

CHAPTER 8

SLAVES OWNED BY THE STATE

158.

Aristotle, *Politics*, 4, 12

The right of ownership over a slave was not always vested in a single household. Chattel slaves could be shared between several persons, or owned by *publicani* (companies carrying out contracts on behalf of the Roman state), or by a whole political community. This should not be confused with the relationship of dependence between a serf population like the Spartan Helots and the community which dominated it.

If they could afford it, states and municipalities, like individuals, would buy slaves so that free men would not have to do unpleasant, low status jobs. In the course of his discussion of government, Aristotle first talks about the decision-making or 'deliberative' body, and then deals with the 'executive', the magistracies. He suggests that certain magistracies can be left out of his discussion because they are not 'political', like priests, the people who pay for choruses at festivals, heralds and ambassadors.

(3) Some positions of responsibility are political, whether the super-intendence is over the whole body of citizens, or limited to a particular activity (like that of a general over men while they are on campaign) or section of the population (like the controller of women or of children). Others are economic, for communities frequently elect officials to supervise the corn supply. Others are subordinate, and communities that are wealthy enough will appoint slaves to do these jobs.

159.

Aristotle, *Politics*, 2, 4

A number of Greek communities owned slaves to do work of this kind; Xenophon had suggested that Athens should buy slaves to work the mines (No, 87). Some philosophers went further: if only men with leisure ought to be full citizens, then conversely all craftsmen's jobs should be reserved to slaves (see AVN 4 and 5 on the low status of craftsmen). Such a rational

distinction between consumer citizens and producer slaves was never adopted in practice.

(13) Phaleas' constitutional proposals make it clear that he intends his community to be a small one, since all the craftsmen are to be state-owned slaves and not to be included among the citizens. But if in fact there ought to be any state-owned slaves, they should be the ones who work in public services—as happens at Epidamnos, and as Diophantos once suggested for Athens.

160.

Scholia to Aristophanes, *Acharnians*, 54

There were several reasons why slaves were thought particularly suitable for responsible jobs involving supervision over the activities of citizens. Not only does policing involve unsocial hours and inevitably result in friction and misunderstandings with the population at large, making it highly unpopular; there is also the danger that normal social obligations towards particular individuals will threaten the objectivity of the police and perhaps result in corruption. These problems were solved by giving the responsibility for law and order to slaves whose only loyalty was to their owner—whether a private landowner (for instance in Justinian's *Codex* 9, 12.10:468 AD), a Roman emperor, or the state itself. During the second half of the fifth century BC, when Athens was particularly wealthy, policing was entrusted to a state-owned force of slaves from Scythia, called *toxotai* (archers)—a favourite source of amusement for comic dramatists (for instance Aristophanes, *Thesmophoriazusae*, 930–1125 and *Lysistrata*, 435–52).

The archers are public slaves on guard duty in the city; there are one thousand of them. They used to live in tents in the middle of the City Square, but later they moved to the Hill of Ares. They are also called 'Scythians' or 'Peusinians'—Peusis was a politician a long time ago and organised the force.

161.

Aristotle, *Constitution of Athens*, 50.2 and 54.1

Other tasks which were particularly unpleasant and strenuous and might antagonise the public were also entrusted to slaves.

There are ten magistrates to control the city (*astynomoi*)... They have to ensure that none of the refuse-collectors leave dung within ten stades [a mile and a quarter] of the town wall, and prevent building on public highways, and balconies from encroaching on them, and high-level water pipes from emptying onto the road, and windows from opening onto roads; and they also take up the bodies of any dead persons found in the roadway. They have public slaves to assist them.

The following officials are also elected by lot: five road-builders (*hodopoioi*), who have public slaves to help them and whose job it is to keep the roads in good condition.

162.

The State Accountant: *IG 2.1, No. 403*

An inscription from the year 221/220 BC illustrates the important role of slaves as accountants of public expenditure at Athens. Since the citizen magistrates were replaced each year, these slaves were in a better position to understand the state's finances than anyone else. They were granted a daily allowance of three obols (*IG 2.2, 1672.4f.*; compare the allowance of two obols for a citizen, No. 85).

(line 36ff.) Those chosen are to write up the names of those who dedicated offerings in the Temple [of the Hero Healer], together with their weight, on a stone stele, and are to set it up in the Temple. They are to present an account of their financial operations. A public slave is to be selected to write a counter-copy [for the state record office, the Metroon], so that when these things happen, the Council and the People will be in a proper and religious relationship towards the gods. A propitiatory sacrifice worth 15 drachmae is to be made to the god. For the preparation of the Wine Festival for the Hero Healer, the following were chosen by show of hands: from the Athenian citizenry in general: Glauketes from Kephisos, Sygenes from Ikaros, Konon from Alopeke; from the Council of the Areopagus: Theognis from Kydathene; Khares from Aphidne. The state slave chosen by show of hands was: Demetrios.

163.

Keepers of Weights and Measures: *IG 2.1, No. 476*

In about 102 BC, the Athenian elite abolished the traditional democratic constitution and replaced it by an oligarchical one drawn up in consultation with Roman politicians; one theory (for which there is no evidence) is that this reform was connected with the revolt of slave miners at Laureum mentioned by Athenaeus (No. 80, 272f. above) and with Marcus Antonius' campaign against the Cilician pirates. Among the reforms of the new regime were enactments to ensure that there would be no tampering with weights and measures: the public slaves had a crucial responsibility in this, but they remained slaves, and were threatened with corporal punishment appropriate to their status.

