that similar comments were directed also, even in law texts, at illegitimate (but still freeborn) children²¹⁶, freedpersons themselves did not perceive their personal history or present in such terms. It is well known that slaves and freedmen ignored legal fictions and elite ideology when presenting their family relationships on their tomb stones. Thus the slave couple Spondon and Vitalis called themselves *parentes* of their *filius pientissimus* Lucius Neratius Spondon, who was nonetheless first introduced as *L. Nerati Prisci libertus*²¹⁷. Similarly, the imperial freedman Tiberius Claudius Zosimus was defined as *Augusti libertus* on the tombstone erected by his *parentes* and their *nepos*, all of whom were imperial freedpersons themselves, before they presented him and his *frater* Epaphras as *filiu dulcissimi*²¹⁸. The strictly legal inability to name a parent did not preclude the accentuation of parental and filial association in these – and countless other – cases.

An interesting *tabula ansata* found in Rome features the two freedpersons Sosia and Apollonius. The elegiac distichon underneath their formal nomenclature warns anyone who is “reborn” (*renascentes*) to think twice before competing with them for honour (*laus*), since their faithfulness (*fides*) had been impeccable in the past²¹⁹. “Reborn” does not refer to any Christian notion of eternal life in Heaven (the inscription is pagan), nor did Greco-Roman conceptions of afterlife in the underworld lend themselves to an expression like this. It is very likely, therefore, that these freedmen were addressing fellow ex-slaves, and that they perceived manumission as rebirth, even though this may have been a public recognition of the “master’s perspective” (publicising the internalisation of expected norms and values) rather than a personal belief (cf. *infra*). Similarly, in his eulogy of Claudius Etruscus’ freed father, Statius thanks the emperor for having allowed this freedman to be reborn (*renato*), thus giving him the chance to prove his value as a free man²²⁰. In these cases, manumission is clearly considered an act that made *tabula rasa* of the preceding period of slavery, and that introduces an entirely new life phase.

²¹⁶ E.g. Dig. 1.5.23: “Volgo concepti dicuntur qui patrem demonstrare non possunt, vel qui possunt quidem, sed eum habent, quem habere non licet”.

²¹⁷ AE 1999, 00315: “L(ucio) Neratio Spondonti / L(uci) Nerati Prisci lib(erto) / Nerati(i) Spondon et Vitalis / parentes filio pientissimo / sibi posterisque suorum”.

²¹⁸ Panciera (1987), nr. 70: “D(is) M(anibus) / Ti(berio) Cl(audio) Zosimo Aug(usti) lib(erto) vixit annis XXX / et Epaphrae fratri eius / vixit annis X qui nobis / abrepti sunt fili(i) dulcis/simi fecerunt eorum / parentes Ti(berius) Cl(audius) Hermes et / Cl(audia) Primitiva et Cl(audius) Vitalis / nepos eorum et Licinia / Onesime conlactia eorum / b(ene) m(erentibus) f(ecerunt)”.

²¹⁹ CLE 1077 (= CIL 18209): “Cn(aeus) Flavius Cn(aei) l(ibertus) Sosia / Cn(aeus) Flavius Cn(aei) l(ibertus) Apollonius / sei qua renascentes optant certamina laudis / ex nostra aspiciant facta priora fide”.

²²⁰ Stat. Silv. 3.3.154-5: “Quas tibi devoti iuvenes pro patre renato, summe ducum, grates, aut quae pia vota rependunt!”.

However, explicit references to the “living on” (in the private sphere) of the period of slavery did not seem to have bothered freedmen if these at the same time revealed individual merit and social promotion. Publius Ummidius Primigenius, for one, was called a house-born slave (*verna*) by his commemorator – also a freedman – even though his *tria nomina* clearly betrays freed status²²¹. Apparently, he had retained this title after manumission as a badge of honour, distinguishing him from freedmen who would typically have had a less cordial relationship with their patron²²². A servile past could similarly be invoked when a relationship rooted in slavery was commemorated. When Aulus Memmius Urbanus erected a monument for his dearest companion Aulus Memmius Clarus, for example, he repeatedly described their relationship as one between *colliberti*. He even explicitly mentioned that they had first met each other on the slave market, that they were freed in one and the same household, and that only death had eventually succeeded in separating them (*hoc quoque titulo / superos et inferos testor deos / una me tecum congressum / in venalicio una domo liberos / esse factos neque ullus unquam / nos diunxisset nisi hic tuus / fatalis dies*)²²³. Urbanus seems to have had no problem whatsoever with drawing attention to his (and Clarus’) servile past, because it constituted the very basis of their friendship and their social promotion, which are by far the most important identity dimensions Urbanus wanted to highlight.

Yet other freedpersons did not present their life-course as one rooted in slavery, abruptly changed on manumission, and finally ending in well-deserved freedom. Instead, they preferred to present it as a continuum in which the period of slavery either did not feature at all, or was downplayed by presenting virtue and good character as inherent traits, disconnected from legal status. This is already clear from the many examples where freedpersons claim to have lived virtuously and honourably “throughout their entire life”, discursively ignoring any change that had taken place at manumission. Both Manlia Gnome and Annia Agathonice thus noted that they had always lived with an upright character (*vix{sit}it semper / natura proba; floruit haec anima bis denos / perfuncta annos sine crimine / morum vita beata fuit spiri/tus hic nituit*)²²⁴. Moreover, a perfumer from Vardagate allowed the curators of his large gardens to enjoy its yields on condition that they also used its flowers to annually celebrate his birthday (*nam cu/ratores substituam / uti vescantur ex ho/rum hortorum redi/tu natale meo et per / rosam in perpetuo*)²²⁵. Whether he had been originally freeborn and subsequently enslaved, or was

²²¹ CLE 1159 (= CIL 6, 29436).

²²² Cf. AE 1991, 198, where Gaius Herennius Blastus makes a monument for his *libertus item verna* Hermes; CIL 6, 2650, where a freedman is called *verna* without the mention of *libertus* (his status only being indicated by his *tria nomina*).

²²³ CIL 6, 22355a.

²²⁴ CLE 67 (= CIL 6, 21975); 1203 (= CIL 5, 5320).

²²⁵ CLE 809 (= CIL 5, 7454).

born a slave, this freedman did *not* commemorate his “social (re)birth” (at manumission), but rather the beginning of his life as a whole, which he did not consider as split in two along the way. The same holds true for the already mentioned epitaph of Gaius Attius Maturus. The day and time of both his birth and death are minutely recorded, as was the length of his life (*annos vixi XVI et / menses VIII totidemque diebus et horis octava fui / natus noctis ego hora idem octava fatis red/didi quod dederunt*)²²⁶. Within this clearly delineated period of time, and despite his patron being the dedicator, only Maturus’ relation to his close family (his parents, his sister, and his grandparents) is recorded. Any reference to his servile past, his manumission, or his patron is entirely lacking in the continuum representing his *familial* life.

Another favoured strategy was to focus on other identity dimensions as endowing a freedperson’s life course with a sense of continuity across boundaries or changes of status. Statia Antiochis, for example, was commemorated by her husband and daughter with a *carmen* that only mentioned the fact that she had sustained herself throughout her life by making boots (*qui caliculis lana / pelliculis vitam / toleravit suam*), and Quintus Octavius Primus accentuated that he had worked hard from his earliest youth until the day he died (*hic mea composito requiescunt o[ssa sepulcro] / <et=II> labor a puero qui mihi semper erat nunc labor omnis [abest durus] / curaque moleste*)²²⁷. Iunia Victoria, on the other hand, used the honourable union with her husband to accentuate her lifelong virtue (*iugu/mque coniugalem / pudicum piissimo / marito exhibui / in diem vitae meae*)²²⁸. In all these cases, attention is drawn away from changes in legal status, either deliberately, or because other features were simply deemed more relevant.

Yet another way to present a life course as monolithic and uninterrupted by a change in legal status, was to deliberately indicate that a burial was provided in one’s home region, ethnic origin thereby serving as the structuring biographic dimension. The individuals who took recourse to this strategy are likely to have been enslaved *ingenui*, who nonetheless retained a strong (emotional) connection to their region of birth. By ending life at the same place where it had started, any events that had occurred in between (both enslavement and manumission) were subordinated to this sense of belonging. Papiria Rhome, for example, thought it worth the trouble to cross the Adriatic Sea to inter her son Proculus (tragically killed in Rome by a falling roof tile) and her daughter Cladilla (passed away under unspecified circumstances in Siponte) in the

²²⁶ CLE 2177 (= AE 1920, 83).

²²⁷ CLE 209 (= CIL 9, 3193); 1095 (= CIL 5, 3415).

²²⁸ CLE 141 (= CIL 8, 5030).

grave she had acquired for herself in her hometown of Salona²²⁹. Similarly, as noted earlier, the patron of the physician Lucius Sabinus Primigenius made sure to have the bones of his freedman buried in his homeland (*patronus patrio condidit ossa solo*)²³⁰.

But even if circumstances did not allow a burial in one's home region, it was still possible to reference this region in the epitaph. Though not as strong a signal of preservation of a pre-slavery identity, it surely attests to freedpersons' ability to nuance the alienation imposed on them as a consequence of their enslavement. The already mentioned imperial freedman Trophimus thus identified himself first and foremost as having once been the child of a Phrygian shepherd; a certain Logismus from Ferentium started out his funerary poem by stating that his roots were in Pontus (*e Ponto mihi gens*); and the epitaph made by Aurelius Maximus for his freedman Timavius began with a reference to his Dardanian birth (*Dardania genitus*)²³¹. Neither of these men drew attention to their subsequent enslavement or manumission. What really mattered for them was their origin, not the misfortunes fate had had in store for them afterwards.

In short, the commemorative integration of a servile past – and especially the variety of available strategies (not) to do so – betray a highly contextualised activation (or omission) of this identity dimension. Some freedmen explicitly accentuated “rebirth”, whereas others stressed that they had only *once* been born. Many freedmen ignored the legal fiction of natal alienation that denied them parentage, whereas others explicitly accentuated birth in the patron's household (e.g. by keeping the title *verna*). And a reference to the servile past could be merely instrumental in accentuating friendships rooted in slavery, but invocation of friendships, marriage, occupation, or origin at the same time provided frameworks that stressed continuity and often omitted any reference to that servile past. A nice illustration of how several of these commemorative strategies could be combined in one monument is provided by the epitaph for an unnamed freedman from Patara (Lycia)²³².

“Here lies buried a man greatly deplored by the Greek Muses. Although he was a slave by fate, his spirit was definitely ingenious. But he was very quickly turned into a Roman citizen and made a fellow tribesman of his master Placidus, who

²²⁹ CLE 1060 (= CIL 3, 2083): “condidit hic miseri mater duo funera pa[rtus] / ossaque non iustis intulit exequiis / tegula nam Romae Proculum prolapsa peremit / pressit Sipunti pressa Cladilla rogam”.

²³⁰ CLE 1252 (= CIL 11, 5836).

²³¹ CLE 1815 (= CIL 6, 27657); 1944 (= CIL 11, 7470); 2152 (= CIL 13, 8371).

²³² AE 2005, 1508: “Hic situs est Graiis de/flendus saepe Camenis / servus fortuna mo/ribus ingenuus / se<d=T> cito Romanum ver/tit fecitque tribu/lem indulgens Pla/cidi dextera mol/lis eri / pascua viniferi geni/tum prope Lydia Tmoli / contexit Lycii terra / beata Cragi”. Petzl (2005), 35 allows for the possibility that the deceased was named Ingenuus, and that *moribus ingenuus* contains a wordplay on this name.

made it so by touching him with his gracious and soft right hand. He was born in the Lydian grape-bearing fields of Mount Tmolos, but now he is covered by the beautiful earth of Lycian Cragos". (Patara)

We do not know who erected the epitaph, but the themes accentuated in it are very reminiscent of other inscriptions made by freedmen themselves. The explicit mention of Placidus and his decision to manumit his slave, on the other hand, perhaps suggests that he was responsible for the poem. Equally unclear is whether the deceased was born a slave, or only later turned into one. In any case, however, his character did not suffer in comparison to that of a freeborn person (a claim attested in other *carmina* as well)²³³. It was this innate virtue his master soon (*cito*) noticed, and that led to the slave's almost inevitable manumission – or so it is, with the benefit of hindsight, presented by the dedicator. The inscription is one of the rare cases where it is made clear that the manumission had been formal, turning the deceased not only into a free man, but also a Roman citizen. Indeed, not only the solemn and ceremonious nature of the manumission (*indulgens Pla/cidi dextera mol/lis eri*), but also its far-reaching consequences (*Romanum ver/tit fecitque tribu/lem*) leave no doubt as to the formality of the act. Clearly, it was not deemed inappropriate by whoever composed the poem to quite explicitly reference the preceding period of slavery, because it was subsequently used to highlight merit and social promotion.

Very different in tone is the epitaph made by Gaius Ofillius Arimnestus for himself and his family. Its *praescriptum* immediately reveals that he was a freed Roman citizen (belonging to the Palatine tribe), and that he had married a freeborn woman, who had also given him a son. The *carmen* underneath is entirely dedicated to Arimnestus, however, and focusses not on his accomplishments in the familial sphere, but rather on the changes in legal status throughout his life²³⁴.

“Born from barbarian soil, custom exposed him to undeserved slavery, thus bending his entire nature. He worked hard so that he could augment the name he had received from his father [*with a Roman gentilicium*], and at a price he obtained what he could not receive via entreaties. He overcame his master through his

²³³ E.g. CLE 1125 (= CIL 9, 3358).

²³⁴ CLE 1276 (= CIL 12, 5026): “C(aius) Of[illi]us C(ai) l(ibertus) / Pal(atina) A[3]estus / viv<u=O>s [sibi] et / Mindiae M(arci) f(iliae) Primae / uxori et / C(aio) Ofillio C(ai) f(ilio) Proculo / filio et / barbara quem genuit tellus / hunc tradidit usu[s] servitio / ingenium ut flec[t]eret / inmerit[o] quaesitum ex pat[re] / ut potuit s[i]bi nomen adaux[it] / et pretio [obtin]uit quod prec[e] / non valuit officiis vicit / [d]ominum nec verbera sens[it] / [p]raemia non habuit pignor[a] / quae potuit quid properas / [h]ospes requies tibi nota parat[a] / [es]t hospitium hoc populo / semper ubique patet horaru[m] / numerum quem suspr[3]V[3] / quoque senti summam [3] / [3] securum [“.

zealous services, and was never subjected to beatings. He did not receive any rewards, but pledges as many as he could. Why do you rush, passer-by, there is a place here for you to rest. This resting area is open to the people always and everywhere for as many hours as [...]”. (Narbo)

Interestingly, Arimnestus tells us that his entire character (*ingenium*) had been twisted as a result of his enslavement. The epitaph is the only instance of a freedman explicitly claiming to have been “changed” by his servile experience. However, this confession may not have been a true reflection of Arimnestus’ opinion, as much as a means to convey the internalisation of Roman legal and philosophical conceptions. Indeed, the entire poem smacks of attempts to display true *romanitas*, and the quick succession of clauses, as well as the very dense style in which this was done (even by *carmen* standards), was intended to achieve this goal.

Although he had been undeservingly reduced to slavery, Arimnestus accepts and respects that the act *an sich* had not been illegitimate, resulting as it did from established custom (*usus*). The poem alleges that he had unconditionally accepted his new status, and testifies that he had been able to shake it off again through the many dutiful services (*officia*) to his master. The latter had apparently been reluctant to grant Arimnestus his freedom at first – even after he had begged him for it on multiple occasions. Arimnestus therefore quite literally had to overcome his master (*vicit dominum*), but nonetheless saw his wish fulfilled eventually, since by his hard work, he had been able to save up enough money to buy his own freedom (*pretio [obtin]uit quod prec[e] / non valuit*). Moreover, he added that for all this hard work as a slave, he never enjoyed any remuneration up till then. Instead, being the good slave he was, he was content merely with his work testifying to his zealous nature (*[p]raemia non habuit pignor[a] / quae potuit*)²³⁵.

Deemed equally worthy of mention was the fact that Arimnestus had never been subjected to beatings (*nec verbera sens[it]*). Perhaps more than any other phrase, this reference clearly reveals the freedman’s desire to express the internalisation of truly Roman attitudes and sensibilities. Indeed, having received physical punishment was generally considered an impediment to any form of respectability after manumission. It was a stigma – sometimes in a very literal sense – that would, at least theoretically, lead to the status of *dediticus* after manumission, i.e. the worst kind of free status, which left

²³⁵ *Pignora* was used in epitaphs with a variety of meanings. In CLE 1586, for example, it means “children” (*duo pignora matura sensit sui*). The meaning in this instance, however, is similar to that in CLE 972: “testimony”, “pledge” (*quae tibi cumque mei potuerunt pignora amoris nata dari populo sunt lacr<i=U>mante data*).

no chances for improvement²³⁶. Deliberately denying that any such humiliation had taken place not only accentuates Arimnestus' unconditional adherence to the Roman status hierarchies imposed on him when he was enslaved (he was a "good slave"), but also safeguards his right to claim respectability – i.c. through the epitaph. This *carmen*, of course, was written with hindsight, and with social promotion already having been achieved. It is difficult to imagine that complacent obedience had also been Arimnestus' initial reflex to the ill-fated turn of events that led to his enslavement.

Finally, Arimnestus saw in obtaining a Roman *nomen gentilicium* a clear way to escape his unfortunate condition. Aspiring a *tria nomina* in itself again attests to an inherent desire to "become" Roman, and its mention as such was part of the overall message Arimnestus wanted his epitaph to convey. Interestingly though, he did not consider his new Roman identity to completely efface his foreign origin. Indeed, Arimnestus implies that he would retain his original name; perhaps formally (as a *cognomen*), but maybe informally (like Rottio alias Rufinus did, cf. supra). In both cases, the Roman *nomen* would not replace, but be added to (*adauxit*) this original name. Though Arimnestus does therefore not entirely break with his homeland, it is no doubt meaningful that he nowhere states where it actually was that he originally came from. Instead, he appropriates, once again, a very Roman point of view – hardly congruent with how he would, at least initially, have thought about the matter – by calling his native soil "barbarian land" (*barbara tellus*).

In short, the epitaph paints a picture of an ex-slave who had seemingly come to terms with both his servile past and his new status as freed Roman citizen, accentuating acceptance of degradation next to (resulting) individual merit and subsequent success. The entire narrative, however, is conspicuously "Roman" – perhaps too much so to be read as a reflection of Arimnestus' real state of mind. It is in this context too, that the "change of nature" should be interpreted, i.e. as speaking to the tastes of a primarily Roman audience.

How much different indeed is the epitaph for Gaius Iulius Mygdonius, inscribed on his sarcophagus that was found near Ravenna. The poem states that he was born free as a Parthian (*generi Parthus / natus ingenuus*), but already at a young age captured and taken to Rome (*capt(us) / pubis aetate dat(us) in terra(m) / Romana(m)*), where he was subsequently made a citizen (*qui dum factus / cives R(omanus)*)²³⁷. Mygdonius explicitly mentions his homeland, and does not elaborate on his time as a slave beyond briefly mentioning that he was "captured" when still a boy. No servile obedience, no begging for freedom, and in fact, not even a master or patron are mentioned. Indeed, contrary to

²³⁶ Gai. Inst. 1.13-6; Ulp. Reg. 1.11. Cf. Duff (1958), 72-7; Klees (2002), 116; Mouritsen (2011), 33-4. Roth (2011) poignantly calls them "men without hope".

²³⁷ CLE 1580 (= CIL 11, 137). For detailed discussions of the sarcophagus, see Gnoli (2003); (2006).

Arimnestus, Mygdonius did not include libertination in the *praescriptum*. However, he did not omit this because he was somehow ashamed of the status, as he does not shy away from explicitly stating that he was “captured” in the subsequent poem. By presenting the three life phases he went through in quick succession (freeborn – slave – citizen), the middle phase only features as a *conditio sine qua non* for obtaining citizenship. In this regard, it is no doubt meaningful that in the climactic conclusion of the description of his changes of fortune, Mygdonius preferred to describe himself as a citizen, rather than as a freedman.

The remaining part of the poem, moreover, presents Mygdonius’ life as one solid continuum by focussing solely on the blessed age of fifty years he had been able to reach: “I had this sarcophagus made by the time I reached 50 years of age. I managed to live through my young age and have now reached my old age” (*co[l]/locavi ar<c=K>am dum esse(m) / annor(um) L peti(i) usq(ue) a pub/ertate senectae meae perveni/re*). Contrary to Arimnestus or the unnamed freedman from Patara mentioned above, Mygdonius clearly did not construe his biography around his period of slavery. Instead, he focussed on his long life, on his eventual Roman citizenship – mentioning enslavement merely as the enabler of this success – and on his financial prosperity. Indeed, next to the *carmen* is depicted the goddess Fortuna with a horn of plenty (*cornucopia*), visually reflecting the end-of-life achievement Mygdonius already presented in the text.

Finally, the verse epitaph for Valeria Lycisca occupies a position in between those of Arimnestus and Mygdonius. “When I was twelve years old”, Lycisca entrusts us, “I came to Rome, which gave me the rights of a citizen and a burial spot” (*XII annorum nata / Romam veni / quae mihi iura{e} dedit civis dedit et / mihi vivae quo inferrer tum / cum parvola facta c{e}inis*)²³⁸. Like Mygdonius, Lycisca omits any reference to the time she spent as a slave, and instead skips immediately to her obtaining citizen rights. Also parallel to Mygdonius’ story, is the complete absence of a patron: it was the city of Rome itself that had granted her freedom. Both freedpersons, then, focussed entirely on their end-of-life achievements, rather than on the demeaning context of slavery, which other freedmen like Arimnestus or the unnamed man from Patara felt particularly worth accentuating. In Lycisca’s case, moreover, the story might easily be (mis)read as that of a (freeborn) foreigner obtaining citizen rights – especially because the initiative of the migration to Rome was discursively presented as Lycisca’s (*veni*). However, the formal libertination (absent in Mygdonius’ case) in the *praescriptum* explicitly attests to her condition, the concealment of which was therefore not Lycisca’s primary motive in omitting status in the *carmen*. Moreover, the *columbarium* context in which the inscription was found, suggests that the formal identification in the *praescriptum* served to accentuate

²³⁸ CLE 1054 (= CIL 6, 28228).

connections and network embeddedness rather than status as such. Unlike Mygdonius, but very much in line with Arimnestus' commemorative choices, Lycisca does not mention her homeland. Together with the active role of "Rome" as giving her citizen rights and a burial spot, this omission points to a desire to represent the deceased as fully committed to her new identity as a citizen²³⁹.

8.6.2 Three case studies

Whereas some freedpersons thus clearly downplayed their period of servile subservience, others like Arimnestus voluntarily chose to give it pride of place in their epitaphs. In doing so, however, they typically contrasted this chapter of their lives with the current condition of freedom (and citizenship), thereby accentuating the promotion and elevation that was secured by their virtuous behaviour, despite the harsh realities of slavery rendering such behaviour very difficult to display. Undoubtedly the clearest example of this practice is the already mentioned claim made by Anicia Glucera that her patron had elevated her from the lowest condition to the highest honour by marrying her, and in doing so, allowing her to obtain the position of respectable matron in the prominent Anicii family (*qu(a)e viro placui bo/no qui me ab imo / ordine ad summum / perduxit honorem*)²⁴⁰.

This section discusses three (brief) case studies that reveal in more detail how freed status could be combined with and mediated by attention to other identity dimensions. It argues that it was much more often "pride" than "shame" that steered the deliberation of whether or not (and if so, how) to include the servile past as meaningful determinant of the present condition.

Larcia Horaea

The epitaph for the freedwoman Larcia Horaea from Minturnae combines several strategies of (self)representation. The *praescriptum* to the poem includes all the persons featuring in it with full name and libertination or filiation, plus a brother of the husband. From left to right, these are 1) Horaea's freed patron; 2) Horaea's freed patroness; 3) Horraea's freeborn brother-in-law; 4) Horraea's freeborn husband; 5) Horraea herself.

²³⁹ Pace MacLean (2012), 203 who (over)interprets the mention of Lycisca's age of arrival in Rome as a sign that "the memory of a time before servitude could persist in the shadow of an acquired Romanitas".

²⁴⁰ CLE 66 (= CIL 5, 1071).

P LARCIUS P L
NEICIA

SAUFEIA A L
THALEA

L LARCIUS P F
RUFUS

P LARCIUS P F
BROCCHUS

LARCIA P O L
HORAEA

The names are juxtaposed horizontally, quite literally representing each member of the core family as situated on the same level. Read from left to right, of course, the order of names reflects traditional age and familial hierarchies. First comes the eldest couple and founders of the family: Neicia and Thalea, both freedpersons of a different patron. Next come the two freeborn sons of the couple, whose typically “Roman” Latin names (Rufus and Brocchus) contrast sharply with their parents’ “servile” Greek ones. The actual recipient of the laudatory *carmen* is named at the very right: *Larcia P(ubli) (mulieris) l(iberta) Horaea*. Considering both the ordering of the *praescriptum* and the juxtaposition of their names, it seems safe to assume that Horaea’s husband was Brocchus rather than Rufus. The *carmen* underneath the list of names goes as follows²⁴¹:

“I was approved by good people, and envied by no respectable woman. I obeyed my old master and mistress and was deferential to my husband. Thus the first two adorned me with freedom, the latter with the stola. From my girlhood onward, I have managed the entire household for 20 years. The last day made the judgement: Death took away my soul but not the splendour of my life”.
(Minturnae)

The first verse describes the range of different people to whom the deceased had been particularly pleasing. These “good people” (*boni*) are not described in detail. Nor was this necessary, as the expression was meant first and foremost to reflect Horaea’s elevated character in general terms²⁴². Similarly, the only thing we need to know about the women Horaea lived on good grounds with, is that they were respectable (*proba*). Instead of ascribing these virtues directly to Horaea, the *carmen* elaborately links them to her by association, implying that the freedwoman lived in the company only of good

²⁴¹ CLE 56 (= CIL 10, 6009): “boneis probata inveisa sum a nulla proba / fui parens domineis senibus huic autem o<b=P>sequens / ita leibertate illei me hic me decoraat stola / a pupula annos veiginti optinui domum / omnem supremus fecit iudicium dies / mors animam eripuit non v{e}itae ornatum apstulis”. Today, the monument is known only from drawings, but three independent sketches confirm its authenticity (CIL, ad loc.).

²⁴² Being *probatus bonis* was a character trait occasionally invoked in other *carmina* as well. See, for example, CLE 12 (= CIL 10, 5282) where Protymus’ patron deemed it appropriate to accentuate that his freedman had been *summa cum laude probatus*. The object in dative is unknown due to fragmentary preservation of the monument, but Bücheler argued that *boneis vireis* would constitute a plausible completion of the hexameter (CIL, ad loc.).

and respectable individuals, whom she attracted and pleased by her own good morals²⁴³. The second verse turns to Horaea's immediate surroundings, as it describes her relation to her parents-in-law *qua patrons*, and to their son, her husband. To all three of them, she was respectfully deferential, although different terms were used to describe this virtue: *parens* in relation to the patrons and *obsequens* in relation to the husband.

This is an interesting formulation, since the use of two different terms establishes a clear demarcation. In this respect, it is meaningful that Horaea is described as deferential to her old "masters" (*domineis senibus*), rather than to her "patrons". In fact, we can read in the line a chronological (perhaps even causal) evolution, insinuating that it was this very deference that allowed and enabled her to also be reverential to her husband once freed. Marriages between slave and (son of) master were not exceptional and would even be "encouraged" only a few decades later by the promulgation of the *lex Aelia Sentia*, which declared prospective *matrimonium a iusta causa* for manumission below 30 years of age²⁴⁴. Whether Horaea had been freed with the explicit intention of marrying her off to Brocchus, or whether she was a free woman already when the plans were made, we cannot tell. In any case, it was the reverence to her "masters" that was rewarded by manumission, and which thus at least indirectly allowed her to be obsequious to her husband. This interpretation is confirmed by the next verse. The use of *ita* clearly connects it with the previous line, and introduces a further elaboration on the reasons and consequences of her reverence. The "masters" had adorned (*decoraat*) her with freedom, Brocchus with the *stola* (i.e. turning her into a respectable matron by formal marriage). Once more, there is a clear chronological sequence, which is again discursively reflected by the placement of *stola* after *libertas*, just like the deference to the *dominis* preceded the reverence to her husband (*huic*): manumission was the necessary condition for the subsequent conjugal piety.

The use of *decorare* as zeugma transfers its literal meaning (Horraea's husband "adorned" her with the *stola*) to a more symbolic one (her patrons "honoured" her with freedom), and once again manifestly frames both actions in one chronological continuum. The chronological perspective is made even more explicit in the next verse where Horaea reveals her "career" in her masters' household. From a young age (*a pupula*), and for twenty years on end, she had managed (*obtinui*) this household and all that pertained to it (*domum omnem*). Moreover, the last verse of the *carmen* even

²⁴³ In CLE 64 (= CIL 6, 23685), Pacilia Sospita is similarly described as *bonis probata*, but the quality *proba* is ascribed to her directly instead of to the women she was associated with. Cf. also CLE 1089-90.

²⁴⁴ Gaius, Inst. 1.19: "Iusta autem causa manumissionis est, veluti si quis filium filiamve aut fratrem sororemve naturalem aut alumnum aut paedagogum aut servum procuratoris habendi gratia aut ancillam matrimonii causa apud consilium manumittat". The inscription is dated to the first half of the first century BCE, cf. Bücheler (1982) [1895-1930], 28.

suggests that she had continued to do so until the day she died. Combining these elements, we can chance an estimated guess of Horaea's age at death (between ca. 25 and ca. 35 years old), assuming that *pupula* roughly refers to the period in between her fifth and fifteenth birthday. Even though her manumission was given considerable attention in verse three, the description of Horaea's career does not reflect this critical milestone in her life. In fact, as a free matron, she was apparently still doing the same work as when she was a young slave girl²⁴⁵. Both the great responsibility and the long duration of her function were clearly a source of great pride: the *carmen* ends by the optimistic note that Horaea's life had in a way defeated death. It may well have taken her soul (*mors animam eripuit*), but it was not able to snatch away the splendour of her life (*non vitae ornatum apstulis*). Whereas the transition from servitude to respectful marriage was worth stressing at the beginning of the *carmen*, Horaea's career unambiguously provided the overarching biographic continuum in which this transition had taken place.

Although Horaea in all likelihood did not write this poem herself, she is endowed with considerable agency. This agency is reflected most prominently by the verbs rendered in the first person, as if uttered by the deceased herself. Especially *optinui* attests to the freedwoman's responsible domestic tasks. As such, Horaea's real-life agency is matched and reflected by her discursive agency in the *carmen*. Because her husband and patrons (if they – though *senes* – outlived their freedwoman) were most likely responsible for the poem, it primarily reflects their concerns and attitudes. However, since they were of servile descent themselves, these may not have differed radically from Horaea's point of view. Indeed, Saufeia Thalea, for one, would from her own experience have known what it meant to transcend slave status and become a respectfully married freedwoman. Even if the *carmen* does not express the personal inner feelings of Horaea, it does provide a reliable impression of how a servile past was incorporated in the freedperson's obituary. Rather than a badge of shame, it was considered the first step in social advancement. Excellent behaviour as a slave girl enabled the freedwoman to engage in a narrative of individual merit, which – with the luxury of hindsight – credited inherent characteristics and morality for her promotion.

²⁴⁵ Cf. Milnor (2008), 37: "one significant aspect of the feminine domestic ideal as it is expressed in Roman texts is the extent to which it does not vary by class". The possibility that the *domus* changed over time (e.g. after Horaea's marriage or after her patrons' death) is irrelevant for us (as it was, apparently, for the dedicator). The stress lay on her responsible function, in whatever *domus* it was to be situated.

Veratia Eleutheris

Whereas freedpersons could opt to deliberately omit or explicitly include a reference to their servile past, poems like that of Larcia Horaea reveal how a combination of both approaches constituted an original way for ex-slaves to mediate different identity dimensions (i.c. accentuating freed status, but situating it in an overarching narrative of personal merit and domestic virtue). An even more subtle strategy can be discerned in the *carmen* for Veratia Eleutheris²⁴⁶:

“Gaius Iulius Antiochus, freedman of Caius. Veratia Eleutheris, freedwoman of Caius. So chastely did Veratia hold the flower of her youth that she never derived any joy from dishonour. Because she lived happily with only one devoted husband, she was a woman worthy of all kinds of good things, but enduring also the bad ones. Veratia Salvia, freedwoman of Caius”. (Rome)

The *prae-* and *postscripta* inform us about the deceased and the dedicator of the inscription, but a lot of questions remain unanswered. Antiochus is undoubtedly to be identified as Veratia’s “only husband” mentioned in the poem. But apart from this, their relation remains obscure. They were both freedpersons, and they both named a certain “Gaius” as their patron. But whether Antiochus was Eleutheris’ patron or her *collibertus* is not clear. In both these cases, however, Antiochus had to have been adopted. Indeed, if he shared the same patron with Eleutheris, he should have been called C. Veratius (not C. Iulius), and if he had freed her himself, she should have been called Iulia (not Veratia). The most plausible solution, then, is that Antiochus and Eleutheris were both freedpersons of a different Gaius altogether. The inscription was either set up by Veratia Salvia or by Antiochus (or both). As a freedwoman of a certain Gaius Veratius, Salvia was most likely a *colliberta* of Eleutheris, but her precise function in the inscription remains unknown²⁴⁷. At any rate, Eleutheris’ patron – even if this was Antiochus – is not explicitly present as such in the epitaph.

The *carmen* typically focusses on the marital bond between Antiochus and Eleutheris. Consequently, the descriptions are very traditional: she was very “happy” (*contenta*)

²⁴⁶ CLE 968 (= CIL 6, 19838): “C(aius) Iulius C(ai) l(ibertus) Antiochus / Veratia C(ai) l(iberta) Eleutheris / s{e}c florem aetatis tenuit Veratia caste / nulla ut perciperet gaudia dedecoris / coniuge namque uno vixit contenta probato / cetera digna bonis femina facta tulit / Veratia C(ai) l(iberta) Salvia”.

²⁴⁷ The letters of her name are as big as those of Antiochus and Eleutheris, and thus slightly bigger than those of the *carmen*. Her name was not added in a later phase, but included as part of the original inscription. This latter observation suggests that she was at least partially responsible for the erection of the monument.

with her “devoted husband” (*coniuge uno probato*). However, the very beginning of the *carmen* takes the opportunity to first accentuate a somewhat more personal and individual trait of Eleutheris: as a young woman, she had always remained chaste. The use of *flos aetatis* to express flourishing youth clearly betrays literary influences²⁴⁸, but the expression is immediately and causally linked (*sic...ut*) to the disclaimer that Eleutheris had never experienced any joy from dishonourable activities throughout this young life. Readers of the epitaph would know that Eleutheris’ status as a slave girl would have at least potentially subjected her to all kinds of (sexual) degradation. However, the act of manumission, especially when combined with respectful marriage, wiped out the stigma attached to this servile subordination, and allowed the *liberta* to begin her life as a free woman with a clean slate²⁴⁹. It is certainly no coincidence that the dedicator chose to accentuate Eleutheris’ role as respectful and chaste *unavira* of her husband. As mentioned earlier, freedwomen could become respectable Roman matrons, whom the legal sources defined as persons who had “never lived dishonourably”²⁵⁰.

Indeed, being a matron had less to do with simply being married than with displaying the correct conduct expected from such women²⁵¹. Eleutheris clearly exhibited such appropriate conduct, but she did not entirely cover up her past experiences. The expression *nulla ut perciperet gaudia dedecoris* can be interpreted as Eleutheris never having had the opportunity to enjoy shameful deeds (i.e. “she has never been dishonoured”). But it is equally possible to read in it a subtle recognition of the freedwoman’s servile degradation, even though she had always had her mind set on advancement and never enjoyed these adversities (i.e. “she never enjoyed the disgrace she had been subjected to”). In fact, the rendering of this passage in the negative sense – using *dedecus* instead of *decus*, *pudicitia*, or other positive descriptions typically reserved for matrons²⁵² – seems to hint at this too. *Dedecus* is nowhere else used in metric inscriptions, whereas *decus*, for example, was a much more popular term to convey the (positive) sentiment²⁵³.

The last verse of Eleutheris’ *carmen* similarly seems to point to a desire to not entirely disregard or conceal the past. It tells us that Eleutheris was a woman who deserved nothing but good things (*digna bonis femina*), but that she had nonetheless endured hardships too (*cetera facta tulit*). Once again, the sentiment could have been expressed in exclusively positive terms, exalting Eleutheris as a virtuous example of a dignified

²⁴⁸ E.g. Verg. Aen. 7.162: “pueri et primaevae flore iuventus”; 8.499-500: “iuventus flos veterum virtusque virum”.

²⁴⁹ This is one of the central themes in Perry’s (2014) inspiring monograph dedicated to this subject.

²⁵⁰ Dig. 50.16.46.1. Cf. Chapter 2.

²⁵¹ Saller (1999), 193-6; Evans Grubbs (2002), 19.

²⁵² Cf. Langlands (2006), 37.

²⁵³ E.g. CLE 55 (= CIL 6, 10096); 1038 (= CIL 6, 14404).

matron. But instead, the verse deliberately includes the suggestion that she had in fact been made to endure bad things too; bad things which – taken in conjunction with the first two verses – she refused to enjoy, but merely tolerated because it was her part to do so (i.e. as a “good slave”).

Accentuating a decent walk of life, or referencing the valiant coping with adversity are recurrent *topoi* in obituaries, but the ambiguous rendering of *nulla ut perciperet gaudia dedecoris*, the very exceptional use of *dedecus* in the first place, and the connection between the first two verses and the last – encapsulating the depiction of the happy and respectful marriage – point to an original modification of these themes to suit a very specific purpose. The dedicator – whether Antiochus or Salvia – thought that Eleutheris’ status as a virtuous matron would be all the more accentuated by referencing the hardships she had had to go through to obtain it. Any reader would have known (or have a rough idea of) what these hardships included, but they would also have known this if the dedicator had left them out of the picture. Therefore, rather than entirely omitting the dishonour suffered as a slave girl, the dedicator subtly recognised it, but at the same time used it to draw attention to Eleutheris’ social promotion, as well as to her ability to conform to social norms and expectations. Indeed, she had been, paradoxically, as good a slave girl when she had to, as a Roman matron when she was allowed to. The implication is that Eleutheris had been virtuous all along, and that only external influences had forced her to (reluctantly) endure dishonourable things. Once freed, however, she could fully benefit from her elevated character. In a moral sense, then, Eleutheris had been *ἐλευθέρᾳ* all along.

Princeps

Finally, a severely damaged inscription found in central-Italy (Aesernia) attests to the possibilities the realm of professional activity entailed to nuance a servile past²⁵⁴. The *praescriptum* is still intact, and informs us that the monument had been made by the freedman Princeps for himself, his relatives, and his patron Lucius Taminius Rufus. Rufus receives full filiation – *L(uci) f(ilio)* – and tribal association – *Tro(mentina)* –, clearly revealing his freeborn status. On the top of the monument is depicted the (very damaged) bust of a man, probably to be identified with this Rufus, as his name is featured (at the beginning of the *praescriptum*) immediately underneath it. Under the *praescriptum*, a scene is shown of (at least) two men sitting at a table – probably Princeps and his patron. The metric text of the inscription is written on the table at which these individuals were sitting, clearly linking the poem to whatever it was they were doing. Unfortunately, the *carmen* is severely damaged, and its first part has been very

²⁵⁴ CLE 36 (= CIL 9, 2749).

differently restored by several observers. The CIL editors mention many different readings, but the one best corresponding to the surviving pieces of text is: *vig<i=U>l a mane an(n)a et / capias sic aes cito* (“Be watchful from the very start of the day, and you will reap coin immediately”). It is a clear advice – or exhortation, if the imperative *anna* is taken literally – to be zealous, to work hard, and to enjoy the profits from this labour. The text, then, reveals that Rufus and his freedman were likely involved in a lucrative business, and the relief indicates that they could do this job from behind a desk. This has led scholars to the very plausible suggestion that they must have been bankers or moneylenders²⁵⁵.



Figure 5 The funerary monument of Princeps and his patron Lucius Taminius Rufus

Be that as it may, the entire monument breathes the air of pride, success, and achievement. Lending money for a living was not something members of the elite publicised in their funerary monuments (even though they frequently engaged in it²⁵⁶), since it came very close to Cicero’s first category of “vulgar means of livelihood”

²⁵⁵ Thus Lega (2012), 207, who also restores the text in this way.

²⁵⁶ Andreau (1982), 108; (1999), passim (e.g. p. 2).

(*quaestus et artificia sordidi*), i.e. that of usurers (*faeneratores*)²⁵⁷. Even though Princeps would certainly not have presented himself or his patron as a *faenerator* – terms like *argentarius* and *nummularius* are much more often attested, and have at any rate a less pejorative connotation²⁵⁸ – freedmen (and freeborn members of the *plebs media*, for that matter) felt no shame in publicising their success in these occupations. As noted several times before, professional status was an identity dimension particularly valued by freed slaves who wanted to gain prestige – and wealth – via ways (“paths”) other than the one denied to them. Jean Andreau captured this situation most comprehensively by introducing the notion of “statut de travail”, an expression perhaps best left untranslated, and most recently reintroduced by Nicolas Tran²⁵⁹. It should be clear, however, that both Andreau and Tran considered it an analytical tool to study the socialisation of Rome’s lower classes *in general*, without a priori separating freedmen from the freeborn members of the *plebs media*.

Indeed, Princeps makes this inscription for himself, but also for his freeborn patron, who clearly derived equal pride from his success in business²⁶⁰. Moreover, neither of the two individuals wears the toga to highlight citizen status (even though at least Rufus was allowed to). Both men instead present themselves in *tunica*, i.e. the clothing they would most likely wear during work. This reveals a clear preference to depict the “statut de travail” as veracious as possible, with other identity dimensions being explicitly downplayed to achieve this goal. Finally, Princeps and his patron are seated next to each other at the table, as equals: they wear the same clothes, they perform the same work, and they are as equally prominently present in the scene. Although the freed status of Princeps was naturally “inferior” to that of his patron from a legal point of view, it did not seem to have played a role at all in the choices the freedman made when erecting this monument²⁶¹.

The final section of this chapter reiterates the main subject of Chapter 7, but this time from a markedly non-elite perspective. It focusses on a more literal sense of “discourse”,

²⁵⁷ Cic. Off. 1.150.

²⁵⁸ Verboven (1993), 80-2; (2007).

²⁵⁹ Andreau (1985), 378; (1987), 25ff; Tran (2013), *passim* (e.g. 5-10).

²⁶⁰ Compare, for example, with CIL 11, 139, where two freedmen of the ship maker Publius Longidienus commemorate their patron by citing his personal motto: “P(ublius) Longidienus P(ubli) f(ilius) ad onus properat”. Together with the visual representation of Publius zealously at work, the monument is an illuminating example of how the importance of legal status would all but disappear in these contexts, cf. Clarke (2003), 118-21.

²⁶¹ Cf. Fabre (1981), 341 (not talking about this monument in particular): “Une certaine proximité s'établissait, renforcée par la fierté du travail et l'exaltation de valeurs qui apparaissent propres aux affranchis et aux ingénus maîtrisant des techniques souvent délicates, et qui contrastent avec le mépris du travail manuel exprimé par ceux qui ne voient dans de tels producteurs que des *operarii*”.

and asks the question whether freedpersons described their merits and qualities with a delineated “set of virtues” or with a “specific vocabulary”. It pays particular attention to the interaction with elite discourse, and on the implications for our main research question, viz. whether any moral taint of slavery is reflected in the attempts at (self-)representation of freedpersons.

8.7 A “libertine discourse” in *carmina epigraphica*?

As noted in the previous chapter, MacLean’s central thesis – drawing heavily on Mouritsen’s 2011 synthesis – postulates a strong separation between “elite virtues” and “libertine virtues”. It thus distinguishes between “securely aristocratic terms like *gloria*, *laus*, *honos*, and *nomen*” on the one hand, and “the articulation of a different sort of *fama*, one that derived (...) from the combination of obedience to one’s master and the industrious performance of labor” on the other²⁶². The previous chapter argued that the latter combination of virtues was valued in and by all strata of society, and that singling out freedmen is a methodological fallacy, leading to self-fulfilling arguments. It too readily concludes from the difference between freed and elite “paths to glory” that the former was status-related and as such *sui generis*; a conclusion deriving in no small degree from ignoring the representation of and discourse on other non-elite members of society, such as the freeborn members of the *plebs media*. Freedmen’s prominent presence in both elite writings and epigraphic texts does not *ipso facto* justify the assumption that a binary opposition existed with the elite (i.e. somehow “libertinising” the general discourse of distinction). Put differently, when “virtues” appear to be “libertine”, we must ask ourselves whether this is a consequence of a uniqueness inherent to freed status, or of the fact that our sources (and heuristic methodology) focus predominantly on this category of people.

The central argument of the previous chapter, then, was that values, qualities, and terms “typically reserved for freedmen” were, in fact, not. It postulated the existence of two (ideal-typical) paths to glory, one of which was available only to the elite (noble lineage, public office, ...), but the other to all members of society, regardless of their social or legal status (family values, personal virtue, respect towards social superiors, etc.). Literary sources may well single out (especially rich and usurping) *libertini* as the

²⁶² MacLean (2012), *passim*. The quote is from p. 44-5. “Libertine” and “elite” virtues are literally contrasted on – for example – p. 33 note 117.

most conspicuous “other” against whose attempts at anticipatory socialisation the elite directed its efforts of distinction (Chapter 6), but it is something else entirely to argue that they developed a specific set of qualities or terms to do so, or that they believed that this discourse on the “bad” freedman was a priori applicable to the entire (legal) category of ex-slaves *in general*²⁶³. Of course, like the urban poor or even (lower) middling groups, freedmen were excluded from the “elite path”, not because they were ex-slaves *per se*, but because they were *non-elite* in general terms (i.e. lacking (access to) at least one of the criteria that had to be met in order to qualify as “elite”)²⁶⁴. The former interpretation derives mainly from (elite) literary sources. This section, therefore, approaches the matter from another perspective – feasible only because of the individual and network embedded nature of funerary inscriptions – by evaluating in particular how aspects of the elite’s “path to glory” (like MacLean’s “securely aristocratic terms”) were contextually appropriated and mediated by ex-slaves to suit individual commemoration purposes.

Gravitas was a virtue the elite attached great value to²⁶⁵. Robert Kaster has recently honoured its pivotal position in the idealising discourse of these elites by formulating a lengthy definition of the term. He wrote that the virtue could be obtained only by observing all possible “vectors of excellence”, including “performing manly deeds while serving the community in war and peace, maintaining your freely chosen commitments by displaying *fides* and the other associated virtues, and fulfilling the many obligations of reciprocity that bound you to the living, the dead, and the divine, all the while regulating your behaviour by the promptings of ethical dispositions such as *verecundia* and *pudor*”²⁶⁶. It is no coincidence that many high-standing freeborn individuals chose to include this character trait in their (verse) epitaphs²⁶⁷. As a consequence, however, the elite deemed *gravitas* a virtue particularly lacking in men and women of lesser means and status, who were almost by definition – either because of their financial means or because of formal restrictions – unable to “serve the community”²⁶⁸. Edwards

²⁶³ From a comparative perspective, the observations made in Ogilvie (2005), 11-2 are worth mentioning. She noted how Early Modern literary productions assimilated poor craftsmanship to moral wickedness, but stressed that these texts are in no way representative for the occurrence of such wickedness. This is true also, *mutatis mutandis*, for “bad” freedmen.

²⁶⁴ Alföldy (1988), 107-8 famously recognised wealth, membership of a formal *ordo*, social prestige, and a record of office-holding as the most important criteria.

²⁶⁵ Ferguson (1958), 176.

²⁶⁶ Kaster (2010), 154.

²⁶⁷ E.g. CLE 1388: “annis parve quidem sed gravitate senex”; 1390: “moribus ingenio et gravitate nitens”.

²⁶⁸ Legal sources, on the contrary, could refer to the *gravitas* even of *mancipi*, e.g. Dig. 7.1.15.2: “Sufficienter autem alere et vestire debet secundum ordinem et dignitatem mancipiorum”.

convincingly argued that this was the case especially for actors, but the exclusion of freedmen from the army (at least *de facto*) and from public office (formally since 24 CE) would prevent them too from meeting all requirements²⁶⁹.

Nonetheless, *gravitas* does occur in freedpersons' funerary inscriptions as well. A nice example is the epitaph the freedman Gaius Pagurius Gelos made for a certain Salvia²⁷⁰. The latter's status is not made explicit, but the name Salvia was a popular slave name²⁷¹. Moreover, the description of her young age (*sepulta haec sita sum verna quouis aetatulae*) contains a subtle wordplay on her status, since although *verna* means "vernal" in this particular case ("in the spring of her life"), it also evokes the image of a home-born slave girl (*verna*)²⁷². Salvia's relationship with Gelos is, however, much more ambiguous. An identification as his partner seems most plausible, given her depiction as a true matron. She is said to have fulfilled in all seriousness her duty, and excelled in the spinning of wool (*gravitatem officio et lanificio praestit{e}i*), a combination of qualities praised almost exclusively in honourable wives²⁷³. All of these inferences combined, Salvia and Gelos appear to have been partners (and perhaps even formally married). If "Salvia" was a *cognomen* rather than a *nomen*, moreover, she may even have been Gelos' own freedwoman, but this cannot be ascertained.

What is particularly interesting, though, is the description of Salvia fulfilling her domestic duties "with *gravitas*", a term that is accentuated even more by the repetitive use of *grave* in the next verse. Surely, there existed an elaborated "Tugendkanon" for pious women, whether freed or freeborn. Thus the freedwoman Clodia Secunda was commemorated for her piety (*pietas*), loyalty (*fides*), love (*amor*), understanding (*sensus*), modesty (*pudor*), and sanctity (*sanctitas*)²⁷⁴, but so were Vestal Virgins, freeborn

²⁶⁹ Edwards (1994), esp. 89-90.

²⁷⁰ CLE 63 (= CIL 5, 6808): "C(ai) Paguri C(ai) l(iberti) Gelot[i]s / hospes resiste et tumulum hunc excelsum aspic[e] / quo continentur ossa parvae aetatulae / sepulta haec sita sum verna quouis aetatulae / gravitatem officio et lanificio praestit{e}i(t) / queror fortunae cassum tam iniquom et grave / nomen ei quaeras exoraturi salviae / valebis hospes opto ut s<e=C>is felicior".

²⁷¹ E.g. CIL 6, 7206: "Manlia Cn(aei) l(iberta) Salvia"; CLE 1563 (= CIL 6, 33087): "Sa[t]riena P(ubli) l(iberta) Salvia"; but also as *nomen*: CIL 6, 29249: "Salvia / Attice". Cf. Kajanto (1965), 134, 177 Schulze (1966), 472; Jansen (2007), 268-70.

²⁷² Some scholars take *verna* to literally mean "house-born slave girl" in this instance, e.g. Cholidniak (1904), 549. Others are inclined to interpret it merely as "vernal", e.g. Jansen (2007), 267-8. But Gelos' intention seems to have been precisely to create this "double meaning". Trying to establish the "only correct" reading of *verna* is therefore disrespecting the clever semantic connotation of the word in this particular case. Cf. Dickison & Hallett (2015), 70, who consider it a "sophisticated pun".

²⁷³ E.g. CLE 237 (= CIL 6, 11602): "Hic sita est Amymone Marci optima et pulcherrima / lanifica pia pudica frugi casta domiseda". Cf. Massaro (1992), 111-2.

²⁷⁴ CLE 81 (= CIL 6, 4379).

mothers, illegitimate daughters, etc.²⁷⁵ Although *gravitas* was a quality first and foremost attributed to (high-ranking) men²⁷⁶, Roman matrons too could be occasionally characterised this way, even though their *gravitas* – much like any other virtue women could theoretically share with men – expressed itself rather differently²⁷⁷. Pliny thus commemorated the 14-year-old daughter of his friend Minicius Fundanus by accentuating that she had had the “seriousness characteristic of a matron” (*matronalis gravitas*), but also implied that this virtue derived primarily from her father’s example²⁷⁸. Fannia, the respectable wife of Helvidius Priscus, showcased – among other virtues – her integrity (*sanctitas*) and seriousness (*gravitas*), but these qualities were respectable first and foremost because they were “worthy of her husband and father”²⁷⁹. Freedpersons, however, supposedly lacked such *gravitas* in any form, but did not differ in this respect from freeborn members of the *plebs media*, or from the later formal category of *humiliores*²⁸⁰.

Nonetheless, Gelos too ascribed the virtue to his dear Salvia in the poem he made for her. Interestingly, the quality is not used to describe her elevated innate character – like in the cases of the aristocratic daughters mentioned above. It is used instead to accentuate the way in which she fulfilled her duties, among which the spinning of wool (surely a *pars pro toto* for household work in general) was the one worth stressing most explicitly. In other words, terms and qualities that were in elite discourse almost exclusively reserved for freeborn nobles, were here appropriated by freedpersons in their epitaph, and adjusted to fit this non-elite context. Salvia could not claim to have inherited this virtue from any noble father, nor could she claim to be *gravis* as a consequence of her following her husband into exile (like Fannia did), or to have married a young nobleman because of this admirable strictness (like Minicia was about to, right before she died). Her *gravitas* derived instead from the “path to glory” available to her, and was related first and foremost to dutiful housewife activities. Whereas elite authors, too, respected this kind of virtuous devotion, they would surely have abstained from framing it in a discourse of elite *gravitas*. Gelos’ description of his wife thus drew attention to very traditional virtues, but endowed them with the semantic connotation

²⁷⁵ E.g. CIL 6, 32415; 6, 32414; CIL 8, 11294; 11, 3941; 2, 2436; 2, 4403; 10, 3079; ... For this “Tugendkanon”, see Muth (2005), 263.

²⁷⁶ E.g. CIL 6, 8401; 6, 41228; 8, 5367; 8, 5502; 10, 1126.

²⁷⁷ E.g. Sen. Ep. 70.10: “Scribonia, gravis femina”. Cf. Tuomela (2014), *passim* (e.g. p. 17).

²⁷⁸ Plin. Ep. 5.16.2, 9: “nondum annos XIII impleverat, et iam illi anilis prudentia, matronalis gravitas erat et tamen suavitas puellaris cum virginali verecundia. (...) amisit enim filiam, quae non minus mores eius quam os vultumque referebat, totumque patrem mira similitudine exsciperat” (about Minicia Marcella).

²⁷⁹ Plin. Ep. 7.19.4: “animus tantum et spiritus viget Helvidio marito, Thræsea patre dignissimus; (...) quae castitas illi, quae sanctitas, quanta gravitas quanta constantia” (about Fannia).

²⁸⁰ Alföldy (1984), 94.

of nobility, which Salvia – from Gelos’ perspective – deserved just as much as a “real” noblewoman.

Nor was Gelos alone in originally appropriating and mediating “elite virtues” to accommodate the purpose of self-commemoration. Interestingly, patrons too – sometimes of relatively high standing – discursively endowed their deceased freedpersons with virtues that would be considered by the “detached” discourse of the top-elite as particularly inappropriate to praise ex-slaves with. The consular Cotta Messalinus was proud to claim that he had “ennobled” (*nobilis facta*) his deceased freedman Zosimus by having granted him vast riches (and his son a position as tribune) throughout his life²⁸¹. Cotta himself was undoubtedly *nobilis*, as even the most hostile author recording his life had to admit. Indeed, Tacitus wrote that although Cotta was an aristocrat, he was nonetheless destitute because of his luxury, and degraded by his vices (*qui nobilis quidem, set egens ob luxum, per flagitia infamis*)²⁸². For Tacitus, Cotta’s *nobilitas* was unrelated to his activities and behaviour, which greatly tarnished his reputation, but which did not nullify this nobility, as it was a trait bestowed on him first through birth, and later confirmed by his holding the highest public office (consul in 20 CE).

Obviously, Cotta could invoke neither of these sources of prestige in his appraisal of Zosimus, since the latter was a *libertinus*. Regardless, he explicitly appropriated the term to endow the memory of his freedman with some of its semantic gravity. The main reason for this pseudo-nobility, however, was Zosimus’ pivotal position in Cotta’s trust network (as *accensus*), and his being responsible for his patron’s financial affairs (*suas opes*)²⁸³. By serving as a valued extension (or, literally, *umbra*, “shadow”) of his patron, and by his overall close association with him, in other words, the latter’s nobility was (at least discursively) passed on to Zosimus. It is meaningful in this respect, that Cotta explicitly links (*sed*) Zosimus’ *nobilitas* to his being a *libertinus* (this epitaph being the only one extant that spells out libertination in this way²⁸⁴), whereas the reasons for his elevation are situated entirely – and necessarily – within the bounds of the freedman’s relationship with his patron. The juxtaposition of *libertinus* and *nobilis* was undoubtedly intended to exceptionally praise Zosimus and commemorate his social rise, but also – and arguably even more so – to eulogise Cotta, through whose good cares Zosimus was allowed to prosper in the first place.

²⁸¹ CLE 990 (= CIL 14, 2298): “*libertinus eram fateor sed facta legetur / patrono Cotta nobilis umbra mea*”. (see already the discussion above).

²⁸² Tac. Ann. 6.7.

²⁸³ Cf. Aubert (1994), 24; Mouritsen (2011), 214 (with references).

²⁸⁴ In CLE 1125 (= CIL 9, 3358), Ninnia Primilla does mention her *libertini parentes*, but the term is used as an adjective, and not to describe the deceased (who was explicitly not a *libertina* herself: “*Ninniae Q(uinti) f(iliae) Primil/lae sacerdoti Cereriae*”).

It can be compared to Statius' eulogy of Claudius Etruscus' freed father – the prominent *Augusti libertus* who rose to exceptional heights under Trajan²⁸⁵. One of the identity dimensions Statius exploits most fervently is Claudius' elevated position in the court of several emperors, whose favour allowed him to obtain great honour (e.g. *laeta dehinc series variisque ex ordine curis auctus honos; semperque gradi prope numina, semper Caesareum coluisse latus sacrisque deorum, arcanis haerere datum*)²⁸⁶. Mouritsen typically described Statius' strategy as a “curious attempt to minimise the stigma of servitude” and considered it a confirmation of his assumption that “the only effective way of eulogising a freedman was to play down the dishonour normally associated with subservience”²⁸⁷. However, this seems true only from a one-sided and top-down elite point of view. Indeed, Cotta too had Zosimus somehow reluctantly “admit” (*fateor*) that he was a freedman, but as we will see momentarily, the expression of “noble” traits by ex-slaves was rarely accompanied by a deliberate attempt to downplay freed status. At least for these individuals, both identity dimensions did not necessarily conflict²⁸⁸.

Occurrences of the term *nobilis* in freedperson's epitaphs are rare²⁸⁹, and we should be careful not to over-interpret these attestations. Whereas *nobilis* in Zosimus' case was clearly intended to flirt with social transgression, the term could also be included simply to convey the extent of one's fame or renown, i.e. seemingly unrelated to social prestige or legal status. Thus the unnamed patron of the freed doctor Primigenius praised his freedman's “known ability and even more famous trustworthiness” (*arte feror nota nobiliore fide*)²⁹⁰. *Nobiliore* is used to – crescendo-wise – accentuate Primigenius' renown, and could as such be translated in a rather neutral way. However, much like Gelos' use of *verna*, the particular choice for this specific term, i.e. when lots of synonyms were available (*insignis, celebrer, inclitus, ...*), was a deliberate choice (as is any choice of words). In any case, any implied nobleness derived from Primigenius' *fides*,

²⁸⁵ Stat. Silv. 3.3. For the most comprehensive study on this freedman, see still Weaver (1965). Kleijwegt (2006b), 96 note 24 already noticed the parallel between Zosimus and Claudius.

²⁸⁶ Stat. Silv. 3.3.63-6.

²⁸⁷ Mouritsen (2011), 23.

²⁸⁸ Statius' eulogy, it might be added, accentuated *innate* virtues of Etruscus' father as well, i.e. disconnected from his freed status. E.g. Stat. Silv. 3.3.106-8 (his frugality): “Hinc tibi rara quies animoque exclusa voluptas, exiguaeque dapes et numquam laesa profundo cura mero”. Compare with Mart. 9.79.5-6, where Martial eulogises imperial freedmen for their gentle character (*placidae mentes*), respectfulness (*reverentia*), calm (*quies*), and modesty (*pudor*).

²⁸⁹ CLE 1136 (= CIL 6, 9693) mentions a *nobilis Euphrosyne*, but we cannot know whether this young woman is to be identified as the *liberta Euphrosyne Paragmia* mentioned at the end of the inscription. Vidman (1980), 256 (= the index of names to the sixth volume of the CIL), for example, lists them as one and the same. Cenerini (2014), 99 is more hesitant, but similarly notes the coincidence of freedwoman and patroness sharing the same name.

²⁹⁰ CLE 1252 (= CIL 11, 5836). The inscription has Primigenius speak the words himself, but it was his patron who made the grave (*patronus patrio condidit ossa solo*), cf. *supra*.

which was in turn closely connected to his profession and renown as a doctor. Once again then, a patron deemed it appropriate to confirm and praise the exceptional achievements of his freedman by borrowing (or at least alluding to) virtues typically associated with elite discourse, but at the same time re-contextualising them to maintain “proper” decorum.

The use of the epithets *bonus* and *optimus* in freedpersons’ epitaphs signify a similar strategy. As “nouns” or as adjectives modifying *vir*, elite parlance reserved these terms almost exclusively for the nobility, and especially for the portion of it that (purportedly) advanced the interest of the state²⁹¹. As adjectives, inscriptions feature them prominently to accentuate the particular virtue of a spouse, regardless of legal status (*optimus/-a coniunx* or *bonus/-a uxor*)²⁹². It is in this emotional sense also, that references to a *libertus optimus* or a *patrona optima* should be understood, i.e. disconnected from any political connotation the word carried in literary sources²⁹³. However, the qualities, reputation, and judgement of a freedperson could also be described as “good”. This happens much less frequently, but echoes the sense of goodness elite authors would rarely attribute to an ex-slave. Thus the freed couple Gaius Numitorius Asclepiades and Mummia Zosima were happy to record their good reputation (*bona fama*) in their funerary inscription²⁹⁴. Moreover, the phrase is juxtaposed to a reference to their honourable passing (*exsituq(ue) honēs*). An “honest” life, and the praise one had received for it, was accentuated on several occasions. To draw attention to their praiseworthy morality, for example, four freedmen from Alba Fucens noted in their shared epitaph that they were lauded by their acquaintances (*vitam laudarunt meam*) because they had lived an honest life (*[post vitam ho]nestam aeternam deveni domu[m]*)²⁹⁵. Similarly, in the long and touching bilingual inscription Atimetus Anterotianus made for his deceased wife Claudia Homonoea, a *colliberta* of his, the mourning husband regrets that despite

²⁹¹ Cf. Achard (1973); Seletsky (1976); Hellegouarc’h (1963), 485–93; Fabre (1981), 237–8; Santoro L’hoir (1992), 10–11, 65. One of the few exceptions is Att. 7.4.1 (Chapter 7), but it is intended there precisely to “cross established boundaries”, cf. Mouritsen (2011), 61–2.

²⁹² E.g. CIL 6, 18510; 20438; 28281; etc. For attestations in metric epitaphs by or for freedpersons, see e.g. CLE 15’ (= CIL 6, 23297): “Pontia ux{s}or / fruge bona pudica”; 477 (= CIL 14, 2605): “fecit Unio sibi et Galliae Tyche / optimaē coniugi”. The expression was so popular that it could be abbreviated to “C O B M” (= “coniugi optimaē bene merenti”), e.g. CIL 9, 302.

²⁹³ E.g. CIL 9, 265: “Clodio / Eutychi / T(it)i li{i}b(erto) bon(o)”; CLE 1216 (= CIL 6, 17622): “Fabiae Pyralidi optimaē / et sanctae patron(ae) / de se bene merit(ae) / Artemisius libertus”; 1248 (= CIL 14, 2709): “M(arcus) Gellius Maximus Phoebō lib(erto) opt<i=U>m(o)”.

²⁹⁴ CLE 15 (= CIL 6, 23137): “C(aius) Numitorius / Asclepiades / Mummia L(uci) l(iberta) / Zosima / h{e}is sunt duo / concordēs / famaue bona / exsituq(ue) honēs / felix”.

²⁹⁵ CLE 72 (= CIL 1, 1822). The poem is rendered in the first person singular, but it is unclear which of the four freedpersons mentioned in the *praescriptum* was supposed to be the speaker. The vagueness could have been intentional, implying that the sentiment of the *carmen* applied to all four of them.

greatly deserving it, Homonoëa could no longer enjoy her own moral goodness (*mulier dign/issima vita quaeque tuis / olim perfruerere bonis*)²⁹⁶. And the wife of the imperial freedman Metrobius was happy to record that her husband had ruled (*praefuit*) over the island of Pandateria for a long time, where he enacted several provident laws (*providaque in melius iura dedit populo*)²⁹⁷. This exemplary behaviour was a consequence not only of his irreproachable loyalty, his unimpeachable honesty (*inculpata fides innocuusque pudor*) and his splendour (*fulgor*), but first and foremost of his righteous mind, which was full of goodness (*plena bono mens aequa*). All of these cases reveal an appropriation of the term *bonus* to describe freedpersons, but although they may to some extent reveal a desire to present oneself (or a loved one) as morally elevated, none of them convey the same meaning (or even have the same grammatical function) as the kind of “goodness” ascribed solely by and to elites.

However, in other cases, it is precisely this elite practice that seems to have been appropriated. The pearl-trader Gaius Ateilius Euhodus, for example, explicitly identified himself as a good man (*homo bonus*)²⁹⁸. Perhaps even more explicit is the case of Lucius Annius Argeus (*ille bonus*), whose commemorator omits any noun when describing this freedman, thus mirroring the elite practice of rendering *bonus* itself as a “noun”²⁹⁹. The imperial slave Nicodromus did precisely the same in the inscription he made for his “wife” Minicia Prima, whom he remembered as a pure and good woman (*bona simplex*), i.e. using *bona* as a noun (either next to or modified by *simplex*)³⁰⁰. Minicia was undoubtedly a freedwoman. Not only was Prima one of the most popular slave names, but even if she had originally been freeborn, she would have been reduced to freed status by the *senatus consultum Claudianum* of 52 CE³⁰¹. Finally, even in a *columbarium*

²⁹⁶ CLE 995 (= CIL 6, 12652).

²⁹⁷ CLE 1189 (= CIL 10, 6785). Pandateria lay off the coast of Campania, close to Naples. Successive emperors seem to have had a particular interest in the island, even preferring it as a destination for exiles, e.g. Tac. Ann. 14.63-4). This is no doubt the context in which to situate Metrobius’ function as overseer. D’Arms (1970), 78 plausibly suggested that the island was incorporated in the imperial domain already under Augustus.

²⁹⁸ CLE 74 (= CIL 6, 9545).

²⁹⁹ CLE 2161 (= CIL 6, 7541): “Hic cubat / ille bonus L(ucius) / Annius Argeus / Compsi l(ibertus) vix(it) a(nnos) LX”.

³⁰⁰ CLE 1187 (= CIL 8, 12792): “a multis fletu renovaveris o bona simplex”.

³⁰¹ Scheidel (2011), 304 (including references). For the *senatus consultum*, see the references in Chapter 2. Hadrian at least partially revoked the measure (Gaius Inst. 1.84 only mentions the consequences for the children of the women thus reduced in status), but it was soon reintroduced and remained intact until Justinian permanently repealed it (Cod. Iust. 7.24). For a discussion of this evolution, see Westermann (1955), 148. Bücheler (1982) [1895-1930], II, 555 dates the inscription of Minicia Prima to the reign of Trajan, Hadrian or Antoninus. Lassère (1965), 215 suggests Nicodromus served in Carthage as a secretary of the *annona* (similarly dating the epitaph to the reign of Trajan, and thus in a period when the *SC Claudianum* was in full effect).

context – a relatively non-competitive sphere of commemoration³⁰² – this discourse was appropriated. The inscription for certain Iulia Erotis, for example, describes her as an excellent woman (*optima femina*), albeit before accentuating her inferior position in a patronage network by referencing her patron³⁰³.

In most of the instances mentioned above, no effort was made to downplay or conceal the deceased's freed status, not even in cases of self-commemoration. However, concluding from this observation that “elles [expressions soulignant l'honorabilité de défunt] ne laissent jamais de doute sur le fait que c'est avant tout en rapport avec le patron que ces ‘vertus’ se sont manifestées” is premature at best³⁰⁴. The claim was made by Georges Fabre in his pioneering study on the private relation between patrons and their freedmen, but it is very much inspired (perhaps necessitated) by his general and rather pessimistic thesis that freedmen had no real individuality, and that their identity derived entirely from the relationship with their patron. In this line of reasoning, a derivative conclusion of Fabre was that “*honus et decus à propos d'un affranchi, ne peuvent concerner que sa position par rapport au patron*”. He supports this claim with a few examples: the children of the daughter (“Iulia”?) of a certain freedman Protus would constitute a great help and pride for Protus' patron (*patrono aux{silium ac decus*), and the freedwoman Eucharis' devotion to her patroness was aborted by her sudden death (*studium patronae cura amor laudes decus / silent ambusto corpore et leto tacent*)³⁰⁵. In the first case, however, the *auxilium* and *decus* derived from Iulia's children, who were second-generation freeborn (Iunia herself already being *Quincti Ranci feilia*). In the second case, the position of *patronae* in the sentence begs the question whether it modifies all five nouns, or only *studium*. The phrase can be taken to reference Eucharis' zeal, care, love, praise, and grace towards her patroness, but *studium patronae* can also be taken apart, viz. as but one of the virtues for which the freedwoman is praised (i.e. “the zeal towards her patroness, her care, love, praise, and grace”)³⁰⁶.

In both cases, of course, *decus* appears in (or near) the context of a patronage relation, but nothing warrants Fabre's generalisation. Indeed, Eucharis' rise to glory (*gloria*) had – at least in the epitaph's rendering of her life – nothing to do with her

³⁰² Borbonus (2014), passim (esp. 106ff).

³⁰³ CLE 86 (= CIL 6, 5254). CLE 131 (= CIL 6, 18938) features the *liberta* Gavia as a *femina prima*, a claim supported by what must once have been a beautiful portrait of the (veiled) woman.

³⁰⁴ Fabre (1981), 262.

³⁰⁵ CLE 59 (= CIL 6, 25369); 55 (= CIL 6, 10096).

³⁰⁶ In any case, considering *patronae* a genitive (so Fernández Martínez (1998-9), 109) is untenable. This would not only constitute a very abrupt change of subject – all the preceding verses focussed explicitly on Eucharis' many qualities – but a patron(ess) exhibiting *studium* towards one of his/her freedpersons seems unlikely. *Patronae* is thus with relative certainty a dative (compare, for example, with Cic. Fam. 10.2.1: “meum studium honori tuo [Planco]”).

patroness, who is mentioned for the first time (and in another context) only 8 verses later³⁰⁷. Moreover, many other inscriptions indicate that the praise, glory, honour, etc. of freedpersons did not by definition derive from (and were at any rate not restricted to) the association with a patron. The poem for a certain Junia (*Quinti liberta*), made by her husband Gemellus (*Luci libertus*), was dedicated entirely to the deceased, without her patron even being mentioned or alluded to³⁰⁸. She was a beautiful young girl (*formosa puella*), an *unavira*, and for all eternity the “pride of all chaste women” (*decus castarum*). Junia, in other words, derived her honour from her qualities as a pious wife, not a freedwoman.

Similarly, Valerius Aries’ *studium* and *cura* were directed towards the construction of his own funerary monument during his life, as he testifies in a very egocentric poem that does not reference his patron³⁰⁹. It were his own initiative and funds (*monumentum apsolvi et impensa mea*) that were responsible for making Aries one of the happy few who could safeguard their bones underneath an eternal testimony of character (*amica / tellus ut det ho(s)pitium ossibus quod omnes / rogant sed felices impetrant*). Aries deemed his zeal and care particularly honourable (*egregium*) and desirable (*cupiendum*), because the resulting monument would eventually become the ultimate sign of his innocence (*innocentis signum / est maximum*). The absence of his patron, moreover, is all the more conspicuous when Aries – at the end of the *carmen* – mentions that he had received the “light of freedom” (*lux libertatis*) at the very spot where now his monument is erected. Receiving freedom enabled this freedman to display the virtues of zealousness, honour, and innocence, but this acquisition is presented as a personal achievement, just like his many qualities derived not from his patron, but from his own innate character. Likewise, the parents of Ninnia Primilla may well have been ex-slaves, so she tells us herself in her epitaph, but they were of uncorrupted character (*sum li/bertinis ego nata parentibus ambis / pauperibus censu moribus ingenuis*)³¹⁰. The apologetic contrast between *libertinis* and *ingenuis* stands out conspicuously (as it did in Zosimus’ case³¹¹), but instead of originating from the connection with their patron, the moral excellence of Primilla’s parents is presented as an intrinsic quality. The innocence (*innocentia*) of Vesonius Phileros too, was the essential trait to which he owed his acquittal in the legal case against his “friend” Orfellius Faustus (mentioned earlier), but which was recorded in an

³⁰⁷ CLE 55 (= CIL 6, 10096): “h{e}ic viridis aetas cum floreret artibus / crescente et aevo gloriam conscenderet / properavit hora tristis fatalis mea (...)”.

³⁰⁸ CLE 1038 (= CIL 6, 14404).

³⁰⁹ CLE 89 (= CIL 6, 9632).

³¹⁰ CLE 1125 (= CIL 9, 3358).

³¹¹ Cf. notes 281 and 284 above: *libertinus* – *nobilis*.

inscription that focussed solely on his relation with this “friend”, entirely omitting his patroness Vesonia³¹².

Despite the existence of all these attestations of “independent” or “innate” virtues freedpersons (or their close relatives) described themselves with, Fabre’s argument continues with the assertion that the term *virtus* itself is attested in relation to ex-slaves neither in literary nor in epigraphic sources³¹³. It is well known indeed that elite literature avoided the term in such contexts, but once again, Fabre’s claim that this practice extended to the epigraphic realm is too rash³¹⁴. The epitaph for Pomponia Eleusis, for example, mentions the “remarkable virtue of her mind”, which had endowed her with glory (*Po/mponia Eleusis quae eximia / virtute animi peperit sibi laudem*)³¹⁵. According to Fabre, this is the only epitaph referencing the *virtus* of a freedperson³¹⁶. Not only is this claim factually incorrect (cf. infra), but he also sticks to his general thesis by downplaying the nature of this *virtus*. He argues that because it was Eleusis’ patron who had made the inscription, her virtue was reconfigured within this relationship. In fact, he reads in the inscription that the freedwoman had borne her patron six children, and that this was the reason for describing her as virtuous. Not only does this interpretation hinge entirely on the tentative restoration of a damaged passage at the beginning of the fifth line³¹⁷, but it also assumes that this origin of her *virtus* somehow made it qualitatively different from that of a freeborn person. The assumption, however, is nowhere qualified. In fact, freeborn persons similarly and explicitly derived *honor* and *laus* from “virtuously” begetting a family of their own that would subsequently increase the fame of their ancestors and clan³¹⁸.

But even if we are to follow Fabre on all these points, his overall argument definitely crumbles in the face of other inscriptions that describe freedpersons’ *virtus* outside of the patronage relation. Indeed, what about Tiberius Claudius Primus, who in a true

³¹² AE 1964, 160. The omission of Vesonia is again all the more conspicuous because she is the central figure in both the inscription and the group of statues that featured above this particular epitaph (cf. supra).

³¹³ Fabre (1981), 262: “Relevons d'ailleurs, que le mot *virtus* n'est jamais utilisé ni dans l'une ni dans les autres sources que nous venons de rappeler [i.e. funerary inscriptions and Cicero's works]”.

³¹⁴ McDonnell (2006) 159–60. Mouritsen (2011), 62 is more nuanced, making claims only for Cicero's letters of recommendation. Generalisations, as always, disregard those instances (exceptional as they may be) in which *virtus* was attributed to freedmen, e.g. Cic. Cat. 4.16: “[homines libertini] qui sua virtute fortunam huius civitatis consecuti”.

³¹⁵ AE 1968, 142.

³¹⁶ Fabre (1981), 262 note 500.

³¹⁷ He reads “Se]x sibi praemisit simili virtu[te] et amore”, but the editors of *L'Année épigraphique*, for example, restored it to “et sibi praemisit ...” (AE 1968, 54).

³¹⁸ E.g. CIL 6, 1293 (the poem on Gnaeus Cornelius Scipio Hispanus' sarcophagus): “Virtutes generis mieis moribus accumulavi, progeniem genui, facta patris petiei. Maiorum optenui laudem, ut sibi me esse creatum laetentur; stirpem nobilitavit honor”.

Bourdieuian sense, desired to “transubstantiate” some of his symbolic capital into economic capital, in order to provide his deceased wife with a more impressive tomb: “If I had as much wealth as virtue and good spirit, I would have built a splendid tomb for you here” (*si pro virtute et animo / fortunam habuissem magnificum mon=<u>I</u>men/tum hic aedificassem tibi*)³¹⁹. Similarly, Sextus Iulius Felicissimus was not only honest (*integer*), harmless (*innocuus*), and of pious mind (*pia mente*), but also empowered by his own virtue (*virtute potens*)³²⁰. Although the inscription was set up by his patron – judging by his name “Felix”, also a freedman – these qualities are not framed in this patronage relation at all. Instead, they are linked – much like Felicissimus’ glory (*gloria*), and the praise (*laus*) and love (*amor*) he received from the people (*populus*) – to his professional prowess as a beautiful arena fighter, bear hunter, and member of an association of *Iuvenes*³²¹.

In conclusion, the rigid exclusivity of certain terms, qualities, and virtues discernible in elite literature (Chapter 7) is considerably relaxed in the funerary realm, where freedpersons (and even their elite patrons) adopted “noble” descriptions, and reconfigured them to suit a non-elite context. This practice reveals a high degree of initiative and agency in identity formation and (self-)representation on the part of ex-slaves, but we should be careful not to construe any such endeavours as clear-cut attempts at presenting oneself as “noble” or “elite”, or, indeed, at awkwardly concealing loathed *libertinitas*. In fact, freed status or a subordinate position in a patronage relationship was never considered incompatible with the adaptation of “elite virtues”, and was, quite on the contrary, often highlighted in tandem. Moreover, on several occasions where such “elite virtues” were included, they were intended to mediate other identity dimensions that were manifestly non-elite (e.g. professional prowess). Rather than as attempts at “usurpation”, then, the practice should be considered as an expression of a dynamic process of social negotiation, in which even the elites themselves engaged – without transposing any such “proliferation” of elite exclusivity to their literary discourse. Indeed, as shown in Chapter 7, when Cicero called Dionysius a *vir bonus*, this expression was manifestly framed in a discursive context that allows even modern readers to detect its exceptional nature.

³¹⁹ CLE 204 (= CIL 6, 15225).

³²⁰ CLE 465 (= CIL 12, 533).

³²¹ For the *Iuvenes* associations, see Ginestet (1991); Kleijwegt (1994); Laes & Strubbe (2014), esp. 122–33. Le Glay (1990), 629–30 argued that very few freedmen were members of these associations, but the claim is only superficially supported. Kleijwegt, id., 79, noted that “slaves and freedmen have been attested in numbers large enough to doubt whether membership was restricted only to the elite”. See also Laes & Strubbe, id., 125.

In short, the analysis of freedman socialisation as attested in *carmina epigraphica* confirms several of the arguments made in previous chapters (e.g. libertination as social capital, the patronage relation as but one of the loci for the expression of freedmen self-appraisals, the servile past as an asset in accentuating social promotion, etc.). At the same time, it sheds light on freedmen's *bottom-up* attempts to secure a place for themselves in Rome's societal texture. Especially the latter observation constitutes a valuable complement and counterbalance to the impression obtained from either network embedded or detached literary sources. Although certainly not providing a transparent "window" on the beliefs and perceptions of freedmen, the inscribed poetry we inherited from this social group attests to the variety of strategies they had at their disposal to integrate any and every aspect of their identity – of which the servile past was but one of many options – in the display of their end-of-life achievements. As such, it does allow us to catch at least some glimpses of the "freedman's perspective".

General conclusions

Throughout academic enquiry, there has been a shift from a paradigm that saw freed status as a state of continued slavery to a general effort of revisiting the agency and relative independence of freedmen. Underlying both approaches, however, has been the tenacious assumption that freedmen carried a pervasive “stain” as a constant reminder of their moral inferiority when compared to *ingenui*. Whereas early freedmen studies typically framed this assumption in a discourse of racial impurity and xenophobic reflexes, much more recent analyses postulated the existence of an omnipresent moral “servile” stain in the minds of the elites, lawgivers, and freedmen alike, thereby equally appropriating a primarily elite point of view. Put differently, the abandonment of one orthodoxy has given rise to another one, as scholars sought a way to provide an alternative all-encompassing framework in which to situate and study the Roman freedman’s disabilities and restrictions. Indeed, it is no coincidence that the notion of a *macula servitutis* was elevated as the catch phrase *par excellence* for Roman freedmen in a study that aspired to provide a *general synthesis* of the social condition of ex-slaves in the Roman world.

In doing so, however, it made a significant methodological error. Surely, any modern study necessarily relies on labels and approaches to make and support an argument. Social capital, a Bourdieusian strategy of distinction, the public transcript of principled equality, or yet other theoretical notions used throughout this dissertation, are analytical concepts that do not claim to be more than just that: tools that provide a framework for interpretation, that in turn allow for an “emplotment” of the fragmented source material, but that can along every stage in the analysis be questioned, critiqued, and adjusted. The notion that an all-pervasive *macula servitutis* loomed large in the minds of both Roman elites and freedmen themselves, on the other hand, is structurally presented as the result of such an analytical process, rather than as a constituent of its underlying premise. The observation that the literal expression occurs in (a few) law texts is conveniently invoked to endow the claim with compelling authority, but our Chapter 2 unambiguously showed that it was in fact never the “tag” for the libertine

condition that it is often made out to be (as the overview of the arguments made in each separate chapter once more highlights, cf. *infra*).

The danger of “projection” is always present in historical research, whether by the theoretical framework employed, by implicit comparison with other historical periods (e.g. US slavery), or by too literal or exclusive a reading of inherently biased sources. The most profound problem arises when the analytic framework *itself* is heavily inspired by, or entirely based on, such biased sources. It is notoriously difficult to break out of the self-confirming and predetermined “logical loop” such a framework produces. Observations that do not fit within it, are reconfigured to match it nonetheless, resulting in a problematic skewing of ancient reality. Explaining the agency of freedmen in the private sphere by a “suspension of the servile stigma”, by freedmen’s personae being “subsumed” into that of their patrons, or by these freedmen “exceptionally transcending” their moral inferiority in such contexts, are interpretations based entirely on an unquestioned premise, of which the problematic nature becomes clear immediately by the almost mystical transformations it implies.

An essential attempt at deconstructing this framework was Petersen’s introduction of the notion “Trimalchio vision”, which analytically underpinned the often too easily ignored danger of using literary sources (and thus ideology) as a point of departure to analyse freedman socialisation. She argued that this framework tacitly encourages and condones “belittling or reductive comments about those outside elite circles”¹. Certainly, Petersen’s warning was but an acknowledgement of insights that were already present in earlier scholarship, but by explicitly having it run like a red thread throughout her study on freedman art, she rightly elevated it to the structural position of importance it is due. In spite of these efforts, however, modern studies are not quite “liberated from Trimalchio’s grip”, especially when it comes to identifying the underlying causes of their disabilities in both the private and the public sphere. This dissertation has argued that the monolithic view of the Roman freedman’s identity as inherently tainted by a moral inferiority is a particularly tenacious remnant of this “Trimalchio vision”, which has structurally escaped revision because of the (predetermined) studies and interpretations that at first sight seem to confirm it.

Surely, studies like that of Tran, Joshel, Carroll, and others – typically focussing on epigraphical rather than literary sources – have to some degree weakened the existence of any encompassing framework to situate (and study) Roman ex-slaves in. They all considered the funerary realm as indicative of the diverse strategies available to freedmen to construe alternative (“multiple”) identities. But even such approaches have as implicit point of departure that these strategies were instrumental primarily in

¹ Petersen (2006), 10.

mediating legal status, viz. the primary identity dimension that allegedly loomed large in all spheres of the freedman's private life. It comes as no surprise, then, that even these studies occasionally resort to a discourse of general stigmatisation as the background against which personal agency was always and inescapably accentuated². Because this preoccupation with legal status is very much an elite perspective, it can rightly be considered an expression of "Trimalchio vision". It is for that reason that this study focussed in many different ways on *libertinitas* as an asset, rather than as a liability that almost necessarily needed to be mediated or counterbalanced.

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Central to our endeavour was a constant appreciation of the distinction between "network embedded" sources and "detached" ones. The former – arguably more revealing of the everyday context in which the interaction between freed and freeborn took place – unmistakably elucidate the role of *libertinitas* in accentuating social capital, whereas the latter employed *libertinitas* primarily as a meta-narrative instrument in the attempt to accentuate elite exclusivity. It was observed repeatedly that arguments in favour of an all-encompassing servile stain derived either from a reductive focus on the latter source type, or from adopting an elite perspective by singling out freedmen as a literary category that is somehow representative for the lived experiences of freedmen in network embedded contexts.

Throughout this study, we therefore conceptualised a heuristic quadrant in which all sources on freedmen could be situated, and of which the axes indicate "authorship" and "readership" respectively. Most letters in the three letter collections we drew from, were written by the elites, and were originally intended for a very limited "in-group", although editorial intervention somewhat distorted this latter aspect (in various degrees). This interference was, however, much less outspoken in Cicero's correspondence, which was – if not more spontaneous – at the very least more "authentic" when compared to Pliny's (Chapter 3). Moreover, the letters were always intended to be read *qua* letters, and as such structurally differ from "detached" discourse. Besides its relative extensiveness and its large amount of freedmen attestations, these were our main reasons to focus in particular on Cicero's correspondence in Chapters 3, 4, and 5. In short, the "readership" dimension of these letters was their most attractive feature for our purpose. Evidently, the elite context ("authorship") in which they were written greatly determined the specific aspects of freedmen socialisation touched upon in these documents, which is why we did not so much focus on their actual content, but rather on their discursive rendering, and on the

² E.g. Joshel (1992), 32, 60, 134; Tran (2006), 125; Carroll (2006), 146, 242.

para-textual implications of, for example, libertinisation use (Chapter 4). In this sense also, our analysis greatly diverged from the ingrained habit of using Roman letters – or rather, some of the famous passages that have over time become a semi-canonical set of references – in a very isolated and scattered way to support highly specialised aspects of freedmen’s social, economic, or cultural life. As an alternative, our approach was much more “holistic”, treating the “epistolary freedman” (rather than any single individual manifestation) as the main subject of enquiry, and focussing in particular on the discursive strategies of representation.

Whereas letters were valuable particularly for the (private) “readership” aspect, but less for their (elite) “authorship” dimension, the exact opposite was true for our collection of metric epitaphs, which thus provided an opportunity to reconstruct the “freedman’s perspective” (Chapter 8). Composed as they were by freedmen (though certainly not in all cases), we were able to catch a glimpse of the identity dimensions freedmen themselves valued, and of the way they presented these. However, we repeatedly highlighted several caveats related to the fact that these *carmina* – like all epigraphic texts – were intended to appeal to a very wide range of readers, and thus strongly adhered to the “public transcript”. This limited the extent to which these texts could be seen as “true” or “authentic” reflections of real freedpersons’ opinions and thoughts, although the fact that they nonetheless originated from members of the lower strata made them a valuable complement to the letter corpora. Indeed, inscriptions may not give us a more authentic image of *the* freedman’s perspective, but monumental writing did constitute the arena in which *an* original appropriation, moulding, and stretching of conventions could take place. In short, although both letters and *carmina* were network embedded, they were also situated at the other end of each of our axes (“readership” and “authorship”).

Chapter 6 discussed the other two remaining combinations of “readership” and “authorship”. The works of Tacitus and Suetonius served as a representation of documents that were written from an elite perspective, and that were intended to be read by a broader audience. Once again, the novelty of our approach consisted in structurally analysing the “detached freedman” in a general way, rather than singling out isolated passages (although the latter was done on occasion to qualify certain trends of freedman representation). It was in particular the exhaustive prosopographical Table of freedmen in these works that facilitated this endeavour (Appendices 5 and 6). The final square of our quadrant would typically have contained documents that represented the freedman’s perspective (“authorship”), and that were written for a trusted in-group (“readership”). As is the case for any non-elite group in Roman society, however, such sources are particularly hard to come by. The most obvious and interesting examples would be letters written by freedmen, or attestations of freedmen’s “direct speech” in private contexts. But as we noted in a first section of Chapter 6, the only remnants of these (e.g. Charilas’ letter to Fronto, Timarchides’ letter

to Apronius, the direct speech of imperial freedmen in Tacitus' works, or Tiro's expression quoted by Cicero) are typically embedded in either elite letters or in detached discourse, which in both cases fundamentally re-contextualised their actual content and tone. Especially when compared with the other three quadrants – represented in this study by Cicero's letters (elite authorship – in-group readership), detached historical works (elite authorship – broad readership), and *carmina epigraphica* (“freed” authorship – broad readership) – this fourth one (“freed” authorship – in-group readership) thus necessarily remains underappreciated.

We accentuated throughout the study that all four fields in the quadrant (and the unique representations of freedmen that derive from each of them) provide different windows on the same ancient reality, and that any enquiry into freedmen socialisation that claims some kind of representative value has to consider and integrate all of them to a certain extent. Indeed, serious misconceptions (of which “Trimalchio vision” is a contextualised expression) result from (implicitly) approaching one quadrant through the “glasses” of another, or – and this is arguably the methodological fallacy of the *macula servitutis* framework – any quadrants through the “glasses” provided by only (or mainly) one of them. These observations are of course true for all historical studies, but they are especially relevant for freedmen studies, as this *macula* framework is a particularly troublesome instance of such reductive approach.

Besides Chapters 1 and 3 – expounding the general theoretical framework and highlighting, quantitatively and qualitatively, the role and function of freedmen in Roman correspondences – each Chapter of this dissertation adopted a unique perspective to rehabilitate the distinct importance of context (network embeddedness versus detachedness) and heuristic nature of our source material (the quadrant of “authorship” and “readership”) to establish to what extent a servile past impacted the lives of Roman freedmen.

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Chapter 2 presented in very general terms the central thesis of this dissertation, and introduced several arguments that would be elaborated upon in further detail throughout the subsequent chapters. Its main aim was to expound the entire *raison d'être* of this study, by highlighting both the pervasiveness of the *macula* framework, and the circular and predetermined analyses it occasionally facilitates in modern enquiry (2.1). A second section adopted an “emic” approach, by scrutinising the actual evidence for the claim that a “stain of slavery” was a notion that captured the freedman's condition in the ancient world (2.2). It concluded that neither the literary nor the epigraphic record contains any trace of this expression (or similar ones), and that on the very rare occasions where it is attested in law texts, it explicitly refers to the servile condition, without there being any insinuation that this taint would continue to exist after manumission. Evidently, the observation that ancient writers did not use

expressions like *macula servitutis*, *labes servitutis*, *naevus servitutis*, etc., does not *ipso facto* mean that the underlying social stigma did not exist. It is for that very reason that subsequent chapters embraced methodologies derived from critical discourse analysis to penetrate the sub-textual meanings of varied samples of literary and epigraphic source material.

In this second chapter in particular, this approach was foreshadowed by gauging the extent to which “stains” of any kind (including a “servile” one) could either be cleansed, or would remain as a perpetual mark on the individual thus tainted (2.3). Its preliminary conclusion was that even if a stigma was incurred (cases of prostitutes, Iunian Latins, corrupt commanders, *infames*, etc. were touched upon), it was never considered absolute or pertinent. In all these cases, there were clear-cut ways to (at least legally, but also socially) cleanse such marks – even if they were at least rhetorically related to slavery –, be it by the lapse of time, by exemplary behaviour, etc. Moreover, the fact that a *macula servitutis* is nowhere attested as an expression to capture the (legal) condition of freedmen, foreshadows the conclusions of Chapter 7, which argued that the notion of a “stratifying” or even “stigmatising” freedman discourse has no basis in our source material, and that it stems almost entirely from unquestioned assumptions related to the *macula* framework (cf. *infra*). The conclusion of this part of the chapter was that the expression “*macula servitutis*” is an arguably anachronistic misnomer, and that its use in modern studies as the common denominator for all freedmen’s social condition is not only symptomatic for its underlying assumptions, but that it is also in itself demonstrably misguided.

Another goal of this chapter was to assess the inconsistencies inherent in the *macula* framework (2.4). The central argument was that formal legal status always preceded and trumped any moral “stigma” as a stratifying tool. Formal punishments (e.g. *infamia*) or rewards (e.g. the *ius anulorum*) reveal that on the surface, privileges and restrictions could be artificially revoked or granted, but these interventions did not change the underlying legal status of the individuals in question³. The *macula servitutis* framework argues that it is an assumed *moral* inferiority – imposed on an entire *legal* class – that prevented freedmen from obtaining public office, and that this inferiority derived from servile treatment. However, people who were a priori qualified to enter the *ordo decurionum* were not prevented from doing so after an ostentatious servile treatment (flogging). Moreover, the explicit creation of the category of freed *dediticii* by Augustus would – by accentuating these individuals’ manifest servile treatment – at the same

³ Exceptions were, of course, the highly extraordinary measures of *restitutio natalium* or the *senatus consultum Claudianum* of 52 CE, which did in fact (artificially) change the legal status of their beneficiaries and victims respectively.

time distinguish them from the other categories of freedmen that were by definition *not* tainted in this manner (Iunian Latins and citizens *optimo iure*).

Much more in line with the nature of the disabilities of freedmen, it was argued, is the proposition that it was the patronage relationship that *de facto* or formally prevented freedmen from joining the army, obtaining public office, or that restricted their inheritance rights and limited the impact of their vote. Both these private and public restrictions thus resulted from a preoccupation with preventing freedmen from rising to positions where they could exert formal power over their former owners, especially in contexts where no legal framework existed that formally denied them access to either army or public office (i.e. prior to the *lex Visellia* of 24 CE). This centrality of the patronage relationship in the discourse and ideology related to freedmen has been recurrently accentuated throughout the subsequent chapters.

One of the most pervasive corollaries of the *macula* framework – although increasingly nuanced in recent studies – is the belief that libertination served as a stigmatising reminder to a freedman’s servile past, or to frame him in a position of “dependence” or even “inferiority” in relation to his patron. This ingrained assumption was revisited in Chapter 4, which centred around the discursive strategies Cicero and his correspondents employed to represent freedmen. As shown in section 4.2, this tacitly assumed notion looms large in the debates about epigraphic libertination (e.g. the assessment of the legal status of *incerti*, the assumption that adopted freedmen preferred filiation over libertination in their epitaphs, etc.). A more neutral explanation for the use of literary libertination was considered, viz. that its inclusion was a mere functional (“identifying”) habit of letter-writers, but it was observed (4.3) that this interpretation too does not account for the many instances where libertination was included in, for example, letters addressed to the freedman’s own patron, or letters that formed part of a wider exchange in which libertination had been consistently omitted. By adopting an explicitly holistic approach to the freedmen attestations in Cicero’s correspondence (facilitated by our prosopographical database in Appendix 2), we revealed a strong correlation – in both quantitative and qualitative terms – between libertination, a trust context, and a discursive connection to a patron. We first limited our scope by opting for a detailed case study of couriers and messengers (4.4.1-3), but later extrapolated the results to Cicero’s (and his correspondents’), as well as Pliny’s and Fronto’s use of libertination in general (4.4.4-5).

The main conclusion of the chapter was that *libertinitas* (and its discursive expression by the employment of libertination) was an inherent asset in the social practice of letter writing. It was one of the most effective means to accentuate trustworthiness and social capital, reflecting the crucial nodal function of freedmen in the networks of their patrons. This was a strategy eagerly employed in network embedded contexts, where spatial distance, misunderstanding, interception, or misinformation could have had

impactful repercussions on a trust network (4.3). This function of libertination can be occasionally discerned also in detached sources (6.3-4), although in these documents, the instrumentality of libertination in serving meta-narratives and processes of distinction features much more prominently (cf. *infra*). Finally, freedmen themselves benefited from the social capital and “network control” *libertinitas* reflected and generated (as guaranteeing trustworthiness in interactions with third parties), that is, if Timarchides’ practice of introducing himself as *accensus* (and thus *libertus*) of Verres in his letter to Apronius is any indication (cf. the overview of Chapter 6 below).

Chapter 5 elaborated on the previous one by arguing that the triadic intertwinement of libertination, trustworthiness, and a patronage relationship was not a stratifying or stigmatising tool (i.e. somehow framing the freedman in a perverse conundrum that indissolubly linked his paths to virtue to a perpetual subservience and surrender to “patronal guidance”), as it is often made out to be from a *macula servitutis* point of view. A first aim of the chapter was to confirm the observations made in the previous one (especially the existence of this triadic intertwinement) by focussing on the specific epistolary genre of recommendation. An underlying preoccupation throughout the chapter was to avoid the traditional pitfall of reading such letters through the “glasses” used to interpret the more detached meta-narratives (cf. *supra*). For example, the often tacitly assumed notion that freedmen recommendations differed *in essence* from recommendations of *ingenui* because they allegedly endorsed *essentially different people*, was nuanced by drawing attention to several problematic arguments that are often invoked in support of it. The assumption of a “specific set of virtues” (treated in further detail in Chapter 7) was briefly touched upon insofar as it related to letters of recommendation in particular (5.3.1), as was the assumption that “libertine” recommendations differed *structurally* from others (5.3.2). Neither argument was found to have compelling footing in the source material, and we suggested that the already considerable variation in the very limited amount of freedmen recommendations precludes any conclusion as to either the uniformity, or the uniqueness of freedman recommendations (i.e. when compared to recommendations of *ingenui*).

The main objective of the chapter, however, was to reassess the ingrained notion that accentuating *libertinitas* (and thus libertination) was the only way in which freedmen’s trustworthiness could be praised or recommended (cf. also Chapter 7). We dispelled this premise by fully appreciating the performative function of the letters (5.3.3). We noted that libertination was – especially in contexts of recommendation – a highly effective means to propagate social capital and trustworthiness because of its instrumentality in guaranteeing “dyadic” and “network” control. However, this close integration in the networks of a patron served a purpose very similar to the accentuation of upward ties in patronage relations between freeborn individuals, since social capital was an asset coveted by all social groups, regardless of their (legal) background. We observed how in

these latter instances too, the invocation of a vouching (pseudo-)patron served a very similar purpose as the mention of a freedman's patron. In neither of these cases was subservience or hierarchical inferiority considered a shameful trait – quite on the contrary. Moreover, when alternative identity dimensions (deemed more salient, appealing, or efficient than embeddedness in a patronage relation) were available to accentuate the virtue and value of a freedman, these were eagerly invoked, sometimes even rendering entirely redundant any focus on a patron (or at least greatly overshadowing his presence). In short, the patronage relationship provided recommendation writers with a very good argument in favour of a freedman's trustworthiness, but it was not the *only* possible argument, nor was this strategy used *solely* when recommending freedmen. Similarly, libertination was a pragmatic asset rather than a liability or stratifying “tool” in these highly network embedded contexts.

As noted earlier, Chapter 6 shifted attention towards two other fields in our heuristic quadrant. A first part focussed on the rare occasions where we can discern freedmen “speaking” for themselves (6.1). We briefly touched on the well-known fact that the very few extant products of freedmen's literary activity in no way shed any light on their authors' experiences as freedmen, or on the integration of their servile past in their identity formation as free men (6.1.1). Instead (and in sharp contrast with the situation in, for example, 19th century America), these documents typically adopt, reproduce, and thereby consolidate the slave-owners' discourse, thereby bearing remarkable testimony to the unparalleled possibilities of integration in Rome's societal texture available to ex-slaves, as well as to an essential socialisation strategy by which a position as (potential) master or patron is invoked to mediate one's own servile past (attested also in epigraphic sources, cf. Chapter 8). We expanded the scope to include attestations of freedmen's “direct speech” in elite literature, but concluded that – intriguing as these may be – they were always re-contextualised by the (elite) narrative in which they featured, and often served to rhetorically support the veracity of the author's claim (6.1.2). Nonetheless, especially the deconstruction of Timarchides' “letter” (noted above) showed how freedmen would draw from the very same para-textual strategies we observed in Cicero's correspondence, in order to advertise their own social capital (e.g. a self-representation as *accensus* or *libertus* to accentuate trustworthiness). In their personal correspondences too, then, *libertinitas* and a connection to a patron were considered an asset rather than a liability; something worth stressing rather than hiding (6.1.3). In short, the “speaking freedman” in elite literature clearly betrays socialising strategies also discerned in elite letters, but the distortion by either a meta-narrative of moral decay or an explicit (forensic) desire to incriminate the freedman in question greatly tarnished the representative value of these passages.

A more extensive second part of the chapter (6.2) therefore shifted attention from trying to recover the freedman's voice, to demonstrating in greater detail that the representation of ex-slaves by the Roman historians – often considered definite proof of a general servile taint on freedmen – was inspired mainly by such meta-narrative concerns. This section thus treated the field of our quadrant that contains “detached” elite sources (“authorship”) intended for wider dissemination (“readership”), which we defined earlier as documents that were produced and published in non-communicative and non-networking contexts. Their writers were typically less preoccupied with concerns related to potential repercussions on personal networks. As such, these texts much more profoundly allowed for the imposition of a meta-narrative, whereby interpretations of individual expressions of this social reality served to “naturalise” both a broader (“detached”) literary representation, and the stereotypes and ideological beliefs that underlie it. On a more pragmatic level, Tacitus and Suetonius were singled out as proxies because their narratives explicitly claimed veracity (whereas the extent to which, for example, satire writers were exaggerating, satirising, or “truthfully” representing reality is never made explicit). One of the essential novelties of this part of the chapter, was that it – like Chapters 4 and 5 – was based on an exhaustive database of freedmen mentions (Appendices 5 and 6), and as such again allowed for a “holistic” assessment of the discursive representation of freedmen in the historical narratives, rather than merely isolating passages to answer specific questions of freedman socialisation.

Two brief subsections provided a general overview of the amount and evaluation of freedmen in these works (6.2.2), and a comparison between the two authors in this regard (6.2.3). A very manifest communal feature was the focus on imperial freedmen, rather than on private ones (contrary to Cicero's correspondence). Closely related to this was the observation that especially these ex-slaves served as a template to condemn or praise respective emperors with, and that a meta-narrative of moral decay and decline of (senatorial) freedom under the emperors prompted an overall negative assessment (6.2.1). We observed how the contradictory nature of a freedman's obligations (respectful obedience to a patron and assertive exploitation of the *beneficium* of freedom and often citizenship) allowed the historians to single out the aspect of this condition that best suited their argument or narrative in each distinct context (6.2.4). It is no coincidence that the most recurrent attacks against freedmen centre around either their *ingratia* or their (perceived attempts at) usurpation, each of which is precisely the vice associated with (not adhering to) both of these respective obligations. The main conclusion of this section was that individual freedmen's character, behaviour, and actions were manifestly moulded and re-contextualised to suit the historian's pre-set agenda. Indeed, stripped from the structural emplotment imposed by the meta-narrative, the bare action statements that thus remain (as well as the function of, for instance, libertination and the patronage relationship by which they are discursively

rendered) are very much in line with the impression of freedman-patron interaction provided by embedded sources (6.3.1).

A final section of the chapter (6.4) focussed – by means of detailed case study – on a hitherto under-accentuated aspect of the literary representation of freedmen, viz. the use of *libertinus* instead of *libertus* to denote them. This earlier lack of attention was naturally due to the fact that *libertinus* only very exceptionally (twice) occurs in Cicero’s correspondence. The discussion confirmed the previous observation that the historians talk about the body of freedmen much more often than the letter-writers, precisely because they used it in a very general (“detached”) sense as the representation *par excellence* of moral decay and decline of freedom (and as accentuating them not only as a threat to the elites, but to the “natural order” of society at large). When the historians talk about *libertini*, they do not so much talk about individual freedmen in embedded contexts, but about a contextualised representation of an abstract category that suited both their attempts at distinction, and their meta-narrative of moral decay. Each *libertus*, in other words, was but an expression of the iconic template of the usurping *libertinus*, who was in turn a stereotype based essentially on the role *imperial* freedmen played in the household of their patron. Because of this connection, individual actions of freedmen were almost automatically reconfigured, leading to a vicious cycle of pejorative interpretation, that became more and more detached from empirical observation.

The main conclusion of the chapter, in short, was that derogative sneers to, and general condemnation of, freedmen were predetermined confirmations of an a priori established meta-narrative, which derived in essence from a rhetorical generalisation of individual cases of “usurping” or “morally depraved” imperial freedmen to the class of *libertini* as a whole. Such generalisations were in turn (and dialectically) instrumental in “recognising”, confirming, and “naturalising” this meta-narrative, by representing individual freedmen as an expression of this “general truth”. As a “detached” rhetorical practice, however, such generalisations should not be seen so much as indications of an all-pervasive and omnipresent moral deficiency a priori attributed to any freedman in contexts *outside* these meta-narratives, but rather as a literary tool that – much like the metaphor of slavery in general (cf. Chapter 2) – served to support the central theme of the author’s work.

Parallel to the previous focus on the use of libertination (Chapters 4-6), Chapter 7 again served primarily to nuance the notion of an all-pervasive belief that a moral taint remained indissolubly attached to the freedman after manumission, but this time by critically revisiting the thorny issue of a “specific set of virtues” to praise freedmen with, and the notion of a “freedman discourse” in more general terms. The assumption is one of the most tenacious tenets of the *macula* framework, and as such a particular pervasive one even in very recent scholarship, as several paragraphs in earlier chapters

already noted in passing. This tenaciousness derives from the expectation that moral inferiority has to be somehow discursively reflected. The unquestioned premise, however, regularly leads to both methodological and analytical flaws, as our explicit engagement with the recent works of Mouritsen and MacLean has revealed (7.1-2).

An initial attempt at reconfiguring the debate centred around the case study of Tiro's phrase *valetudini fideliter inserviendo* (7.3.1), and focussed primarily on the "language of slavery" the Cicerones allegedly used in their letters to Tiro. A second case study was Cicero's description of Dionysius in Att. 7.4.1 (7.3.2), which provided the framework for a discourse analytical approach that combined the methodologies proposed by Corpus Linguistics and "lexis selection" (7.3.2.1). Indeed, whereas in both 7.3.1 and in 7.3.2 the point of departure for an in-depth and quite extensive lexical analysis was an epistolary passage, the scope was now enlarged to include a representative sample of other literary genres as well. It singled out five virtues that have been almost unanimously considered as part of a traditional "libertine" praise. This assumption derives mainly from the discursive setting in which Cicero rendered them (i.e. in opposition with the typically "elevated" characterisation *bonus vir*), a setting which has barely ever received any critical assessment in its own right, as a consequence of the apparent confirmation it provides for the existence of a libertine set of virtues (and, *in extenso*, of an inherent taint on freedmen).

An essential point repeatedly raised throughout this chapter, however, is that the existence of a set of values reserved for the appraisal of *ingenui* (and especially high elites) does not *ipso facto* confirm the existence of contrasting and typically "libertine" virtues. The former was a proven strategy in these elites' attempts at distinguishing themselves – in a "Bourdieuian way" – from the "other", viz. by accentuating unique features (presented as) unattainable for sub-elites. The claim that it was directed solely against freedmen, is a result only of biased premises related to "servile inferiority", rather than of any structural comparison with sub-elite groups in general. We conceptualised one "path to glory" available only to the freeborn (elites), and another one that was more generally accessible to all strata of society (including these very elites, freedmen, and freeborn members of the lower classes). Unwarrantedly opposing these, and ignoring the similarities between freedmen and other lower classes by focussing solely on the former, may lead to the conclusion of a "distinct set of virtues" or a "freedman discourse", but such conclusion is highly predetermined.

We therefore ended the chapter by firmly embedding the conclusions of our lexical analysis (that neither a specific set of values, nor a distinct vocabulary or discourse was ever reserved solely or primarily for freedmen) in our theoretical framework of transcript theory (7.4). The section proposed the (at first sight paradoxical) symbiosis of a transcript of principled equality ("free men and citizens") with a discourse of distinction ("non-elites"), as a much more nuanced approach to freedman socialisation than the common denominator *macula servitutis* implies. It was argued that too strong

(and exclusive) a focus on detached literary sources disproportionately accentuated the second element (“distinction”), and that the *macula servitutis* framework moreover attributed these sneers to a presumed moral inferiority of all ex-slaves, instead of to a general preoccupation with the *discrimina ordinum* (and in particular the safeguarding of patronal rights).

Only when the freedman is isolated as an object of elite distinction (a particularly pervasive instance of “Trimalchio vision”) – without adequately realising that he is thereby “detached” from the network embedded context in which his actions and behaviour were fundamentally rooted – can the assumption of a specific discourse on freedmen be maintained. Such conclusions, however, typically suffer from the above mentioned fallacy of equating the existence of “elite virtues” with what is a priori assumed to be a logical consequence, namely the existence of “libertine” virtues. They ignore the fact that the former were a tool of general distinction, and that the latter were in fact virtues attributed to all kinds of people, regardless of legal status.

The eighth and final chapter focussed on a selection of *carmina epigraphica*, both centralising the “freedman’s perspective” and reiterating several of the arguments made in previous chapters. We extensively expounded the theoretical and methodological caveats related to the fact that epigraphy typically adhered to the public transcript (8.2), and that recurrent uncertainties regarding authorship of epitaphs often preclude straightforward conclusions about freedmen socialisation (8.3). By analytically separating three identity dimensions (*libertinitas*, family, and profession), we were able to assess both the relative importance of each (in extended verse epitaphs, that is), but also the ways in which they were often combined, depending on a variety of contextual factors (8.5.1). Section 8.5.2 focussed in particular on the accentuation of freed status by freedmen themselves (firmly taking into account potential skewing as a consequence of patronal authorship). We identified several ways in which this was done, each potentially providing insights into the reasons for a specific choice. Indeed, there are marked differences between, for instance, publicising freed status merely in a standardised *praescriptum* (by the abbreviation “L”), drawing attention to a fully spelled out *libertus* within a *carmen*, or explicitly elaborating on a servile past throughout several verses. We noted that the inclusion of explicit status markers like *libertus* or *patronus* were often (though certainly not exclusively) included in poems composed by the freedpersons’ patrons, whereas a more elaborate account of the reception of freedom or of general social promotion was accentuated primarily in epitaphs made by the freedpersons themselves. In these latter cases, moreover, patronal presence was downplayed (or entirely omitted) in order to focus on personal merit and achievement. Put differently, a connection to a patron was sometimes deemed worth stressing, but it was never considered the only option for publicising virtue. As such, these conclusions

were in line with the ones of Chapter 4 and 5 (i.e. the analyses of the other network embedded sources).

A corollary of these observations was that *libertinitas* itself was never an identity dimension that needed to be “hidden” as a consequence of a heartfelt “shame”. We noted – adopting a more statistical point of view – that familial relations or professional prowess did not serve to “compensate” or to draw attention away from freed status. Moreover, it was similarly argued that the omission of freed status in roughly two-thirds of our epitaphs was not so much a reflection of embarrassment, but rather of the limited salience of this identity dimension in the daily life of ex-slaves. Indeed, the same crooked logic would imply that occupation likewise was a source of shame (it is included on even fewer occasions than a reference to freed status). Such interpretations – as noted in greater detail in Chapter 2 – are a consequence of the adaptation of a typically “detached” elite perspective, and were as such structurally avoided throughout this chapter.

A third section (8.5.3) focussed in greater detail on the role that dedication and subservience to a patron played in a freedperson’s self-representation in metric epitaphs. As noted in Chapter 5 (to which this section is closely related), these identity dimensions have often been “recognised” by scholars as the primary virtues from which ex-slaves derived their sense of self, and via which they could aspire to glory otherwise denied by restrictions in public life. We observed, however, that in most cases where they were explicitly accentuated, it was a consequence of the patron being the dedicator. Moreover, these patrons had often been slaves themselves, confirming our earlier conclusion that conspicuously referencing (the loyalty of) one’s own dependents was an often resorted to strategy to compensate for one’s own subordination. In other words, these (freed) patrons thus imposed themselves as the protagonists of the inscriptions. Once again, we stumbled upon the vital necessity of accounting for authorship when analysing freedmen’s epitaphs. This is not to say that poems made by freedmen themselves as a rule omitted a reference to their patron. Indeed, and as noted above, this framework *could* provide the context for accentuating virtue. The essential point we made throughout this section, however, was that it was anything but the *only* one. It should be clear at any rate, that whenever a freedman or a patron chose to either mention or omit libertination or embeddedness in a patronage relation, it was not a consideration inspired by any kind of pervasive moral taint on ex-slaves. Instead, it was a result of the always contextual practice of assessing and balancing salient identity dimensions, which cannot be reduced to a monolithic model of “shame” or a “stain of slavery”. As such, this impression is very much in line with the central role of the patronage relation in the restrictions and disabilities in the freedman’s *public* life (cf. Chapter 2).

Section 8.6 focussed in more detail on the question whether there are traces in the epigraphic record of any generally held belief that freedmen suffered from a moral taint

in the eyes of society at large. It argued that freedmen employed a variety of strategies to endow their biography with a sense of continuity that transcended the mere legal rupture that was manumission. Freedmen gladly accentuated their servile past if it was instrumental in, for example, commemorating a particular bond of friendship that had its roots in slavery. On other occasions, a servile past was accentuated to draw attention to the social promotion that ensued from it. In yet other instances, references to a servile past were omitted entirely, focussing only on end-of-life achievements related to familial pride or occupational prowess. Allusions to one's region of origin (especially when combined with a mention that the deceased's body was returned to and buried in it) similarly had the effect of framing the life course in a narrative that downplayed the period of slavery or the impact of manumission, although we should be careful not to interpret this as a specific desire resulting from a "shameful memory". The great variety of strategies observed throughout this section (highlighted by the three case studies situated at the end of it), once more warned us against using monolithic models to interpret these representations, and highlight the contextual motivations in either including or omitting a reference to the servile past.

A final section (8.7) reiterated several points raised in Chapter 7, as it gauged to what extent any specific "discourse" or "set of virtues" is discernible in freepersons' metric epitaphs. Whereas Chapter 7 – focussing on elite literature – argued that a specific set of virtues was reserved for the elites, but that the existence of a status-related discourse of freedmen could not be concluded from this observation (quite on the contrary), this section focussed on the ways freedmen contextually and originally appropriated and mediated aspects of this "elite set of qualities". In doing so, it further nuanced the unwarranted isolation of freedmen as a social category that was discursively and rhetorically separated from the freeborn outside, which generally derives from a narrow focus on detached sources.

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In short, this study has focussed not so much on freedpersons *per se*, but rather on the concept of *libertinitas*, and on its instrumentality in the processes of identity formation and socialisation of ex-slaves. By adopting an outspoken focus on representation and discourse (as both reflecting and construing lived experience), it approached the subject matter from a point of view markedly different than a more traditional focus on social and legal hierarchies. As such, it deliberately avoided any attempt at construing yet another overarching model of either Roman society as a whole, or of "the" position of "the" freedman within it. In fact, scholars who have tried to establish such models have typically struggled with the question as to which place (wealthy) freedmen should occupy. Some models proposed a bipolar distinction between "elites" (typically the three highest *ordines*) and "non-elites", whereas others preferred a three-tier conception that usually postulates the existence of some kind of "middle class" in

between the “elites” and the lower *plebs*⁴. In all of them, however, the category of (wealthy) freedmen notoriously defied any attempt at rigid classification. Rather than assuming that such models should be used as a point of departure for analysis, our deliberate focus on representation and discourse was framed in a dynamic framework that situated any interaction between freed and freeborn on a scale with “principled equality” on the one hand, and “elite distinction” and “protection of patronal rights and dignity” on the other.

The interplay of these seemingly contradictory tendencies may come across as paradoxical at first, but it should be remembered that a very similar symbiosis marked the socialisation of the body of citizens in general terms. Indeed, this body was never homogenous and equal in every respect; equality (sharing a same “point of departure”) was never the same as equity (sharing a same “outcome”)⁵. Legal and ideological equality did not erase differences in rank, wealth, influence, ancestry, merit, etc., which were invoked by the discourse of distinction as factors justly mediating principled equality, and as such reflecting the “natural differences that are bound to exist between people”⁶. Or to paraphrase George Orwell: all citizens were equal, but some were more equal than others⁷.

Rather than yet another monolithic “orthodoxy”, the symbiosis of these three archetypical socialisation processes results in a dynamic interpretative perspective, which allows for contextual differentiation (as its application on our heuristic quadrant throughout this study has repeatedly revealed), but which, most importantly, presents itself as an analytical tool, rather than an ancient reality. As such, the flexibility and adaptability of this approach, it is argued, constitutes an improvement over the *macula servitutis* framework and its general imposition of the “stigma” or “moral taint” template on processes of freedmen socialisation in both the private and the public sphere.

⁴ Alföldy (1988) and Jongman (1988), esp. 279-91 are the most influential examples of the former model; Veyne (1961), 231 and Christ (1980), esp. 218ff of the latter.

⁵ Wiseman (1971), 65ff.

⁶ Koops (2013), 105. For the many different factors mediating social status, see e.g. Wikander (1993) (ancestry); Kühnert (1990) (class membership); Corbeill (2007) (education); Andreau (1982), 108; (1999), *passim* (e.g. p. 2); Finley (1973), 53-5 (financial and economic enterprise). For the assumed “natural differences between people”, see Cic. Rep. 1.53; Plin. Ep. 9.5.3. Cf. Wirszubski (1968), 1-2; Arena (2006); Mouritsen (2011), 66.

⁷ Orwell (1945), 126.

Bibliography

- ABEL, K. (1985), "Seneca: Leben und Leistung" in: *ANRW II* 32 (2), 653–775.
- ACHARD, G. (1973), "L'emploi de *boni, boni viri, boni cives* et de leurs formes superlatives dans l'action politique de Cicéron" in: *Les Études Classiques*, 41, 207-221.
- (1991), *La communication à Rome* (Paris).
- AJE, L. (2013), "Fugitive slave narratives and the (re)presentation of the self? The cases of Frederick Douglass and William" in: *L'Ordinaire des Amériques [online]*, 215.
- ALFÖLDY, G. (1984), *Römische Sozialgeschichte* (Wiesbaden).
- (1986) [1972], "Die Freilassung von Sklaven und die Struktur der Sklaverei in der römischen Kaiserzeit" in: *Die römische Gesellschaft. Ausgewählte Beiträge* (Stuttgart), 286-331.
- (1988), *The social history of Rome* (Baltimore).
- (2005), "Inschriften und Biographie in der römischen Welt" in: K. VÖSSING (ed.), *Biographie und Prosopographie (Historia Einzelschriften, 178)* (Stuttgart), 29-52.
- AL-KHALIFA, S. (2009), *Particularized and generalized trust: the indirect relationship of trust on economic development* (PhD thesis at Claremont Graduate University).
- ALLMER, A. and DISSARD, P. (1890), *Musée de Lyon. Inscriptions antiques, Vol. 3* (Lyon).
- AMERASINGHE, C.W. (1950), "The part of the slave in Terence's drama" in: *Greece & Rome*, 19 (56), 62-72.
- ANDREAU, J. (1982), "Brèves remarques sur les banques et le credit au 1er siècle av. J.-C" in: *Annali dell'istituto italiano di numismatica*, 29, 99-123.
- (1985), "Modernité économique et statut des manieurs d'argent" in: *Mélanges de l'École Française de Rome. Antiquité*, 97 (1), 373-410.
- (1987), *La vie financière dans le monde romain: les metiers de manieurs d'argent (IVE siècle av. J.-C. - IIIe siècle ap. J.-C.)* (Rome).
- (1993), "The freedman" in: A. GIARDINA (ed.), *The Romans* (Chicago), 175-198.
- (1999), *Banking and business in the Roman world* (Cambridge).
- (2009), "Freedmen in the Satyricon" in: J. PRAG and I. REPATH (eds.), *Petronius: a handbook* (Malden, Mass.), 114-124..
- ARENA, V. (2006), "*Liberti* and *libertas*: a call for civic freedom" in: M. KLEIJWEGT (ed.), *The faces of freedom. The manumission and emancipation of slaves in Old World and New World slavery* (Leiden), 71-88.
- ARNALDI, A., CASSIERI, N., and GREGORI, G.L. (2013), "Procuratele libertine in età adrianea e oltre. Nuovi documenti epigrafici da Gaeta (e non solo)" in: *Mediterraneo antico. Economie, società, culture*, 16 (1), 51-86.
- ARROW, K.J. (1974), *The limits of organization* (New York).
- (2000), "Observations on social capital" in: P. DASGUPTA and I. SERAGELDIN (eds.), *Social capital: a multifaceted perspective* (Washington), 3-5.
- ATKINSON, K.M.T (1966), "The purpose of the manumission laws of Augustus" in: *The Irish Jurist*, 1, 356-379.

- ATWOOD, T. (1972) [1791], *The history of the Island of Dominica* (London).
- AUBERT, J.-J. (1994), *Business managers in ancient Rome. A social and economic study of institores, 200 B.C - A.D. 250* (Leiden, New York, and Cologne).
- AUDOLLENT, A. (1904), *Defixionum tabellae quotquot innotuerunt tam in Graecis orientis quam in totius occidentis partibus praeteratticas in Corpore inscriptionum atticarum editas / collegit digessit commentario instruxit et proposuit Augustus Audolent* (Paris).
- AXTELL, H.L. (1915), "Men's names in the writings of Cicero" in: *Classical Philology*, 10 (4), 386-404.
- BADIAN, E. (1959), "The early career of Aulus Gabinius" in: *Philologus*, 103, 87-99.
- (1969), "Two Roman non-entities" in: *Classical Quarterly*, 19 (1), 198-204.
- (1972), *Publicans and sinners: private enterprise in the service of the Roman Republic* (Ithaca).
- (1989), "The scribae of the Roman republic" in: *Klio*, 71, 582-603.
- BALESTRI FUMAGALLI, M. (1985), *Lex Iunia de manumissionibus* (Milan).
- BALSDON, J.P. and GRIFFIN, M.T. (2003), "Tullius Cicero, Marcus" in: S. HORNBLLOWER and A. SPAWFORTH (eds.), *The Oxford Classical Dictionary* (New York), 1558-1560.
- BARBALET, J.M. (2001), *Emotion, social theory and social structure: a macrosociological approach* (Cambridge).
- BARCLAY, J.M.G. (1991), "Paul, Philemon and the dilemma of Christian slave ownership" in: *Journal for the Study of the New Testament*, 37, 161-186.
- BARROW, R.H. (1928), *Slavery in the Roman empire* (London).
- BASTOW, T. (2008), "Defence discourse II: a corpus perspective on routine and rhetoric in defence discourse" in: A. MAYR (ed.), *Language and power. An introduction to institutional discourse* (London), 138-162.
- BAUMAN, R.A. (1989), *Lawyers and politics in the early Roman Empire: a study of relations between the Roman jurists and the emperors from Augustus to Hadrian* (Munich).
- (1992), *Women and politics in ancient Rome* (London and New York).
- (1996), *Crime and punishment in ancient Rome* (London).
- BEARD, M. (2002), "Ciceronian correspondences: making a book out of letters" in: T.P. WISEMAN (ed.), *Classics in progress: essays on ancient Greece and Rome* (Oxford), 103-144.
- (2008), *Pompeii: the life of a Roman town* (London).
- BECKER, G. (1964), *Human capital* (New York).
- BELL, S. and RAMSBY, T.R. (eds.) (2012), *Free at last! The impact of freed slaves on the Roman Empire* (London).
- BENNER, H. (1987), *Die Politik des P. Clodius Pulcher* (Stuttgart).
- BÉRENGER-BADEL, A. (2000), "Les critères de compétence dans les lettres de recommandation de Fronton et de Pline le Jeune" in: *Revue des études latines*, 78, 164-179.
- BERGER, B.M. (1986), "Review essay: taste and domination" in: *American Journal of Sociology*, 91 (6), 1445-1453.
- BERNSTEIN, N.W. (2005), "Mourning the "puer delicatus": status inconsistency and the ethical value of fostering in Statius, "Silvae" 2.1" in: *The American Journal of Philology*, 126 (2), 257-280.
- BERRY, D.H. (2003), "Equester ordo tuus est. Did Cicero win his cases because of his support for the equites?" in: *The Classical Quarterly, New Series*, 53 (1), 222-234.
- BEST, E.E.Jr. (1965), "Attitudes toward literacy reflected in Petronius" in: *The Classical Journal*, 61, 2, 72-76.
- BIRLEY, A.R. (2000), *Onomasticon to the younger Pliny. Letters and Panegyric* (Munich).
- (2009), "The Agricola" in: A. J. WOODMAN (ed.), *The Cambridge Companion to Tacitus* (Cambridge), 47-58.
- BLÄNSDORF, J. (2001), "Zum Thema der Sklaverei in Ciceros Briefen" in: H. Bellen and H. Heinen (eds.), *Fünfzig Jahre Forschungen zur antiken Sklaverei an der Mainzer Akademie 1950-2000: Miscellanea zum Jubiläum* (Stuttgart), 447-456.
- BLASSINGAME, J. (1977), *Slave testimony: two centuries of letters, speeches, interviews, and autobiographies* (Baton Rouge).
- BLOOMER, W.M. (1997), *Latinity and literary society at Rome* (Philadelphia).

- BODEL, J.P. (1984), *Freedmen in the Satyricon of Petronius* (PhD thesis at University of Michigan).
- (1994), “Trimalchio’s underworld” in: J. TATUM (ed.), *The search for the ancient novel* (Baltimore), 237-259.
- (2001), “Epigraphy and the ancient historian” in: J. BODEL (ed.), *Epigraphic evidence: ancient history from inscriptions* (London), 1-56.
- (2008), “From columbaria to catacombs: collective burial in pagan and Christian Rome” in: L. BRINK and D. GREEN (eds.), *Commemorating the dead. Texts and artifacts in context* (Berlin), 177-242.
- BONNEVILLE J.-N. and DARDAINE, S. (1984), “Frugi: un cognomen et un qualificatif peu courants” in: *Revue des Études Anciennes*, 86 (1-4), 217-244.
- BOOTH, A.D. (1979), “The schooling of slaves in first-century Rome” in: *Transactions of the American Philological Association*, 109, 11-19.
- BORBONUS, D. (2014), *Columbarium tombs and collective identity in augustan Rome* (Cambridge and New York).
- BORNECQUE, H. (1898), *La prose métrique dans les lettres de Cicéron* (Paris).
- BORODITSKY, L. (2011), “How language shapes thought” in: *Scientific American*, 304 (2), 62-65.
- BORODITSKY, L. and GABY, A. (2010), “Remembrances of times East: absolute spatial representations of time in an Australian Aboriginal community” in: *Psychological Science*, 21, 1635-1639.
- BOSWELL, J.E. (1984), “Expositio and Oblatio: the abandonment of children and the ancient and medieval family” in: *The American Historical Review*, 89 (1), 10-33.
- BOULVERT, G. (1974), *Domestique et fonctionnaire sous le Haut-Empire romain: la condition de l'affranchi et de l'esclave du prince* (Paris).
- BOULVERT, G. and MORABITO, M. (1982), “Le droit de l’esclavage sous le Haut-Empire” in: H. TEMPORINI and W. HAASE (eds.), *ANRW*, 2 (14), 98-182.
- BOURDIEU, P. (1977) [1972], *Outline of a theory of practice* (Cambridge studies in social and cultural anthropology, 16, transl. R. Nice) (Cambridge).
- (1979), *La distinction. Critique sociale du jugement* (Paris).
- (1980), “The production of belief: contribution to an economy of symbolic goods” in: *Media, Culture, Society*, 2, 261-293.
- (1984), *Distinction: a social critique of the judgement of taste* (Cambridge, Mass.).
- (1987), *Choses dites* (Paris).
- (1989), “Social space and symbolic power” in: *Sociological Theory*, 7 (1), 14-25.
- (2000), *Pascalian meditations* (transl. R. Nice) (Stanford, Calif.).
- (2001), *Masculine Domination* (transl. R. Nice) (Cambridge).
- (2005) [1986], “The forms of capital” in: STEHR, N. and GRUNDMANN, R. (eds.), *Knowledge: critical concepts* (London), 93-111.
- BOURNE, E. (1916), “The epitaph of Allia Potestas” in: *Classical Weekly*, 9 (15), 114-116.
- BOWLES, S. and GINTIS, H. (2011), *A cooperative species. Human reciprocity and its evolution* (Princeton and Oxford).
- BOYCE, B. (1991), *The language of the freedmen in Petronius’ Cena Trimalchionis* (*Mnemosyne Supplementum*, 117) (Leiden).
- BRADLEY, K.R. (1987), *Slaves and masters in the Roman Empire. A study in social control* (New York).
- (1994), *Slavery and society at Rome* (Cambridge).
- (1995), “History and fiction: a review essay” in: *Classical Journal*, 90, 445-450.
- (1998), “Introduction” in: *Suetonius, Vol. I* (LCL, trans. J.C. Rolfe), 1-34.
- BRASSLOFF, S. (1932), “Manumissio post mortem?” in: *Hermes*, 67 (2), 241-243.
- BROCKMEYER, N. (1979), *Antike Sklaverei* (Darmstadt).
- BROUGHTON, T.R.S. (1952), *The magistrates of the Roman Republic. Vol. II: 99 B.C. - 31 B.C. (Philological monographs, 15 (1-2))* (New York).
- BRUNT, P.A. (1971), *Italian manpower, 225 B.C.-A.D. 14* (London).

- BRUUN, Ch. (2015), "Slaves and freed slaves" in: Ch. BRUUN and J. EDMONDSON (eds.), *The Oxford handbook of Roman epigraphy* (Oxford), 605–626.
- BÜCHELER, F. (1982) [1895–1930], *Anthologia Latina II: Carmina Latina Epigraphica*, 2 Vol. (Stuttgart).
- BÜCHNER, K. (1939), "M. Tullius Cicero (Tullius 29)" in: *Pauly's Realencyclopädie*, 7A, 827–1274.
- BUCKLAND, W.W. (1970) [1908], *The Roman law of slavery. The condition of the slave in private law from Augustus to Justinian* (Cambridge).
- BURAWOY, M. (2008), "Hegemony and symbolic domination: Gramsci meets Bourdieu (available at: burawoy.berkeley.edu/Bourdieu/Lecture%202.pdf, accessed 24 December 2015).
- BUSKENS, V. (2002), *Social networks and trust (Theory and Decision Library, Series C, 30)* (Dordrecht).
- BUSKENS, V. and RAUB, W. (2013), "Rational choice research on social dilemmas: embeddedness effects on trust" in: R. WITTEK, T. SNIJDERS, and V. NEE (eds.), *The handbook of rational choice social research* (Stanford), 113–150.
- BUSKENS, V., RAUB, W., and VAN DER VEER, J. (2009), "Embedded trust: an experiment on learning and control effects" in: M. PAOLUCCI (ed.), *Proceedings of the First International Conference on Reputation: Theory and Technology* (Gargonza).
- BUTLER, S. (2002), *The hand of Cicero* (London).
- BYRON, J. (2003), *Slavery metaphors in early Judaism and Pauline Christianity (Wissenschaftliche Untersuchungen zum Neuen Testament, 2, 162)* (Tübingen).
- CALDERINI, A. (1908), *La manomissione e la condizione dei liberti in Grecia* (Milan).
- CAMODECA, G. (2006), "Cittadinanza romana, Latini Iuniani e lex Aelia Sentia: alcuni nuovi dati dalla riedizione delle Tabulae Herculenses" in: L. LABRUNA (ed.), *Tradizione romanistica e costituzione* (Naples), 887–904.
- CARCOPINO, J. (1947), *Les Secrets de la correspondance de Cicéron*, 2 vol. (Paris).
- CARROLL, M. (2006), *Spirits of the dead. Roman funerary commemoration in Western Europe* (Oxford).
- (2007–2008), "Vox tua nempe mea est. Dialogues with the dead in Roman funerary commemoration" in: *Accordia Research Papers*, 11, 37–80.
- CELS, D. (1972), "Les esclaves dans les 'Verrines'" in: *Actes du Colloque 1971 sur l'esclavage* (Paris), 175–192.
- CELS-SAINT-HILAIRE, J. (1985), "Les libertini: des mots et des choses" in: *Dialogues d'histoire ancienne*, 11, 330–379.
- CENERINI, F. (2014), "La rappresentazione epigrafica della bellezza femminile in età romana" in: M.F. PETRACCIA (ed.), *Dadi, fratture e vecchi belletti. Tra storia antica e medicina moderna. Atti della giornata di studio* (Geneva), 93–103.
- CHAMPLIN, E. (1980), *Fronto and Antonine Rome* (Cambridge, Mass.).
- (2005), "Phaedrus the fabulous" in: *Journal of Roman Studies* (95), 97–123.
- CHANTRAINE, H. (1967), *Freigelassene und Sklaven im Dienst der römischen Kaiser. Studien zu ihrer Nomenklatur* (Wiesbaden).
- CHODODNIAK, J. (1904), *Carmina sepulcralia Latina epigraphica* (Saint Petersburg).
- CHRIST, K. (1980), "Grundfragen der römischen Sozialstruktur" in: W. ECK, H. GALSTERER, and H. WOLFF (eds.), *Studien zur antiken Sozialgeschichte. Festschrift Friedrich Vittinghoff* (Cologne and Vienna), 197–228.
- CHRISTES, J. (1979a), *Sklaven und Freigelassene als Grammatiker und Philologen im antiken Rom* (Darmstadt).
- (1979b), "Reflexe erlebter Unfreiheit in den Sentenzen des Publilius Syrus und den Fabeln des Phaedrus: Zur Problematik ihrer Verifizierung" in: *Hermes*, 107 (2), 199–220.
- CHURCH, F.F. (1978), "Rhetorical structure and design in Paul's letter to Philemon" in: *Harvard Theological Review*, 71, 17–33.
- CLARKE, J.R. (2003), *Art in the lives of ordinary Romans: visual representation and non-elite viewers in Italy, 100 B.C.-A.D. 315* (Berkeley).
- CLASSEN, C.J. (1988), "Tacitus: historian between Republic and Principate" in: *Mnemosyne*, 41 (1/2), 93–116.

- CLAVEL-LÉVÊQUE, M. (1976), "Les rapports esclavagistes dans l'idéologie et la pratique politique de Cicéron: leurs représentations et leur fonctionnement d'après la correspondance des années 50-49 avant notre ère" in: *Texte, politique, idéologie: Cicéron (Annales littéraires de l'université de Besançon, 187)* (Paris), 235-302.
- COLAFRANCESCO, P., MASSARO, M., and RICCI, M.L. (eds.) (1986), *Concordanze dei carmina latina epigraphica* (Bari).
- COLEMAN, J.S. (1988), "Social capital in the creation of human capital" in: *American Journal of Sociology*, 94 (Supplement: organizations and institutions: sociological and economic approaches to the analysis of social structure), S95-S120.
- (1990), *Foundations of social theory* (Cambridge, Mass.).
- COMBES, I.A.H. (1998), *The metaphor of slavery in the writings of the early Church: from the New Testament to the beginning of the fifth century (Journal for the study of the New Testament Supplement Series, 156)* (Sheffield).
- CONLEY, J. and O'BARR, W. (1998), *Just words* (Chicago).
- CONSTANS, L.A. (1914), "Les jardins d'Épaphrodite" in: *Mélanges d'archéologie et d'histoire*, 34 (1), 383-387.
- (1921), *Un correspondant de Cicéron: Ap. Claudius Pulcher* (Paris).
- (1935), *Cicéron. Correspondance. Tome II: Lettres LVI-CXXI* (Paris).
- COOK, K.S. (ed.) (2003), *Trust in society* (New York).
- COOKE, M. (1994), *Language and reason: a study of Habermas's pragmatics* (London).
- CORBEILL, A. (2007), "Rhetorical education and social reproduction in the Republic and Early Empire" in: W. DOMINIK and J. HALL (eds.), *A companion to Roman rhetoric* (Malden, Mass.), 69-82.
- CORBIER, M. (2008), "Famille et intégration sociale: la trajectoire des affranchi(e)s" in: A. GONZALES (ed.), *La fin du statut servile? Affranchissement, libération, abolition* (Besançon), 313-327.
- COTTON, H.M. (1977), *Letters of recommendation: Cicero-Fronto* (PhD thesis at University of Oxford).
- (1985), "Mirificum genus commendationis: Cicero and the Latin letter of recommendation" in: *The American Journal of Philology*, 106 (3), 328-334.
- (1986), "The role of Cicero's letters of recommendation: 'iustitia versus gratia?'" in: *Hermes*, 114 (4), 443-460.
- (2014), "The evolution of the so-called provincial law, or: Cicero's letters of recommendation and private international law in the roman world" in: G. DE KLEIJN and S. BENOIST (eds.), *Integration in Rome and in the Roman World (Impact of Empire Series, 17)* (Leiden), 43-55.
- COURRIER, C. (2014), *La plèbe de Rome et sa culture (fin du IIe siècle av. J.-C. - fin du Ier siècle ap. J.-C.) (Bibliothèque des Écoles françaises d'Athènes et de Rome, 353)* (Rome).
- COURTNEY, E. (1995), *Musa lapidaria: a selection of Latin verse inscriptions (American classical studies, 36)* (Atlanta).
- CRAWFORD, M.H. (1996), *Roman Statutes (BICS Supplement, 64)* (London).
- CROCKER, J., MAJOR, B., and STEELE, C. (1998), "Social stigma" in: D.T. GILBERT and S.T. FISKE (eds.), *The handbook of social psychology* (Boston), 2, 504-553.
- CROOK, Z.A. (2004), *Reconceptualising conversion: patronage, loyalty, and conversion in the religions of the ancient Mediterranean (Beihefte zur Zeitschrift für die neutestamentliche Wissenschaft und die Kunde der älteren Kirche, 130)* (Berlin-New York).
- CRUMLEY, J.J. (1904), *On the social standing of freedmen as indicated in the Latin writers* (PhD thesis at Johns Hopkins University).
- CUGUSI, P. (1983), *Evoluzione e forme dell'epistolografia latina: nella tarda repubblica e nei primi due secoli dell'impero* (Rome).
- (1996), *Aspetti letterari dei 'carmina Latina epigraphica'* (Bologna).
- (2007), *Per un nuovo corpus dei carmina Latina epigraphica. Materiali e discussioni, con un'appendice sul Lusur anfibologico sugli idionimi* (Rome).
- DAMON, C. (1992), "Sex. Cloelius, Scriba" in: *Harvard Studies in Classical Philology*, 94, 227-250.
- (1997), *The mask of the parasite: a pathology of Roman patronage* (Ann Arbor).

- D'ARMS, J.H. (1970), *Romans on the Bay of Naples. A social and cultural study of the villas and their owners from 150 B.C. to A.D. 400* (Cambridge, Mass.).
- (1974), "Puteoli in the second century of the Roman Empire: a social and economic study" in: *Journal of Roman Studies*, 64, 104-124.
- (1981), *Commerce and social standing in ancient Rome* (Cambridge, Mass.).
- DASGUPTA, P. and SERAGELDIN, I. (eds.) (2000), *Social capital: a multi-faceted perspective* (Washington).
- DAUBIGNEY, A. (1976), "Contribution à l'étude de l'esclavagisme: la propriété chez Cicéron" in: *Texte, politique, idéologie: Cicéron (Annales littéraires de l'université de Besançon, 187)* (Paris), 13-72.
- DAVIES, G. (2010), "Viewer, I married him: marriage and the freedwoman in Rome" in: L.L. LOVÉN and A. STROMBERG (eds.), *Ancient marriage in myth and reality* (Cambridge), 184-203.
- DEMAILLE, J. (2008), "Les P. Anthestii: une famille d'affranchis dans l'élite municipale de la colonie romaine de Dion" in: A. GONZALES (ed.), *La fin du statut servile? Affranchissement, Libération, Abolition. (XXXe colloque du GIREA)* (Besançon), 185-202.
- DEMOUGIN, S. (1984), "De l'esclavage à l'anneau d'or du chevalier" in: C. NICOLET (ed.), *Des ordres à Rome* (Paris), 217-241.
- DEN BOER, W. (1979), *Private morality in Greece and Rome: some historical aspects* (Leiden).
- DEN HOLLANDER, W. (2014), *Josephus, the emperors, and the city of Rome: from hostage to historian. (Ancient Judaism and Early Christianity, 86)* (Leiden).
- DENIAUX, E. (1993), *Clientèles et pouvoir à l'époque de Cicéron (Publications de l'École française de Rome, 182)* (Rome).
- DENZAU, A.T. and NORTH, D.C. (1994), "Shared mental models: ideologies and institutions" in: *Kyklos*, 47 (1), 3-31.
- DERRIDA, J. (1967), *L'écriture et la différence* (Paris).
- DESCLOS, M.-L. (2000), *Le rire des Grecs: anthropologie du rire en Grèce ancienne* (Grenoble).
- DE SOUSA, D. (1990), *The rationality of emotion* (Cambridge, Mass.).
- DEVILLERS, O. (2007), "Le projet de Tacite en écrivant l'*Agricola*" in: M. LEDENTU (ed.), *Parole, media, pouvoir dans l'Occident romain: hommages offerts au professeur Guy Achard* (Paris).
- DEVINE, A. M. and STEPHENS, L. D. (2006), *Latin word order: structured meaning and information* (Oxford).
- DE VOS, C.S. (2001), "Once a slave, always a slave? Slavery, manumission and relational patterns in Paul's letter to Philemon" in: *Journal for the Study of the New Testament*, 82, 89-105.
- DEXHEIMER, D. (2000), "Portrait figures on funerary altars of Roman *liberti* in Northern Italy: romanization or the assimilation of attributes characterising high social strata?" in: J. PEARCE, M. MILLETT, and M. STRUCK (eds.), *Burial, society and context in the Roman world* (Oxford), 78-84.
- DICKIE, M.W. (2001), *Magic and magicians in the Greco-Roman world* (London).
- DICKISON, S.K. and HALLETT, J.P. (2015), *A Roman women reader. Selections from the second century BCE through the second century CE* (Mundelein).
- DIMAGGIO, P. (1979), "Review Essay: On Pierre Bourdieu" in: *American Journal of Sociology*, 84 (6), 1460-1474.
- DIXON, S. (1992), *The Roman family* (Baltimore and London).
- DRUMANN, W. and GROEBE, P. (1929), *Geschichte Roms in seinem Übergange von der republikanischen zur monarchischen Verfassung* (Leipzig).
- DRUMMOND, A. (1989), "Early Roman clientes" in: A. WALLACE-HADRILL (ed.), *Patronage in ancient society* (London), 89-116.
- DUCOEUR-JOLY, S.J. (1802), *Manuel des habitants de Saint-Domingue, suivi du premier vocabulaire français-créole*, Vol. II (Paris).
- DUCOS, M. (1977) "La liberté chez Tacite: droits de l'individu ou conduite individuelle?" in: *Bulletin de l'Association Guillaume Budé*, 2, 194-217.
- (1990), "La condition des acteurs à Rome. Données juridiques et sociales" in: J. BLÄNSDORF (ed.), *Theater und Gesellschaft im Imperium Romanum* (Tübingen), 19-33.
- DUFF, A.M. (1958) [1928], *Freedmen in the early Roman empire* (Oxford).

- DUMONT, J.-Ch. (1987), *Servus. Rome et l'esclavage sous la république* (Collection de l'École française de Rome, 103) (Rome).
- DUNN, J.D.G. (1996), *The epistles to the Colossians and to Philemon: a commentary on the Greek Text (NIGTC Series)* (Grand Rapids, Mich.).
- DURKHEIM, E. (1970) [1897], "La conception materialiste de l'histoire" in: J.-F. FILLOUX (ed.), *La science sociale et l'action* (Paris), 245-252.
- (2013) [1893], *De la division du travail social* (Paris).
- DYCK, A.R. (ed.) (2010), *Cicero: "Pro Sexto Roscio"* (Cambridge Greek and Latin Classics) (Cambridge and New York).
- ECK, W. (1976), "Nero's Freigelassener Epaphroditus und die Aufdeckung der pisonischen Verschwörung" in: *Historia*, 25, 381-384.
- ECK, W. and HEINRICH, J. (1993), *Sklaven und Freigelassene in der Gesellschaft der römischen Kaiserzeit* (Darmstadt).
- ECO, U. (1976), *A theory of semiotics* (Bloomington).
- EDWARDS, C. (1994), "Beware of imitations: theatre and the subversion of Imperial identity" in: J. ELSNER and J. MASTERS (eds.), *Reflections of Nero. Culture, history, and representation* (Chapel Hill and London), 83-97.
- (1997), "Unspeakable professions: public performance and prostitution in ancient Rome" in: J.P. HALLETT and M.B. SKINNER (eds.), *Roman sexualities*. (Princeton), 66-95.
- (2008), *Lives of the Caesars* (Oxford).
- ELEFANTE, M. (1985), "Un caso di defixio nella necropoli pompeiana di Porta Nocera?" in: *Parola del Passato*, 40, 431-443.
- EMERSON, R.M. (1976), "Social exchange theory" in: *Annual Review of Sociology*, 2, 335-362.
- EVANS-GRUBBS, J. (2002), *Women and the law in the Roman Empire: a sourcebook on marriage, divorce and widowhood* (London).
- FABRE, G. (1981), *Libertus. Recherches sur les rapports patron-affranchi à la fin de la république romaine* (Rome).
- FAIRCLOUGH, N. (1995), *Critical discourse analysis: the critical study of language* (London and New York).
- (2003), *Analysing discourse: textual analysis for social research* (London and New York).
- (2013), *Language and power* (London and New York).
- FELDHERR, A. (2007), "The intellectual climate" in: M.B. SKINNER (ed.), *A companion to Catullus* (Malden, Mass.), 92-110.
- FELE, M.L. (ed.) (1988), *Concordantiae in carmina latina epigraphica*, 2 Vol. (Hildesheim).
- FELTOVICH, A. (2015), "The many shapes of sisterhood in Roman comedy" in: D. DUTSCH, S.L. JAMES, and D. KONSTAN (eds.), *Women in Roman Republican drama* (Madison), 128-154.
- FERGUSON, J. (1958), *Moral values in the ancient world* (London).
- FERNÁNDEZ MARTÍNEZ, C. (1998-1999), *Poesía epigráfica latina* (Madrid).
- FIELD, J. (2008), *Social capital* (London).
- FINLEY, M.I. (1973), *The ancient economy* (Berkeley).
- (1980), *Ancient slavery and modern ideology* (London).
- FITZGERALD, W. (2000), *Slavery and the Roman literary imagination* (Cambridge).
- FLEISCHMANN, U. (2005), "Black culture, white discourse and Creole history: a study on interpretations of American slavery" (www.larramendi.es/i18n/consulta/registro.cmd?id=1139).
- FORSYTHE, G. (1994), *The historian L. Calpurnius Piso Frugi and the Roman annalistic tradition* (Lanham, MD).
- (2007), "The army and centuriate organization in early Rome" in: P. ERDKAMP (ed.), *A companion to the Roman army* (Malden, Mass.), 24-41.
- FOUCAULT, M. (1972a), "The discourse on language" in: M. FOUCAULT, *The archaeology of knowledge and the discourse on language* (trans. A.M. Sheridan Smith) (New York), 215-237.

- (1972b), *The archaeology of knowledge and the discourse on language* (trans. A.M. Sheridan Smith) (New York).
- (1973), *Madness and civilization: a history of insanity in the age of reason* (trans. R. Howard) (New York).
- (1977), *Discipline and punish: the birth of the prison* (trans. A.M. Sheridan Smith) (New York).
- (1984), “The order of discourse” in: M. SHAPIRO (ed.), *Language and politics* (New York), 108-138.
- FRANK, T. (1916), “Race mixture in the Roman Empire” in: *American Historical Review*, 21, 689-708.
- FREDERIKSEN, M.W. (1959), “Republican Capua: a social and economic study” in: *Papers of the British School at Rome*, 27, 80-130.
- FREDOUILLE, J.-C. (1984), *Tertullien. De la patience. Introduction, texte critique, traduction et commentaire (Sources Chrétiennes, 310)* (Paris).
- FREISENBRUCH, A.G. (2004), *The correspondence of Marcus Cornelius Fronto* (Ph.D. thesis at Cambridge University).
- FRIER, B.W. and KEHOE, D. (2007), “Law and economic institutions” in: W. SCHEIDEL, I. MORRIS, and R.P. SALLER (eds.), *The Cambridge Economic History of the Greco-Roman World* (Cambridge and New York), 113-143.
- FUKUYAMA, F. (1995), *Trust* (New York).
- GABBA, E. (1994), *Italia romana (Biblioteca di Athenaeum, 25)* (Como).
- GAGER J.G. (ed.) (1992), *Curse tablets and binding spells from the ancient world* (New York).
- GAGLIARDI, L. (2011), *Cesare, Pompeo e la lotta per le magistrature: anni 52-50 A.C.* (Milan).
- GALLETIER, E. (1922a), *Étude sur la poésie funéraire romaine d’après les inscriptions* (Paris).
- (1922b), “Notes sur deux inscriptions funéraires” in: *Revue des Études Anciennes*, 24 (4), 293-302.
- GALVAO-SOBRINHO, C.R. (2012), “Feasting the dead together: household burials and the social strategies of slaves and freed persons in the early principate” in: S. BELL and T. RAMSBY (eds.), *Free at last! The impact of freed slaves on the Roman empire* (London), 130-176.
- GAMBETTA, D. (1988), “Can we trust trust?” in: D. GAMBETTA (ed.), *Trust: making and breaking cooperative relations* (Oxford), 213-237.
- GARDNER, J.F. (1989), “The adoption of Roman freedmen” in: *Phoenix*, 43 (3), 236-257.
- (1993), *Being a Roman citizen* (London and New York).
- (1998), *Family and familia in Roman law and life* (Oxford).
- GARDNER, J.F. and WIEDEMANN, T. (1991), *The Roman household: a sourcebook* (London and New York).
- GARNSEY, P. (1970), *Social status and legal privilege in the Roman empire* (Oxford).
- (1981), “Independent freedmen and the economy of Roman Italy under the Principate” in: *Klio*, 63, 359-371
- (1996), *Ideas of slavery from Aristotle to Augustine* (Cambridge).
- GARNSEY, P. and WOOLF, G. (1989), “Patronage of the rural poor in the Roman world” in: A. WALLACE-HADRILL (ed.), *Patronage in ancient society* (London), 153-170.
- GARTON, C. (1972), *Personal aspects of the Roman theatre* (Toronto).
- GASCOU, J. (1984), “La carrière de Marcus Caelius Phileros” in: *Antiquités africaines*, 20, 105-120.
- GEORGE, M. (2005), “Family imagery and family values in Roman Italy” in: M. GEORGE (ed.), *The Roman family in the Empire: Rome, Italy and beyond* (Oxford and New York), 37-66.
- GIBBS, J.G. and FELDMAN, L.H. (1986), “Josephus’ vocabulary for slavery” in: *The Jewish Quarterly Review, New Series*, 76 (4), 281-310.
- GILL, C. (1973), “The sexual episodes in the Satyricon” in: *Classical Philology*, 68 (3), 172-185.
- GINESTET, P. (1991), *Les organisations de la jeunesse dans l’Occident romain* (Brussels).
- GINSBURG, J. (2006), *Representing Agrippina: constructions of female power in the early Roman Empire* (Oxford).
- GITTELL, R. and VIDAL, A. (1998), *Community organizing: building social capital as a development strategy* (Thousand Oaks, Calif.).
- GIUGNI, M., MCADAM, D., and TILLY, CH. (eds.) (1998), *From contention to democracy* (Lanham).
- GLAESER, E.L., LAIBSON, D., SCHEINKMAN, J.A., and SOUTTER, CH.L. (1999), “What is social capital? The determinants of trust and trustworthiness” (working paper accessible through the digital

- portal of the Department of Economics of Harvard University at <http://scholar.harvard.edu/glaeser/publications>).
- GLOYN, L. (2012), “She’s only a bird in a gilded cage: freedwomen at Trimalchio’s dinner party” in: *Classical Quarterly* 62 (1), 260-280.
- GNOLI, T. (2003), “CIL XI 137: considerazioni per la conservazione e la valorizzazione del patrimonio epigrafico ravennate” in: *Quaderni di scienza della conservazione*, 3, 165-175.
- (2006), “C. Iulius Mygdonius. Un Parto a Ravenna” in: A. PANAINO and A. PIRAS (eds.), *Proceedings of the 5th Conference of the Societas Iranologica Europaea. Vol. I: Ancient & Middle Iranian Studies* (Milan), 461-470.
- GOFFMAN, E. (1963), *Stigma* (London).
- GOLDEN, M. (1988), “Did the ancients care when their children died?” in: *Greece & Rome*, 35, 152-163.
- GOODIN, R.E. (1980), *Manipulatory politics* (New Haven).
- GOODRICH, J.K. (2012), *Paul as an administrator of God in 1 Corinthians* (Society for New Testament Studies Monograph Series, 152) (Cambridge).
- GOODYEAR, F.R.D. (1987), “Rhetoric and scholarship: Fronto” in: KENNEY, E.J. (ed.), *Cambridge History of Classical Literature 2: Latin Literature* (Cambridge), 676-678.
- GORDON, M.L. (1931), “The freedman's son in municipal life” in: *Journal of Roman Studies*, 21, 65-77.
- GRAF, F. (1997), *Magic in the ancient world* (transl. Franklin Philip) (Cambridge, MA).
- GRAMLING, R. and FORSYTH, C.J. (1987), “Exploiting stigma” in: *Sociological Forum*, 2 (2), 401-415.
- GRAMSCI, A. (1971), *Selections from the prison notebooks* (New York).
- GRANOVETTER, M. (1973), “The strength of weak ties” in: *American Journal of Sociology*, 78, 1360-1380.
- (1985), “Economic action and social structure: the problem of embeddedness” in: *American Journal of Sociology*, 91, 481-510.
- GREEN, S.L. (2002), “Rational choice theory: an overview” (Paper presented at the Baylor University Faculty Development Seminar on Rational Choice Theory in May 2002).
- GREENIDGE, A.J.H. (1894), *Infamia: its place in Roman public and private law* (Oxford).
- GREGORI, G.L. (2014), “Ancora sull’iscrizione dell’atestino Marco Billieno, veterano di Azio (CIL, V 2501 = ILS 2243)” in: M. CHIABÀ (ed.), *HOC QVOQVE LABORIS PRAEMIVM. Scritti in onore di Gino Bandelli* (Trieste), 205-218.
- GRIFFIN, M.T. (1984), *Nero: the end of a dynasty* (London).
- (2009), “Tacitus as a historian” in: A.J. WOODMAN (ed.), *The Cambridge companion to Tacitus* (Cambridge), 168-183.
- GRUEN, E.S. (1973), “The trial of C. Antonius” in: *Latomus*, 32, 301-310.
- (1982), “Greek *pistis* and Roman *fides*” in: *Athenaeum*, 60, 50-68.
- GUNDERSON, E. (2007), “S. V. B.; E. V.” in: *Classical Antiquity*, 26, 1-48.
- GÜNTHER, H.-C. (ed.) (2013), *Brill's companion to Horace* (Leiden and Boston).
- GURD, S. (2007), “Cicero and editorial revision” in: *Classical Antiquity*, 26 (1), 49-80.
- GURLITT, L. (1879), *De M. Tulli Ciceronis epistulis earumque pristina collectione* (Göttingen).
- HABINEK, T.N. (1998), *The politics of Latin literature* (Princeton).
- HAINES, C.R. (trans.) (1929), *Fronto. Correspondence* (LCL), 2 vol (Cambridge).
- HALEY, E.W. (1986), “Suetonius ‘Claudius’ 24,1 and the sons of freedmen” in: *Historia*, 35 (1), 115-121.
- HALL, J. (1994), “Persuasive design in Cicero's ‘De Oratore’” in: *Phoenix*, 48 (3), 210-225.
- (2009), *Politeness and politics in Cicero's letters* (Oxford and New York).
- HAMMOND, M. (1963), “*Res olim dissociabiles: principatus ac libertas*: liberty under the early Roman empire” in: *Harvard Studies in Classical Philology*, 67, 93-113.
- HAMP, E.P. (1968), “δέχομαι, δοκέω, διδάσκω, decet, dignus, doctus, docēre, discō” in: *Classical Philology*, 63 (4), 285-287.
- HARDIN, R. (2004), *Trust and trustworthiness* (New York).

- HARPER, J. (1972), "Slaves and freedmen in Imperial Rome" in: *American Journal of Philology*, 93, 341-342.
- HARPER, K. (2010), "The Senatus Consultum Claudianum in the Codex Theodosianus: social history and legal texts" in: *The Classical Quarterly (New Series)*, 60 (2), 610-638.
- (2011), "The enslavement of Mediterranean bodies: child exposure and child sale" in K. HARPER, *Slavery in the Late Roman World, AD 275-425* (Cambridge), 391-423.
- HARRILL, J.A. (2006), "The metaphor of slavery in the writings of Tertullian" in: *Studia Patristica*, 42, 2006, 385-90.
- HARRIS, W.V. (1989), *Ancient literacy* (Cambridge, Mass.).
- (1994), "Child-exposure in the Roman Empire" in *Journal of Roman Studies*, 84, 1-22.
- HARVEY, P.B. (1973), "Socer Valgus, Valgii and C. Quinctius Valgus" in: E.N. BORZA and R.W. CARRUBA (eds.), *Classics and the classical tradition. Essays presented to Robert E. Dengler on the occasion of his eightieth birthday* (Pennsylvania), 79-94.
- HASEGAWA, K. (2005), *The familia urbana during the early Empire: a study of columbaria inscriptions (BAR International Series, 1440)* (Oxford).
- HAURY, A. (1955), *L'ironie et l'humour chez Cicéron* (Leiden).
- HAYNES, H. (2003), *The history of make-believe. Tacitus on Imperial Rome* (Berkeley).
- HEINZELMANN, M. (2000), *Die Nekropolen von Ostia. Untersuchungen zu den Gräberstraßen vor der Porta Romana und an der Via Laurentina* (Munich).
- HELD, V. (1968), "On the meaning of trust" in: *Ethics*, 78 (2), 156-159.
- HELLEGOUARC'H, J. (1963), *Le vocabulaire latin des relations et des partis politiques sous la république* (Paris).
- HELMBOLD, W.C. and O' NEIL, E.N. (1959), "The form and purpose of Juvenal's seventh satire" in: *Classical Philology*, 54 (2), 100-108.
- HEMELRIJK, E.A. (1999), *Matrona docta. Educated women in the Roman élite from Cornelia to Julia Domna* (London and New York).
- HENDERSON, J. (2002), *Pliny's statue. The letters, self-portraiture and classical art* (Exeter).
- (2007), "...when who should walk into the room but...": epistoliterarity in Cicero, *Ad Qfr. 3.1*" in: R. MORELLO and A.D. MORRISON (eds.), *Ancient letters. Classical and late antique epistolography* (Oxford), 37-85.
- HENRY, G.K.G. (1919), "Roman actors" in: *Studies in Philology*, 16 (4), 334-382.
- HERRMANN-OTTO, E. (1994), *Ex ancilla natus : Untersuchungen zu den "hausgeborenen" Sklaven und Sklavinnen im Westen des Römischen Kaiserreiches* (Stuttgart).
- HERSHBELL, J. P. (1995), "Epictetus: a freedman on slavery" in: *Ancient Society*, 26, 185-204.
- HESELTINE, M. (1969), *Petronius, Satyricon. Seneca, Apocolocyntosis* (LCL) (London and Cambridge, Mass.).
- HIRSCHMAN, A.O. (1970), *Exit, voice, and loyalty: responses to decline in firms, organizations, and states* (Cambridge, Mass.).
- HOBEN, W. (1978), *Terminologische Studien zu den Sklavenerhebungen der römischen Republik* (Wiesbaden).
- HODGSON, G. M. (1988). *Economics and institutions: a manifesto for a modern institutional economics* (Cambridge, Mass.).
- (1998), "The approach of institutional economics" in: *Journal of Economic Literature*, 36 (1), 166-192.
- HOIJER, H. (ed.) (1954), *Language in culture: conference on the interrelations of language and other aspects of culture* (Chicago).
- HOOGHE, M. and STOLLE, D. (2003), "Introduction: generating social capital" in: M. HOOGHE and D. STOLLE (eds.), *Generating social capital. Civil society and institutions in comparative perspective* (New York).
- HOOGMA, R.P. (1959), *Der Einfluß Vergils auf Carmina Latina Epigraphica. Eine Studie mit besonderer Berücksichtigung der metrisch-technischen Grundsätze der Entlehnung* (Amsterdam).
- HOPKINS, K. (1965), "Elite mobility in the Roman empire" in: *Past and Present*, 32, 12-26.

- (1978), *Conquerors and slaves* (Cambridge).
- (1983), *Death and renewal* (Cambridge).
- (1987), “Graveyards for historians” in: F. HINARD (ed.), *La mort, les morts et l’au-delà dans le monde romaine* (Caen), 113-126.
- (1993), “Novel evidence for Roman slavery” in: *Past & Present*, 138, 3-27.
- HORSFALL, N. (1985), “CIL VI 37965 = CLE 1988 (Epitaph of Allia Potestas): a commentary” in: *Zeitschrift für Papyrologie und Epigraphik*, 61, 251-272.
- HUS, A. (1965), *Docere et les mots de la famille de docere. Étude de sémantique latine* (Paris).
- HUTCHINSON, G.O. (1998), *Cicero's correspondence: a literary study* (Oxford).
- HUTTUNEN, P. (1974), *The social strata in the imperial city of Rome: a quantitative study of the social representation in the epitaphs published in the Corpus Inscriptionum Latinarum, volumen VI* (Oulu).
- ISAAC, B.H. (2004), *The invention of racism in Classical Antiquity* (Princeton).
- ISAAC, R. (1982), *The transformation of Virginia, 1740-1790* (Chapel Hill).
- JAMES, S.L. (2003), *Learned girls and male persuasion. Gender and reading in Roman love elegy* (Berkeley).
- JANSEN, U. (2007), “CLE 63. Ein Grabgedicht für Salvia” in: P. KRUSCHWITZ (ed.), *Die metrischen Inschriften der römischen Republic* (Berlin and New York), 261-270.
- JAUSS, H.R. (1982), *Toward an aesthetic of reception* (translated by T. Bahti) (Minneapolis).
- JONES, A.H.M. (1949), “The Roman civil service, clerical and subclerical grades” in: *Journal of Roman Studies*, 39, 38-55.
- JONGMAN, W. (1988), *The economy and society of Pompeii (Dutch monographs on ancient history and archaeology, 4)* (Amsterdam).
- JOSHEL, S.R. (1992), *Work, identity, and legal status at Rome: a study of the occupational inscriptions* (Norman, Okl.).
- (1997), “Female desire and the discourse of empire: Tacitus’ Messalina” in: J.P. HALLETT and M.B. SKINNER (eds.), *Roman sexualities* (Princeton), 221-254.
- JOSHEL, S.R. and PETERSEN, L.H. (2014), *The material life of Roman slaves* (Cambridge).
- KAJANTO, I. (1965), *The Latin cognomina* (Helsinki).
- (1968), “The significance of non-Latin cognomina” in: *Latomus*, 27 (3), 517-534.
- (1969), “Tacitus on the slaves: an interpretation of the *Annals*, XIV, 42-45” in: *Arctos NS*, 6, 43-60.
- KAJAVA, M. (1994), *Roman female praenomina. Studies in the nomenclature of Roman women* (Rome).
- KASER, M. (1956), “Infamia und Ignominia in den römischen Rechtsquellen” in: *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte (Romanistische Abteilung)*, 73, 220-278.
- KASTER, R.A. (2010), “Roman values and virtues” in: M. GAGARIN and E. FANTHAM (eds.), *The Oxford encyclopedia of ancient Greece and Rome, vol. 7* (Oxford and New York), 148-157.
- KEEGAN, P. (2008), “Turia, Lepidus, and Rome’s epigraphic environment” in: *Studia Humaniora Tartuensia*, 9, 1-7.
- KEITH, A. (2011), “Lycoris Galli/Volumnia Cytheris: a Greek courtesan in Rome” in: *Eugesta*, 1, 23-53.
- KELLY, J.M. (1966), *Roman litigation* (Oxford).
- KENDALL, G. and WICKHAM, G. (1999), *Using Foucault’s methods* (London).
- KING, M. (2000), “Commemoration of infants on Roman funerary inscriptions” in: G.J. OLIVER (ed.), *The epigraphy of death. Studies in the history and society of Greece and Rome* (Liverpool), 117-154.
- KIRBIHLER, F. (2007), “P. Vedius Rufus, père de P. Vedius Pollio” in: *Zeitschrift für Papyrologie und Epigraphik*, 160, 261-271.
- KIRSCHENBAUM A. (1987), *Sons, slaves and freedmen in Roman commerce* (Jerusalem and Washington).
- KISER, F. (1932), *The humor of Cicero’s letters* (Madison).
- KLEES, H. (2002), “Die römische Einbürgerung der Freigelassenen und ihre naturrechtliche Begründung bei Dionysios von Halikarnassos” in: *Laverna*, 13, 91-117.
- KLEIJWEGT, M. (1994), “*Iuvenes* and Roman Imperial society” in: *Acta Classica*, 37, 79-102.

- (2006a), “Freedpeople: a brief cross-cultural history” in: M. KLEIJWEGT (ed.), *The faces of freedom. The manumission and emancipation of slaves in Old World and New World slavery* (Leiden), 3-68.
- (2006b), “Freed slaves, self-presentation and corporate identity in the Roman world” in: M. KLEIJWEGT (ed.), *The faces of freedom. The manumission and emancipation of slaves in Old World and New World slavery* (Leiden), 89-115.
- (2009), “Creating new citizens: freed slaves, the state and citizenship in early Rome and under Augustus” in: *European Review of History/Revue européenne d’histoire*, 16 (3), 319-330.
- (2012), “Deciphering freedwomen in the Roman Empire” in: S. BELL and T. RAMSBY (eds.), *Free at last! The impact of freed slaves on the Roman empire* (London), 110-129.
- KNAPP, R.C. (2011), *Invisible Romans* (Cambridge, Mass.).
- KOLB, A. (2000), *Transport und Nachrichtentransfer im Römischen Reich* (Berlin).
- KONIORDOS, S.M. (ed.) (2005), *Networks, trust, and social capital: theoretical and empirical investigations from Europe* (Aldershot).
- KOOPS, E. (2013), “Masters and freedmen: Junian Latins and the struggle for citizenship” in: G. DE KLEIJN and S. BENOIST (eds.), *Integration in Rome and in the Roman world (Proceedings of the tenth workshop of the international network impact of empire)* (Leiden), 105-126.
- KOSELLECK, R. (2004), *Futures past. On the semantics of historical time.* (trans. K. Tribe) (New York).
- KROPP, A. (2008), *Defixiones: ein aktuelles corpus lateinischer Fluchtafeln* (Speyer).
- KRUSCHWITZ, P. (1998), “Die Datierung der Scipionenelogen CLE 6 und 7” in: *Zeitschrift für Papyrologie und Epigraphik*, 122, 273-285.
- (2001), “Zu republikanischen *carmina Latina epigraphica*” in: *Zeitschrift für Papyrologie und Epigraphik*, 136, 51-61.
- (2002), “Überlegungen zum Begriff *Commaticum*. Theorie und Praxis am Beispiel von CLE Engstrom 410” in: J. DEL HOYO and J. GOMEZ PALLARES (eds.), *Asta ac pellege. 50 anos de la publicacion de Inscripciones Hispanas en Verso de S. Mariner* (Madrid), 39-45.
- (ed.) (2007), *Die metrischen Inschriften der römischen Republik* (Berlin).
- KÜHNERT, B. (1990), “Zur sozialen Mobilität in der späten römischen Republic: *plebs* und *ordo equester*” in: *Klio*, 72, 144-150.
- LAES, CH. and STRUBBE, J. (2014), *Youth in the Roman empire: the young and the restless years?* (Cambridge).
- LAHMEYER, G. (1865), “Die Reihenfolge der Eigennamen bei den Römern” in: *Philologus*, 22, 469-494.
- LAIRD, M.L. (2013), “The progress of scholarship on *liberti*” in: *Journal of Roman Archaeology*, 26, 662-672.
- LANGLANDS, R. (2006), *Sexual morality in ancient Rome* (Cambridge).
- LANGMAN, L. (1998), “Identity, hegemony, and social reproduction” in: *Current Perspectives in Social Theory*, 18, 185-226.
- LA PORTA, R., LOPEZ-DE-SALANES, F., SHLEIFER, A., and VISHNY, R. (1997), “Trust in large organizations” in: *American Economic Review Papers and Proceedings*, 87, 333-338.
- LASSÈRE, J.-M. (1965), “Sentiments et culture d’après les epitaphs latines d’Afrique” in: *Bulletin de l’Association Guillaume Budé*, 2, 209-227.
- LATTE, K. (1960), “Der Historiker L. Calpurnius Piso Frugi” in: *Sitzungsberichte der deutschen Akademie der Wissenschaften (Klasse für Sprache, Literatur und Kunst)*, 7, 3-16.
- LAVAGGI, G. (1946), “*L’arrogazione dei libertini*” in: *Studia et documenta historiae et iuris*, 12, 115-135.
- LAVAN, M. (2013), *Slaves to Rome: paradigms of Empire in Roman culture* (Cambridge).
- LAZZARO, L. (1985), “Schiavi e liberti nelle iscrizioni romane di Este” in: *Dialogues d’Histoire Ancienne*, 11, 463-483.
- (1989), “Schiavi e liberti nelle iscrizioni di Padova romana” in: M.-M. MACTOUX and E. GÉNY (eds.), *Mélanges Pierre Lévêque*, 3. *Anthropologie et Société* (Paris), 181-195.
- LE CLERC, J.-V. (ed.) (1821), *Œuvres complètes de M.T. Cicéron*, vol. 19 (Paris).

- LEE, L. (2012), "Discourse of slavery: freedom and the negotiation of power and identity in context" in: *Transatlantica: revue d'études américaines*, 2, 2-18.
- LEGA, C. (2012), "Tituli sepulchrales di Taminia Novatilla e della gens Laecania" in: F. VISTOLI (ed.), *Tomba di Nerone: toponimo, comprensorio e zona urbanistica di Roma capitale* (Rome), 201-211.
- LE GLAY, M. (1990), "La place des affranchis dans la vie municipale et dans la vie religieuse" in: *Mélanges de l'École Française de Rome. Antiquité*, 102 (2), 621-638.
- LEPPIN, H. (1992), *Histrionen: Untersuchungen zur sozialen Stellung von Bühnenkünstler im Westen des Römischen Reiches zur Zeit der Republik und des Principats* (Antiquitas Reihe I Abhandlungen zur Alten Geschichte, 41) (Bonn).
- (1996), "Totum te Caesari debes: Selbstdarstellung und Mentalität einflußreicher kaiserlicher Freigelassener in frühen Principat" in: *Laverna*, 7, 67-91.
- LEVEAU, Ph. (1984), *Caesarea de Maurétanie. Une ville romaine et ses campagnes* (Collection de l'École française de Rome, 70) (Rome).
- LEVENS, R.G.C., FOWLER, D., and FOWLER, P. (2003), "Letters, Latin" in: S. HORNBLOWER and A. SPAWFORTH (eds.), *The Oxford Classical Dictionary* (New York), 847-848.
- LEVI, M. (2000), "When good defenses make good neighbors: a transaction cost approach to trust, the absence of trust and distrust" in: C. MÉNARD (ed.), *Institutions, contracts, and organizations: perspectives from New Institutional Economics* (Northampton, Mass.), 137-157.
- LÉVI-STRAUSS, C. (1958), *Anthropologie structurale* (Paris).
- LEVICK, B.M. (1990), *Claudius* (London).
- LEVINSKAYA, I. (2004), "The Italian cohort in Acts 10:1" in: P.J. WILLIAMS, A.D. CLARKE, P.M. HEAD, and D. INSTONE-BREWSTER (eds.), *The New Testament in its first century setting* (Cambridge), 106-125.
- LINDSAY, H. (2009), *Adoption in the Roman world* (Cambridge).
- LINK, B.G. and PHELAN, J.C. (2001), "Conceptualizing Stigma" in: *Annual Review of Sociology*, 27, 363-385.
- LIS, C. and SOLY, H. (2012), *Worthy efforts: attitudes to work and workers in pre-industrial Europe* (Leiden and Boston).
- LISSBERGER, E. (1934), *Das Fortleben der römischen Elegiker in den Carmina Epigraphica* (Tübingen).
- LIU, J. (2009), *Collegia centonariorum: the guilds of textile dealers in the Roman West* (Leiden).
- LÓPEZ BARJA DE QUIROGA, P. (1995), "Freedmen social mobility in Roman Italy" in: *Historia*, 44, 326-348.
- (1998), "Junian Latins: status and number" in: *Athenaeum*, 86, 133-163.
- (2007), "Fear of freedmen. Roman Republican laws on voting procedure" in: A. SERGHIDOU (ed.), *Fear of slaves - fear of enslavement in the Ancient Mediterranean* (Discours, représentations, pratiques) (Actes du XXIX^e Colloque du GIREA) (Franche-Comté), 125-131.
- (2010), "Empire sociology: Italian freedmen, from success to oblivion" in: *Historia*, 59 (3), 321-341.
- ŁOPOZSKO, T. (1980), *Mouvements sociaux à Rome dans les années 57-52 av. J.-C.* (Lublin).
- ŁOŚ, A. (1995), "La condition sociale des affranchis privés au 1er siècle après J.-C." in: *Annales. Histoire, Sciences Sociales*, 50 (5), 1011-1043.
- LUCK, G. (2006), *Arcana mundi: magic and the occult in the Greek and Roman worlds: a collection of ancient texts* (Baltimore).
- LUDOLPH, M. (1997), *Epistolographie und Selbstdarstellung. Untersuchungen zu den "Paradebriefen" Plinius des Jüngeren* (Classica Monacensia, 17) (Tubingen).
- LUHMANN, N. (1979), *Trust and power* (Chichester).
- LYON, F. (2000), "Trust, networks and norms: the creation of social capital in agricultural economies in Ghana" in: *World Development*, 28 (4), 663-681.
- MACHIN, D. and MAYR, A. (2008), "News discourse II: anti-racism and neo-liberalism in the British Regional Press" in: A. MAYR (ed.), *Language and power. An introduction to institutional discourse* (London), 90-114.
- MACLEAN, R.B. (2012), *Cultural exchange in Roman society: freed slaves and social values* (PhD thesis at Princeton University).

- MACMULLEN, R. (1974), *Roman social relations: 50 B.C. to A.D. 284* (New Haven).
- (1982), “The epigraphic habit in the Roman Empire” in: *American Journal of Philology*, 103, 233-246.
- MALLOCH, S.J.V. (2009), “Hamlet without the prince? The Claudian Annals” in: A.J. WOODMAN (ed.), *The Cambridge Companion to Tacitus* (Cambridge), 116-126.
- MALMENDIER, U. (2002), *Societas publicanorum. Staatliche Wirtschaftsaktivitäten in den Händen privater Unternehmer* (Cologne).
- MANZELLA, I.D.S. (2000), “Accensi: profilo di una ricerca in corso (a proposito dei ‘poteri collaterali’ nella società romana)” in: *Cahiers du Centre Gustave Glotz*, 11, 223-257.
- MARSHALL, A.J. (1972), “The *lex Pompeia de provinciis* (52 B.C.) and Cicero’s *imperium* in 51-50 B.C. Constitutional aspects” in: *ANRW*, 1 (1), 887-921.
- (1984-1986), “Ladies in waiting: the role of women in Tacitus’ Histories” in: *Ancient Society*, 15-17, 167-184.
- MARTIN, R.H. (1981), *Tacitus* (London).
- MASI DORIA, C. (1993), *Civitas, operae, obsequium. Tre studi sulla condizione giuridica dei liberti* (Naples).
- MASSARO, M. (1992), *Epigrafia metrica latina di età repubblicana* (Bari).
- (2002), “Il ‘ciclo degli Scipioni’ e le origini della epigrafia metrica latina” in: J. DEL HOYO and J. GOMEZ PALLARES (eds.), *Asta ac pellege. 50 anos de la publicacion de Inscripciones Hispanas en Verso de S. Mariner* (Madrid), 17-37.
- MATHISEN, R.W. (2006), “*Peregrini, barbari, and cives Romani*: concepts of citizenship and the legal identity of barbarians in the Later Roman Empire” in: *The American Historical Review*, 111 (4), 1011-1040.
- MATTHEWS, V.J. (1973), “Some puns on Roman ‘cognomina’” in: *Greece & Rome, Second Series*, 20 (1), 20-24.
- MATTINGLY, D.J. (2011), *Imperialism, power, and identity* (Princeton).
- MATTOSO, K.M. DE QUEIRÓS (1979), *Être esclave au Brésil, XVIe - XIXe siècle* (Paris).
- MAYER, R. (2003), “Pliny and *gloria dicendi*” in: *Arethusa*, 36, 227-234.
- MAYR, A. (ed.) (2008a), *Language and power. An introduction to institutional discourse* (London).
- (2008b), “Introduction: power, discourse and institutions” in: A. MAYR (ed.), *Language and power. An introduction to institutional discourse* (London), 1-25.
- (2008c), “Prison discourse: enterprising managerialism in a total institution” in: A. MAYR (ed.), *Language and power. An introduction to institutional discourse* (London), 46-61.
- MCCONNELL, S. (2014), *Philosophical life in Cicero’s letters* (Cambridge).
- MCCUTCHEON, R. (2013), *An archaeology of Cicero’s letters: a study of late republican textual culture* (PhD thesis at University of Toronto).
- MCDERMOTT, W.C. (1972), “M. Cicero and M. Tiro” in: *Historia*, 21 (2), 259-286.
- MCDONNELL, M. (2006), *Roman manliness. Virtus and the Roman Republic* (Cambridge).
- MCGINN, T.A.J. (1991), “Concubinage and the *lex Iulia* on adultery” in: *Transactions of the American Philological Association*, 121, 335-375.
- (1998), *Prostitution, sexuality, and the law in ancient Rome* (Oxford).
- (2002), “The Augustan marriage legislation and social practice: elite endogamy versus male ‘marrying down’” in: J.-J. AUBERT and B. SIRKS (eds.), *Speculum Iurus. Roman law as a reflection of social and economic life in antiquity* (Ann Arbor), 46-93.
- MCLUHAN, M. (1962), *The Gutenberg galaxy: the making of typographic man* (Toronto).
- MERRILL, E.T. (1919), “The expulsion of Jews from Rome under Tiberius” in: *Classical Philology*, 14 (4), 365-372.
- MÉTHY, N. (2010), “Passéisme et modernisme au début du second siècle: le cas de Pline le Jeune” in: *Phoenix*, 64 (3/4), 345-359.
- METTE-DITTMANN, A. (1991), *Die Ehegesetze des Augustus. Eine Untersuchung im Rahmen der Gesellschaftspolitik des Princeps* (*Historia Einzelschriften*, 67) (Stuttgart).

- MEYER, E.A. (1990), "Explaining the epigraphic habit in the Roman Empire: the evidence of epitaphs" in: *Journal of Roman Studies*, 80, 74-96.
- MILAZZO, F. (1993), *La realizzazione delle opere pubbliche in Roma arcaica e repubblicana. Munera e ultero tributa (Pubblicazioni della Facoltà di Giurisprudenza di Catanzaro, 23)* (Naples).
- MILLAR, F.G.B. (1967), "Emperors at work" in: *Journal of Roman Studies*, 57, 9-19.
- (1977), *The emperor in the Roman world (31 BC - AD 337)* (London).
- (1995), "The Roman *libertus* and the civic freedom" in: *Arethusa*, 28, 99-105.
- MILLER, R.M. (ed.) (1978), "*Dear master*": *letters of a slave family* (Ithaca).
- MILLIS, B.W. (2014), "The local magistrates and elite of Roman Corinth" in: S.J. FRIESEN, S.A. JAMES, and D.N. SCHOWALTER (eds.), *Corinth in contrast. Studies in inequality (Supplements to Novum Testamentum, 155)* (Leiden), 38-53.
- MILNOR, K. (2008), *Gender, domesticity, and the age of Augustus: inventing private life* (Oxford and New York).
- MISZTAL, B.A. (1996), *Trust in modern societies. The search for the bases of social order* (Cambridge).
- MOMIGLIANO, A.D. (1961) [1934], *Claudius: the emperor and his achievement* (Cambridge).
- MOMMSEN, TH. (1874), "Die Chronologie der Briefe Frontonis" in: *Hermes*, 8, 198-217.
- (1887), *Römisches Staatsrecht* (Leipzig).
- MORELLO, R. and MORRISON A.D. (2007), "Editors' preface" in: R. MORELLO and A.D. MORRISON (eds.), *Ancient letters. Classical and late antique epistolography* (Oxford), v-xii.
- MORFORD, M. (1991), "How Tacitus defined liberty" in: *ANRW*, 33 (5), 3420-3450.
- MORGAN, T. (2015), *Roman faith and Christian faith : pistis and fides in the early Roman Empire and early churches* (Oxford).
- MORRIS, J. M. (1969), "Compositional techniques in *Annals* XIII-XVI" (PhD thesis at Yale University).
- MOURITSEN, H. (2005), "Freedmen and decurions: epitaphs and social history in Imperial Italy" in: *Journal of Roman Studies*, 95, 38-63.
- (2007a), "CIL X 1403: the *album* from Herculaneum and the nomenclature of Latini Iuniani" in: *Zeitschrift für Papyrologie und Epigraphik*, 161, 288-290.
- (2007b), "The *civitas sine suffragio*: ancient concepts and modern ideology", in: *Historia*, 56, 142-58.
- (2011), *The freedman in the Roman world* (Cambridge).
- MROZEK, S. (1976a), "*Abundantia pecuniae* (A propos de la richesse des affranchis à Rome)" in: *Historia*, 25, 122-123.
- (1976b) "Le rôle économique et social des affranchis à la fin de la République et au début de l'Empire" in: *Roczniki Dziejów Społecznych-Gospodarczych*, 37, 33-45.
- MUELLER, H.-F. (2002), *Roman religion in Valerius Maximus* (London and New York).
- MURPHY, T. (1998), "Cicero's first readers: epistolary evidence for the dissemination of his works" in: *The Classical Quarterly*, 48 (2), 492-505.
- MUTH, S. (2005), "Im Angesicht des Todes. Zum Wertediskurs in der römischen Grabkultur" in: A. HALTENHOFF, A. HEIL, and F.-H. MUTSCHLER (eds.), *Römische Werte als Gegenstand altertumswissenschaftlicher Forschung* (München and Leipzig), 259-286.
- NASRALLAH, L.S. (2014), "'You were bought with a price': freedpersons and things in 1 Corinthians" in: S.J. FRIESEN, S.A. JAMES, and D.N. SCHOWALTER (eds.), *Corinth in contrast. Studies in inequality (Supplements to Novum Testamentum, 155)* (Leiden), 54-73.
- NICHOLSON, J. (1994), "The delivery and confidentiality of Cicero's letters" in: *The Classical Journal*, 90 (1), 33-63.
- (1998), "The survival of Cicero's letters" in: C. DEROUX (ed.), *Studies in Latin Literature and Roman History*, 9 (Collection Latomus 244) (Brussels), 63-105.
- NICOLET, C. (1974), *L'ordre équestre à l'époque républicaine (312-43 av. J.-C.)*, 2 Vol. (Paris).
- NIELSEN, H.S. (1996), "The physical context of Roman epitaphs and the structure of the Roman family" in: *Analecta Romana Instituti Danici*, 23, 35-60.

- (1997), “Interpreting epithets in Roman epitaphs” in: B. RAWSON and P.R.C. WEAVER (eds.), *The Roman family in Italy: status, sentiment, space* (Oxford), 169-204.
- NIKITINSKI, O. (2001), “Die (mündliche) Rolle von Briefboten bei Cicero” in: L. Benz (ed.), *ScriptOralia Romana. Die römische Literatur zwischen Mündlichkeit und Schriftlichkeit*, (Tübingen), 229-247.
- NOY, D. (2000), *Foreigners at Rome: citizens and strangers* (London).
- NUTTON, V. (1969), “Five inscriptions of doctors” in: *Papers of the British School at Rome*, 37, 96-99.
- OAKLEY, S.P. (2009), “Res olim dissociabiles: emperors, senators and liberty” in: A.J. WOODMAN (ed.), *The Cambridge companion to Tacitus* (Cambridge), 184-194.
- OGDEN, D. (2002), *Magic, witchcraft, and ghosts in the Greek and Roman worlds. A sourcebook* (Oxford).
- OGILVIE, S. (2005), “The use and abuse of trust: social capital and its deployment by early modern guilds” in: *Jahrbuch für Wirtschaftsgeschichte*, 1, 15-52.
- ORWELL, G. (1945), *Animal Farm: a fairy story* (London).
- OSGOOD, J. (2006), *Caesar’s legacy. Civil war and the emergence of the Roman Empire* (Cambridge).
- OSTROM, E. and WALKER, J. (eds.) (2003), *Trust and reciprocity: interdisciplinary lessons from experimental research* (New York).
- PAGÁN, V.E. (2000), “Distant voices of freedom in the *Annales* of Tacitus” in: *Studies in Latin Literature and Roman History*, 10, 358-369.
- (2004), *Conspiracy narratives in Roman history* (Austin).
- PANCIERA, S. (1987), *La collezione epigrafica dei musei Capitolini* (Rome).
- PARK, M.E. (1918), *The plebs in Cicero’s day: a study of their provenance and of their employment* (PhD thesis at Bryn Mawr college).
- PARKIN, T.G. (1992), *Demography and Roman society* (Baltimore and London).
- PARKIN, T.G. and POMEROY, A.J. (2007), *Roman social history: a sourcebook* (London and New York).
- PATTERSON, O. (1982), *Slavery and social death: a comparative study* (Cambridge).
- PATULNY, R.V. and SVENDSEN, G.L.H. (2007), “Exploring the social capital grid: bonding, bridging, qualitative, quantitative” in: *International Journal of Sociology and Social Policy*, 27 (1/2), 32-51.
- PAVIS D’ESURAC, H. (1976), *La préfecture de l’annone, service administratif impérial d’Auguste à Constantin* (Bibliothèque des Écoles françaises d’Athènes et de Rome, 226) (Rome).
- PÉREZ, Ch. (ed.) (1984), *Cicéron. Index thématique de la dépendance, I. Lettres à Atticus* (Paris).
- (ed.) (1988), *Cicéron. Index thématique de la dépendance, II. Lettres familiales. Lettres à Quintus. Lettres à Brutus. Commentariolum petitionis* (Paris).
- PERRY, M.J. (2014), *Gender, manumission, and the Roman freedwoman* (Cambridge).
- PETERSEN, L.H. (2006), *The freedman in Roman art and art history* (Cambridge).
- PETZL, G. (2005), “Minima Pataraea” in: *Epigraphica Anatolica*, 38, 35-36.
- PHILLIPS, J.J. (1986), “Atticus and the publication of Cicero’s works” in: *The Classical World*, 79 (4), 227-237.
- PIGOÑ, J. (1992), “Helvidius Priscus, Epirus Marcellus, and *iudicium senatus*: observations on Tacitus, *Histories* 4.7-8” in: *The Classical Quarterly*, 42 (1), 235-246.
- PLANTERA, A. (1977-8), “Osservazioni sulle commendatizie latine da Cicerone a Frontone” in: *Annali della Facoltà di Magistero dell’Università di Cagliari*, 2, 5-36.
- PLATTEAU, J.-P. (1994), “Behind the market stage where real societies exist—Part I: the role of public and private order institutions” in: *Journal of Development Studies*, 30 (3), 533-577.
- POMEROY, S.B. (1975), *Goddesses, whores, wives, and slaves* (New York).
- POPOVA, Z. (1973), “Influence de Properce sur *carmina sepulcralia Latina epigraphica*” in: *Annuaire de l’Université de Sofia, Faculté des Lettres*, 67 (1), 57-118.
- (1976), “Influence d’Horace sur *carmina sepulcralia Latina Eepigraphica*” in: *Annuaire de l’Université de Sofia, Faculté des Lettres*, 71 (3), 7-53.
- PORTES, A. (1998), “Social capital: its origins and applications in modern sociology” in: *Annual Review of Sociology*, 24, 1-24.
- POTGIESER, J. (1736), *Commentariorum iuris Germanici de statu servorum veteri perinde atque novo Libri quinque* (Lemgovia).

- POWELL, J.G.F. (2003), "Tullius Cicero, Marcus: works" in: S. HORNBLOWER and A. SPAWFORTH (eds.), *The Oxford Classical Dictionary* (New York), 1560-1562.
- PRAG, J.R.W. and REPATH, I. (eds.) (2009), *Petronius: a handbook* (Chichester and Malden).
- PURCELL, N. (1983), "The *apparitores*: a study in social mobility" in: *Papers of the British School at Rome*, 51, 125-173.
- PUTNAM, R.D. (with LEONARDI, R., and NANETTI, R.Y.) (1993a), *Making democracy work: civic traditions in modern Italy* (Princeton).
- (1993b), "What makes democracy work?" in: *National Civic Review*, 82 (2), 101-107.
- (1993c), "The prosperous community: social capital and public life" in: *The American Prospect*, 13, 35-42.
- (1997), "Democracy in America at century's end" in: A. HADENIUS (ed.), *Democracy's victory and crisis* (Cambridge), 27-70.
- (2000), *Bowling alone: the collapse of America's social capital* (New York).
- QUIBRIA, M.G. (2003), "The puzzle of social capital: a critical review" in: *Asian Development Review*, 20 (2), 19-39.
- RADICE, B. (1969), *Pliny. Letters, books I-VII. Panegyricus (LCL)* (Cambridge, Mass. and London).
- RADIN, M. (1915), *The Jews among the Greeks and Romans* (Philadelphia).
- RAEPSAET-CHARLIER, M.-TH. (1994), "La vie familiale des élites dans la Rome impériale: le droit et la pratique" in: *Cahiers du Centre Gustave Glotz*, 5 (1), 165-197.
- RAMIN, J. and VEYNE, P. (1981), "Droit romain et société. Les hommes libres qui passent pour esclaves et l'esclavage volontaire" in: *Historia*, 30, 472-97.
- RAMSEY, A.M. (1920), "A Roman postal service under the Republic" in: *Journal of Roman Studies*, 10, 79-86.
- RAMSEY, J.T. (2010), "Debate at a distance: a unique strategy in Cicero's *Thirteenth Philippic*" in: D.H. BERRY and A. ERSKINE (eds.), *Form and function in Roman oratory* (Cambridge), 155-174.
- RASCHIERI, A.A. (2014), "Poesia in provincia. Carmi epigrafici dalle Alpi occidentali" in: A. PISTELLATO (ed.), *Memoria poetica e poesia della memoria: la versificazione epigrafica dall'antichità all'umanesimo (Studi di archivistica, bibliografia, paleografia, 3)* (Venice), 103-120.
- RAWSON, B. (1986), *The family in ancient Rome: new perspectives* (London).
- REES, R. (2007), "Letters of recommendation and the rhetoric of praise" in: R. MORELLO and A.D. MORRISON (eds.), *Ancient letters. Classical and late antique epistolography* (Oxford), 149-168.
- REINHOLD, M. (1971), "Usurpation of status and status symbols in the Roman empire" in: *Historia*, 20, 275-302.
- REYNOLDS, J. (1982), *Aphrodisias and Rome* (London).
- RICH, J. (1989), "Patronage and interstate relations in the Roman republic" in: A. WALLACE-HADRILL (ed.), *Patronage in ancient society* (London), 117-135.
- RICHARDSON, J. (2007) *Analysing newspapers: an approach from Critical Discourse Analysis*. (Basingstoke).
- RICHLIN, A. (1984), "Invective against women in Roman satire" in: *Arethusa*, 17, 67-80.
- (ed.) (2006), *Marcus Aurelius in love. Marcus Aurelius & Marcus Cornelius Fronto* (London).
- RIEPLÉ, W. (1913), *Das Nachrichtenwesen des Altertums. Mit besonderer Rücksicht auf die Römer* (Leipzig).
- RIGGSBY, A.M. (1998), "Self and community in the Younger Pliny" in: *Arethusa*, 31 (1), 75-98.
- RILINGER, R. (1988), *Humiliores-Honestiores: zu einer sozialen Dichotomie im Strafrecht der römischen Kaiserzeit* (Munich).
- (1997), "Domus und res publica. Die politisch-soziale Bedeutung des aristokratischen "Hauses" in der späten römischen Republik" in: A. WINTERLING (ed.), *Zwischen 'Haus' und 'Staat'. Antike Höfe im Vergleich (Historische Zeitschrift Beiheft, 23)* (Munich), 73-90.
- RIZAKIS, A.D. (2001), "La constitution des élites municipales dans les colonies romaines de la province d'Achaïe" in: O. SALOMIES (ed.), *The Greek East in the Roman context* (Helsinki), 37-49.

- (2003), “Recrutement et formation des élites dans les colonies romaines de la province de Macédoine” in: M. CÉBEILLAC-GERVASONI and L. LAMOINE (eds.), *Les élites et leurs facettes: les élites locales dans le monde hellénistique et romain* (Rome and Clermont-Ferrand), 107-130.
- ROBINSON, O.F. (1981), “Slaves and the criminal law” in: *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Romanistische Abteilung*, 98 (1), 213-254.
- (2007), *Penal practice and penal policy in ancient Rome* (Oxon).
- ROESCH, S. (2000), “L’interaction auteur/destinataire dans la correspondance de Cicéron” in: L. NADJO and É. GAVOILLE (eds.), *Epistulae Antiquae II* (Leuven), 89-112.
- ROHDE, D. (2012), *Zwischen Individuum und Stadtgemeinde: die Integration von Collegia in Hafenstädten* (Mainz).
- ROLLER, M. (2001), *Constructing autocracy: aristocrats and emperors in Julio-Claudian Rome* (Princeton).
- ROTH, U. (2011), “Men without hope” in: *Papers of the British School at Rome*, 79, 71-94.
- ROYDEN, H.L. (1988), *The magistrates of the Roman professional collegia in Italy from the first to the third Century A.D* (Pisa).
- RUDICH, V. (1993), *Political dissidents under Nero: the price of dissimulation* (London).
- RUSSELL, D.A. (1990), *Antonine literature* (Oxford).
- RUTLEDGE, S.H. (2001), *Imperial inquisitions. Prosecutors and informants from Tiberius to Domitian* (London).
- RYAN, F.X. (1998), *Rank and participation in the Republican senate* (Stuttgart).
- SAILOR, D. (2008), *Writing and empire in Tacitus* (Cambridge).
- SALLER, R.P. (1982), *Personal patronage under the early Empire* (Cambridge and New York).
- (1988), “Pietas, obligation and authority in the Roman family” in: P. KNEISSL and V. LOSEMANN (eds.), *Alte Geschichte und Wissenschaftsgeschichte: Festschrift für Karl Christ zum 65. Geburtstag* (Darmstadt), 393-410.
- (1989), “Patronage and friendship in early Imperial Rome. Drawing the distinction” in: A. WALLACE-HADRILL (ed.), *Patronage in ancient society* (London), 49-62.
- (1994), *Patriarchy, property and death in the Roman family* (Cambridge).
- (1999), “Pater familias, mater familias, and the gendered semantics of the Roman household” in: *Classical Philology*, 94, 182-197.
- SALLER, R.P. and SHAW, B.D. (1984), “Tombstones and Roman family relations in the Principate: civilians, soldiers and slaves” in: *Journal of Roman Studies*, 74, 124-156.
- SALMON, E.T. (1969), *Roman colonization under the Republic* (London).
- SALOMIES, O. (1987), *Römische Vornamen. Studien zur römischen Namengebung* (Helsinki).
- SANFORD, E.M. (1939), “The career of Aulus Gabinius” in: *Transactions and Proceedings of the American Philological Association*, 70, 64-92.
- SANTANGELO, F. (2007), *Sulla, the elites and the Empire. A study of Roman policies in Italy and the Greek East (Impact of Empire, 8)* (Leiden).
- SANTORO L’HOIR, F. (1992), *The rhetoric of gender terms: man, woman, and the portrayal of character in Latin prose* (Leiden).
- (2006), *Tragedy, rhetoric, and the historiography of Tacitus’ Annales* (Ann Arbor).
- SAUER, J. (2014), “Consolatio ad Polybium” in: G. DAMSCHEN and A. HEIL (eds.), *Brill’s companion to Seneca* (Leiden), 167-170.
- SAYCE, L. (1998), “Stigma, discrimination and social exclusion: what’s in a word” in: *Journal of Mental Health*, 7, 331-343.
- SCARBOROUGH, J. (1970), “Romans and physicians” in: *The Classical Journal*, 65 (7), 296-306.
- SCHEIDEL, W. (1997), “Quantifying the sources of slaves in the early Roman empire” in: *Journal of Roman Studies*, 87, 156-169.
- (2011), “The Roman slave supply” in: K. BRADLEY and P. CARTLEDGE (eds.), *The Cambridge world history of slavery, vol. I: The ancient Mediterranean world* (Cambridge), 287-310.

- SCHETTER, W. (1989), "Epigraphische poesie" in: R. HERZOG and P.L. SCHMIDT (eds.), *Handbuch der lateinischen Literatur der Antike. Vol. 5: Restauration und Erneuerung: die lateinische Literatur von 284 bis 374 n. Chr.* (Munich), 224-236.
- SHIMADA, M. (1988), "Libertini: the designation of freedmen Roman citizens" in: T. YUGE and M. DOI (eds.), *Forms of control and subordination in antiquity* (Leiden and New York), 420-424.
- SCHMELING, G. (2011), *A Commentary on the Satyrca of Petronius* (Oxford).
- SCHMIDT, M.G. (2015), "Carmina Latina epigraphica" in: Ch. BRUUN and J. EDMONDSON (eds.), *The Oxford handbook of Roman epigraphy* (Oxford), 764-782.
- SCHNEIDER, W.C. (1998), *Vom Handeln der Römer: Kommunikation und Interaktion der politischen Führungsschicht vor Ausbruch des Bürgerkriegs im Briefwechsel mit Cicero* (Hildesheim).
- SCHULTZ, Th. (1961), "Investment in human capital" in: *American Economic Review*, 51, 1-17.
- SCHULTZE, C. (2011) "Encyclopaedic exemplarity in Pliny the Elder" in: R.K. GIBSON and R. MORELLO (eds.), *Pliny the Elder: themes and contexts (Mnemosyne supplements, 329)* (Leiden), 167-186.
- SCHULZE, W. (1966), *Zur Geschichte lateinischer Eigennamen* (Berlin).
- SCHUMACHER, L. (1982), *Servus Index. Sklavenverhör und Sklavenanzeige im republikanischen und kaiserzeitlichen Rom* (Wiesbaden).
- (2001), *Sklaverei in der Antike: Alltag und Schicksal der Unfreien* (Munich).
- SCHURICHT, R. (1994), *Cicero an Appius (Cic. fam. III): Umgangsformen in einer politischen Freundschaft* (Trier).
- SCOTT, J. (2000), "Rational choice theory" in: G. BROWNING, A. HALCLI, and F. WEBSTER (eds.), *Understanding contemporary society: theories of the present* (London), 126-138.
- SCOTT, J.C. (1985), *Weapons of the weak: everyday forms of peasant resistance* (New Haven).
- (1990), *Domination and the art of resistance. Hidden transcripts* (New Haven and London).
- SELETSKY, B.P. (1976), "The social and political meaning of the word *bonus* (*boni*) in Cicero's letters" in: *Vestnik Drevnej Istorii*, 136, 142-156.
- SELIGMAN, A.B. (1997), *The problem of trust* (Princeton).
- SERENI, E. (1976), "Recherche sur le vocabulaire des rapports de dependance dans le monde antique" in: *Actes du colloque 1973 sur l'esclavage (Annales Litteraires de l'Universite de Besancon, 182)* (Paris), 11-43.
- SETAIOLI, A. (1976), "On the date of publication of Cicero's letters to Atticus" in: *Symbolae Osloenses*, 51, 105-120.
- SHACKLETON BAILEY, D. R. (1960), *Towards a text of Cicero 'Ad Atticum'* (Cambridge).
- (1965-1970), *Cicero's Letters to Atticus I-VII* (Cambridge).
- (1976), *Two studies in Roman nomenclature (American Classical Studies, 3)* (New York).
- (1977), *Cicero: Epistulae ad familiares I-II* (Cambridge).
- (1988), *Onomasticon to Cicero's speeches* (Stuttgart).
- (1995), *Onomasticon to Cicero's letters* (Stuttgart).
- (1999), *Cicero. Letters to Atticus. (LCL)* (Cambridge, Mass. and London).
- (2001), *Cicero. Letters to Friends. (LCL)* (Cambridge, Mass. and London).
- (2002), *Cicero. Letters to Quintus and Brutus. Letter fragments. Letter to Octavian. Invectives. Handbook of electioneering (LCL)* (Cambridge, Mass. and London).
- SHAW, B.D. (1982), "Social science and ancient history: Keith Hopkins in partibus infidelium" in: *Helios*, 9 (2), 17-57.
- (1987), "The age of Roman girls at marriage: some reconsiderations" in: *Journal of Roman Studies*, 77, 30-46.
- (2000), "Rebels and outsiders" in: A.K. BOWMAN, P. GARNSEY, and D. RATHBONE (eds.), *Cambridge Ancient History XI* (Cambridge), 361-404.
- SHERWIN-WHITE, A.N. (1966), *The letters of Pliny. A historical and social commentary* (Oxford).
- (1973), *The Roman citizenship* (Oxford).
- SHIPLEY, F.W. (1961), *Velleius Paterculus. Compendium of Roman history. Res Gestae divi Augusti (LCL)* (London and Cambridge, Mass.).

- SIANI-DAVIES, M. (ed.) (2001), *Cicero's speech: pro Rabirio Postumo (translated with introduction and commentary)* (New York and Oxford).
- SIISIÄINEN, M. (2000), "Two concepts of social capital: Bourdieu vs. Putnam" (paper presented at *ISTR Fourth International Conference*, Trinity College, Dublin, 5-8 July 2000).
- SIMON, H.A. (1983), *Reason in human affairs* (Stanford).
- SINGELMANN, P. (1972), "Exchange as symbolic interaction: convergence between two theoretical perspectives" in: *American Sociological Review*, 37, 414-423.
- SIRKS, A.J.B. (1981), "Informal manumission and the *lex Iunia*" in: *Revue internationale des Droits de l'Antiquité*, 28, 247-76.
- (1994), "Ad Senatus Consultum Claudianum" in: *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte (Romanistische Abteilung)*, 111, 436-437.
- (2005), "Der Zweck des Senatus Consultum Claudianum von 52 n. Chr." in: *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte (Romanistische Abteilung)*, 122, 138-149.
- SMADJA, E. (1976), "Esclaves et affranchis dans la correspondance de Cicéron: les relations esclavagistes" in: *Texte, politique, idéologie: Cicéron (Annales littéraires de l'université de Besançon, 187)* (Paris), 73-108.
- SMELSER, N.J. and BALTES, P.B. (eds.) (2001), *International encyclopedia of the social & behavioral sciences* (Oxford).
- SOGNO, C. (2010), "Roman matchmaking" in: S. MCGILL, C. SOGNO, and E. WATTS (eds.), *From the tetrarchs to the Theodosians: later Roman history and culture, 284-450 CE* (Cambridge), 55-72.
- SOLOW, R.M. (2000), "Notes on social capital and economic performance" in: P. DASGUPTA and I. SERAGELDIN (eds.), *Social capital: a multifaceted perspective* (Washington), 6-10.
- SPÄTH, T. (2012), "Masculinity and gender performance in Tacitus" in: V.E. PAGÁN (ed.), *A companion to Tacitus (Blackwell companions to the ancient world)* (Oxford), 431-457.
- SPAWFORTH, A.J.S. (1996), "Roman Corinth: the formation of a colonial elite" in: A.D. RIZAKIS (ed.), *Roman onomastics in the Greek East. Social and political aspects* (Athens), 167-182.
- STACEY, P. (2007), *Roman monarchy and the Renaissance prince* (Cambridge and New York).
- STAFFORD, M.C. and SCOTT, R.R. (1986), "Stigma deviance and social control: some conceptual issues" in: S.C. AINLAY, G. BECKER, and L.M. COLEMAN (eds.), *The dilemma of difference* (New York), 77-91.
- STAROBIN, R.S. (1974), *Blacks in bondage: letters of American slaves* (New York).
- STARR, R.J. (1987), "The circulation of literary texts in the Roman world" in: *The Classical Quarterly*, 37 (1), 213-223.
- STEEL, C. (2012), "The *lex Pompeia de provinciis* of 52 B.C.: a reconsideration" in: *Historia*, 61 (1), 83-93.
- STEM, S.R. (2012), *The political biographies of Cornelius Nepos* (Ann Arbor).
- STEWART, R. (2008), "Who's tricked: models of slave behavior in Plautus's 'Pseudolus'" in: *Memoirs of the American Academy in Rome. Supplementary Volumes, 7 (Role Models in the Roman World. Identity and Assimilation)*, 69-96.
- (2012), *Plautus and Roman slavery* (Malden, Mass.).
- STRACK, M.L. (1914), "Die Freigelassenen in ihrer Bedeutung für die Gesellschaft der Alten" in: *Historische Zeitschrift*, 112, 1-28.
- SULLIVAN, F.A. (1939), "Romans and non-Romans in the Latin metrical epitaphs" in: *Transactions and Proceedings of the American Philological Association*, 70, 503-514.
- SYME, R. (1939), *The Roman revolution* (London).
- (1958), *Tacitus (2 vol.)* (Oxford).
- (1961), "Who was Vedius Pollio?" in: *Journal of Roman Studies*, 51 (1-2), 23-30.
- (1964), "Senators, tribes and towns" in: *Historia*, 13 (1), 105-125.
- (1984), "How Tacitus wrote *Annals I-III*" in: R. SYME, *Roman Papers*, 3 (Oxford), 1014-1042.
- (1985), "Correspondents of Pliny" in: *Historia*, 34 (3), 324-359.
- (1988), "Tacitus: some sources of his information" in: R. SYME, *Roman Papers*, 4 (Oxford), 199-222.

- TATE, J.C. (2008), "Christianity and the legal status of abandoned children in the later Roman Empire" in: *Journal of Law and Religion*, 24, 123-141.
- TATUM, W.J. (1999), *The patrician tribune: Publius Clodius Pulcher* (London).
- TAYLOR, L.R. (1918), "Livy and the name Augustus" in: *The Classical Review*, 32 (7/8), 158-161.
- (1949), "On the chronology of Cicero's letters of 56-55 B.C." in: *Classical Philology*, 44, 217-221.
- (1960), *The voting districts of the Roman Republic: the thirty-five urban and rural tribes* (Rome).
- (1961), "Freedmen and freeborn in the epitaphs of Imperial Rome" in: *The American Journal of Philology*, 82 (2), 113-132.
- TEMIN, P. (2004), "The labor market of the early Roman Empire" in: *Journal of Interdisciplinary History*, 34, 513-538.
- THYLANDER, H. (1952), *Étude sur l'épigraphie latine* (Lund).
- TILLY, CH. (2004), *Contention and democracy in Europe, 1650-2000* (Cambridge).
- (2005), *Trust and rule* (Cambridge).
- TONKISS, F. (2004), "Trust and social capital" in: J. FRANKLIN (ed.), *Politics, trust and networks: social capital in critical perspective* (London), 17-22.
- TONKISS, F. and PASSEY, A. (1999), "Trust, confidence and voluntary organisations: between values and institutions" in: *Sociology*, 33 (2), 257-274.
- TRAN, N. (2006), *Les membres des associations romaines. Le rang social des collegiati en Italie et en Gaules sous le Haut-Empire* (Collection de l'École française de Rome, 367) (Rome).
- (2008), "Les collègues d'horrearii et de mensores, à Rome et à Ostie, sous le Haut-Empire" in: *Mélanges de l'École Française de Rome. Antiquité*, 120 (2), 295-306.
- (2013), *Dominus tabernae: le statut de travail des artisans et des commerçants de l'Occident romain (Ier siècle av. J.-C. - IIIe siècle ap. J.-C.)* (Bibliothèque des Écoles françaises d'Athènes et de Rome, 360) (Rome).
- TRAPP, M. (ed.) (2003), *Greek and Latin letters. An anthology, with translation* (Cambridge).
- TREGGIARI, S. (1969a), *Roman freedmen during the late Republic* (Oxford).
- (1969b), "The freedmen of Cicero" in: *Greece & Rome*, 16 (2), 195-204.
- (1991), *Roman marriage: iusti coniuges from the time of Cicero to the time of Ulpian* (Oxford).
- TUOMELA, L. (2014), *Virtues of man, woman - or human being? An intellectual historical study on the views of the later Stoics Seneca the Younger, Musonius Rufus, Epictetus, Hierocles and Marcus Aurelius on the sameness of the virtues of man and woman* (PhD thesis at University of Helsinki).
- TURNER, A. J. (1997), "Approaches to Tacitus' *Agricola*" in: *Latomus*, 56, 582-593.
- TYRRELL, R.Y. and PURSER, L.C. (eds.) (1901), *The correspondence of M. Tullius Cicero. Vol. VII: Index* (Dublin).
- (1904), *The correspondence of M. Tullius Cicero, Vol. I (3rd edition)* (Dublin).
- TYRWHITT-DRAKE, H. (1999) "Resisting the discourse of critical discourse analysis: reopening a Hong Kong case study" in: *Journal of Pragmatics*, 31, 1081-1088.
- TZANAKIS, M. (2013), "Social capital in Bourdieu's, Coleman's and Putnam's theory: empirical evidence and emergent measurement issues" in: *Educate*, 13 (2), 2-23.
- USLANER, E. (2002), *The moral foundations of trust* (New York).
- VAN DEN HOUT, M.P.J. (1999), *A commentary on the letters of M. Cornelius Fronto* (Leiden).
- VAN LEEUWEN, T. (1996) "The representation of social actors" in: C.R. CALDAS COULTHARD and M. COULTHARD (eds.), *Texts and practices: readings in Critical Discourse Analysis* (London), 32-70.
- VAN SICKLE, J. (1987), "The elogia of the Corneli Scipiones and the origin of epigram at Rome" in: *American Journal of Philology*, 108, 41-55.
- VELITCHKOVA, A. (2008), "The role of emotions in Max Weber's theory of action" (paper presented at the American Sociological Association Conference, Boston, Mass. on 1-4 August, 2008).
- VENDRYES, J. (1935), "Apropos du lat. servus" in: *Bulletin de la Société de Linguistique de Paris*, 107, 124-130.
- VENUTI, L. (2008), *The translator's invisibility. A history of translation* (London and New York).
- VERBOVEN, K. (1993), "Le système financier à la fin de la république romaine" in: *Ancient Society*, 24, 69-98.

- (2002), *The economy of friends. Economic aspects of amicitia and patronage in the late Republic* (Brussel).
- (2007), “Ce que *negotari* et ses derives veulent dire” in: J. ANDREAU and V. CHANKOWSKI (eds.), *Vocabulaire et expression de l'économie dans le monde antique* (Bordeaux), 89-118.
- (2012), “The freedman economy of Roman Italy” in: S. BELL and T. RAMSBY (eds.), *Free at last! The impact of freed slaves on the Roman empire* (London), 88-109.
- (2014), “Attitudes to work and workers in classical Greece and Greece and Rome” in: *Tijdschrift voor Sociale en Economische Geschiedenis*, 11 (1), 67-88.
- VEYNE, P. (1961), “Vie de Trimalcion” in: *Annales. Histoire, Sciences Sociales*, 16 (2), 213-247.
- (1976), *Le pain et le cirque: sociologie historique d'un pluralisme politique* (Paris).
- (2000), “La ‘plèbe moyenne’ sous le Haut-Empire romain” in: *Annales. Histoire, Sciences Sociales*, 55 (6), 1169-1199.
- VIDMAN, L. (1980), *Index cognominum* (Berlin).
- VIELBERG, M. (1987), *Pflichten, Werte, Ideale: eine Untersuchung zu den Wertvorstellungen des Tacitus (Hermes Einzelschriften, 52)* (Wiesbaden).
- VIOLI, P. (1985), “Letters” in: T.A. VAN DIJK (ed.), *Discourse and literature: new approaches to the analysis of literary genres* (Philadelphia), 149-167.
- VOGT, J. (1965), *Sklaverei und Humanität. Studien zur antiken Sklaverei und ihrer Erforschung (Historia Einzelschriften, 8)* (Wiesbaden).
- VOISIN, J.-L. (1987), “Apicata, Antinoüs et quelques autres. Notes d'épigraphie sur la mort volontaire à Rome” in: *Mélanges de l'École française de Rome. Antiquité*, 99, 1, 257-280.
- VOLTAIRE (1777-1885), “Extrait d' un mémoire pour l'entière abolition de la servitude en France” in: L. MOLAND (ed.), *OEuvres complètes de Voltaire*, 29 (Paris), 403-406.
- VOLTERRA, E. (1955), “Manomissione e cittadinanza” in: *Studi in onore di U. E. Paoli* (Florence), 695-716.
- WACQUANT, L.D. (1992), “Towards a social praxeology: the structure and logic of Bourdieu's sociology” in P. BOURDIEU and L.D. WACQUANT, *An invitation to reflexive sociology* (Oxford).
- WALDSTEIN, W. (1986), *Operae libertorum: Untersuchungen zur Dienstpflcht freigelassener Sklaven* (Stuttgart).
- WALLACE-HADRILL, A. (1981), “The emperor and his virtues” in: *Historia*, 30 (3), 298-323.
- (1989a), “Introduction” in: A. WALLACE-HADRILL (ed.), *Patronage in ancient society* (London), 1-14.
- (1989b), “Patronage in Roman society: from Republic to Empire” in: A. WALLACE-HADRILL (ed.), *Patronage in ancient society* (London), 63-87.
- WARDE FOWLER, W. (1908), *Social life at Rome in the age of Cicero* (London).
- WARDLE, D. (2000), “Valerius Maximus on the Domus Augusta, Augustus, and Tiberius” in: *The Classical Quarterly, New Series*, 50 (2), 479-493
- WATSON, A (1967), *The law of persons in the later Roman republic* (Oxford).
- (1987), *Roman slave law* (Baltimore).
- WEAVER, P.R.C. (1963), “The status nomenclature of the imperial freedmen” in: *The Classical Quarterly*, 13 (2), 272-278.
- (1965), “The father of Claudius Etruscus: Statius, *Silvae* 3. 3” in: *Classical Quarterly*, 15 (1), 145-154.
- (1967), “Social mobility in the early Roman empire” in: *Past & Present*, 37, 3-20.
- (1972), *Familia Caesaris: a social study of the emperor's freedmen and slaves* (Cambridge).
- (1990), “Where have all the Iunian Latins gone? Nomenclature and status in the early Empire” in: *Chiron*, 20, 275-305.
- (1991), “Children of freedmen (and freedwomen)” in: B. RAWSON (ed.), *Marriage, divorce, and children in ancient Rome* (Oxford), 166-190.
- (1994), “Epaphroditus, Josephus, and Epictetus” in: *The Classical Quarterly*, 44 (2), 468-479.
- (1997), “Children of Junian Latins” in: B. RAWSON and P.R.C. WEAVER (eds.), *The Roman family in Italy* (Oxford), 55-72.

- (2004), “P. Oxy. 3312 and joining the household of Caesar” in: *Zeitschrift für Papyrologie und Epigraphik*, 149, 196-204.
- WEBER, E. (1988), “Freigelassene – eine diskriminierte Randgruppe?” in: I. WEILER (ed.), *Soziale Randgruppen und Aussenseiter im Altertum* (Graz), 257-265.
- WEBER, M. (2002) [1922], *Wirtschaft und Gesellschaft: Grundriss der verstehenden Soziologie* (Tübingen).
- (2014) [1919], *Wissenschaft als Beruf* (Berlin).
- WENGER, L. (1941), “*Vinctus*” in: *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte*, 61, 355-378.
- WESENBERG, D.A.S. (1880), *Marci Tulli Ciceronis epistolae, Vol. II* (Leipzig).
- WESTERMANN, W.L. (1955), *The slave systems of Greek and Roman antiquity* (*Memoirs of the American Philosophical Society*, 40) (Philadelphia).
- WHITE, H. (1990), *The content of the form: narrative discourse and historical representation* (Baltimore).
- WHITE, P. (1995), “Postumus, Curtius Postumus, and Rabirius Postumus” in: *Classical Philology*, 90, 151-161.
- (2010), *Cicero in letters. Epistolary relations of the late Republic* (Oxford).
- WHITTICK, G.C. (1957), “Echion’s son and his tutors; Petronius 46,3-8” in: *Rheinisches Museum für Philologie*, 100, 392-393.
- WIEDEMANN, T.E.J. (1985), “The regularity of manumission at Rome” in: *The Classical Quarterly*, 35, 162-175.
- (1987), *Slavery* (Oxford).
- (1996), “*Servi senes*: the role of old slaves at Rome” in: *Polis: revista de ideas y formas políticas de la Antigüedad Clásica*, 8, 275-293.
- (2003), “The patron as banker” in: K. LOMAS and T. CORNELL (eds.), ‘*Bread and Circuses*’. *Euergetism and municipal patronage in Roman Italy* (London), 12-27.
- WIKANDER, Ö. (1993), “Senators and equites V. Ancestral pride and genealogical studies in Late Republican Rome” in: *Opuscula Romana*, 19, 77-90.
- WILCOX, A. (2012), *The gift of correspondence in classical Rome. Friendship in Cicero’s Ad Familiares and Seneca’s Moral Epistles* (Madison).
- WILLIAMS, C.A. (ed.) (2004), *Martial’s epigrams. Book two* (Oxford).
- (2012), *Reading Roman friendship* (Cambridge).
- WILLIAMS, M.H. (1989), “The expulsion of the Jews from Rome in AD 19” in: *Latomus*, 48 (4), 765-784.
- WILLIAMS, R.S. (1973), *Aulus Gabinius: A Political Biography* (PhD thesis at University of Michigan).
- WILLIAMS, W. (ed.) (1990), *Pliny. Correspondence with Trajan from Bithynia (Epistles X)* (Warminster).
- WILLIAMS, W.G. (1929), *Cicero. The letters to his friends in three volumes (LCL)* (London).
- WILLS, G. (2012), *Font of life: Ambrose, Augustine, and the mystery of baptism* (Oxford).
- WILSON, F.H. (1935), “Studies in the social and economic history of Ostia: part I” in: *Papers of the British School at Rome*, 13, 41-68.
- WINTERLING, A. (1999), *Aula Caesaris. Studien zur Institutionalisierung des römischen Kaiserhofes in der Zeit von Augustus bis Commodus (31 v.Chr.-192 n.Chr.)* (Munich).
- WIRSZUBSKI, C. (1968) [1950], *Libertas as a political idea at Rome during the late Republic and early Principate* (Cambridge).
- WISEMAN, T.P. (1971), *New men in the Roman senate, 139 B.C. – A.D. 14* (Oxford).
- (1985), “Who Was Crassicius Pansa?” in: *Transactions of the American Philological Association*, 115, 187-196
- WITKE, CH. (1989), “Petronius Satyricon 46. 8: litterae thesaurum est” in: *Illinois Classical Studies*, 14 (1/2), 169-173.
- WOLF, J.G. (1988), *Das Senatusconsultum Silanianum und die Senatsrede des C. Cassius Longinus aus dem Jahre 61 n. Chr.* (Heidelberg).
- WOODMAN, A.J. (2004), *Tacitus. The Annals* (Indianapolis).
- WOODS, D. (2006), “Tacitus, Nero and the ‘pirate’ Anicetus” in: *Latomus*, 65 (3), 641-649.

- WOOLCOCK, M. (1998), "Social capital and economic development: toward a theoretical synthesis and policy framework" in: *Theory and Society* 27 (2), 151-208.
- WOOLF, G. (1996), "Monumental writing and the expansion of Roman society" in: *Journal of Roman Studies*, 86, 22-39.
- (2006), "Pliny's province" in: T. BEKKER-NIELSEN (ed.), *Rome and the Black Sea Region: domination, romanisation, resistance (Black Sea Studies 8)* (Aarhus), 93-108.
- WRONG, D. (1961), "The oversocialized conception of man in modern sociology" in: *American Sociological Review*, 26, 183-193.
- YARROW, L. M. (2006), *Historiography at the end of the republic. Provincial perspectives on Roman rule* (Oxford).
- ZANKER, P. (1998), *Pompeii. Public and private life* (Cambridge, Mass.).
- ZARKER, J.W. (1958), *Studies in the carmina Latina epigraphica* (PhD thesis at Princeton University).
- ZELNICK-ABRAMOVITZ, R. (2005), *Not wholly free: the concept of manumission and the status of manumitted slaves in the ancient Greek world* (Leiden).
- ZETZEL, J.E.G. (1973), "Emendavi ad Tironem: some notes on scholarship in the 2nd century AD" in: *Harvard Studies in Classical Philology*, 77, 225-243.
- ZUCKER, L.G. (1986), "Production of trust: institutional sources of economic structure, 1840-1920" in: *Research in Organisational Behaviour*, 8, 53-111.

Appendices

*All Appendices are included on the CD-ROM attached to this dissertation.