(line 37ff.) In order that weights and measures should be maintained in the future, the person responsible for care of weights and measures, Diodoros son of Theophilos from the Deme Halai, is to hand them over to the public slave in charge of the Council chamber, and to the slave at Peiraeus, and to the slave

at Eleusis. These persons are to watch over them. They must provide equivalents of these weights and measures to the government officials and to all other persons who ask for them... and they must not carry anything out of the buildings provided, except for the lead or copper equivalents. But if they do this to any of the silver standards...those who preside over the Council and the General who is in command at the relevant time are to punish the slave in charge of the Council chamber by whipping and punishing him in accordance with what his wrongdoing deserves, and the superintendent in charge is to punish the slave at Peiraeus...and the Hierophant and those appointed in that particular year for overseeing the Mysteries are to punish the slave at Eleusis.

164.

From the Archive of Lucius Caecilius Jucundus, No. 143: Bruns 157B

In Italy, as in Greece, public slaves, as outsiders without obligations towards any particular citizen, were employed to keep reliable accounts. In 1875, an entire archive was found at Pompeii relating to the business dealings of a wealthy Pompeian who leased pasture land (archive Nos. 145 and 147) and slaves (No. 151) from the colony; in all cases written receipts were issued on behalf of the town council by one of the public slaves (for translations of other documents from the Jucundus archive, see L&R II, 86).

July 10th in the year when Gnaeus Pompeius Grosphus and Grosphus Pompeius Gavianus were the two Justices of the city.

I, Privatus, slave of the colonists of the Colony of Cornelian Venus at Pompeii [the formal title of the Roman settlement established at Pompeii by the Dictator Cornelius Sulla in c. 80 BC], state that I have received 1,651 Sesterces and five Asses as payment for the fulling tax for the year when Lucius Veranius Hypsaesus and Albucius Justus were the two Justices of the City.

Signed at Pompeii, consulship of Marcus Ostorius Scapula and Titus Sextius Africanus [59 AD].

Signatures: of Privatus, *c.c.v.c.ser.* [‘slave of the colonists of the Colony of Cornelian Venus’];
of Gnaeus Pompeius Grosphus Gavianus;
of Marcus Vesonius Marcianus;
of Aulus Clodius Justus;
of Privatus, *c.c.v.c.s.*

165.

Pliny, *Letters*, 10, 31 and 32

When Trajan sent Pliny to Bithynia as governor to investigate alleged malpractices in public life, he discovered that convicted criminals (*servi*

poenae) were being employed as public slaves. The emperor's reply illustrates the comparatively high status which municipal slaves were thought to enjoy.

31: Pliny to Trajan.

(1) Since you have allowed me to consult you on those issues about which I am in doubt, you ought to demean yourself to listen to my problems, without prejudice to your superior position. (2) There are several cities, principally Nicomedia and Nicaea, where persons who have been condemned to a term of forced labour in the mines or to gladiatorial establishments or similar punishments, are performing the functions and carrying out the responsibilities of public slaves; like public slaves, they are even being given an annual stipend. Since I heard about this, I've been very hesitant about what I ought to do. (3) But I thought it excessively severe to force men, many of whom were now quite old after such a long time had gone by, and who—it was said—were living temperate and virtuous lives, to undergo the punishment they had originally been condemned to; on the other hand I didn't think it correct to retain in public services persons who had been convicted. I thought that maintaining them at community expense when they weren't working would be wasteful, but that stopping their maintenance might be a source of civil disorder. (4) So I had to leave the whole issue unresolved until I could consult you. It might occur to you to ask how it could come about that persons who had been condemned were released from their punishment; I investigated this question myself, but got no answer that I found satisfactory. The Decrees by which they had been punished were produced, but no written evidence was brought forward to prove that they had been released. (5) Some people did, however, come forward on their behalf and say that they had been freed on the orders of governors or their legates. The fact that it is unlikely that anyone would have dared to do this if no one had authorised it makes this testimony credible.

32: Trajan to Pliny.

(1) Let us remember that you were sent to Bithynia for the very reason that it was clear that a lot of things had to be put right there. The fact that persons who had been condemned to punishment have not just, as you write, been released from that punishment without authorisation, but have even reverted to the status of respected public servants, is something that particularly calls for correction.

(2) You should therefore hand over to the punishment to which they have been condemned those convicted within the last ten years and released without any satisfactory authorisation; if any elderly persons are found who were convicted more than ten years ago, let us allocate them to those jobs which are more in the nature of punishments; such people are normally employed in public baths, to clean the sewers and to maintain roads and streets.

166.
Codex 7, 9.1

Like other slaves, those who were owned by Roman municipalities could be manumitted, sometimes when the slave bought a substitute to take over his job.

The August Emperor Gordian, to Epigonus.

If, when you were a municipal slave, you were manumitted by the city council, and also with the assent of the provincial governor, in the way laid down by the city charter and by imperial legislation, then you cannot be forced to submit a second time to the yoke of slavery which you escaped through your manumission, because the person whom you gave as your substitute (*vicarius*) has run away.

167.
Frontinus, The Aqueducts of Rome, 2

One of the few systematic treatments of a particular sector of public administration in antiquity is Frontinus' work on Rome's aqueducts. It emerges that these were originally looked after by slaves owned by public contractors (*publicani*), but later the responsibility was transferred to slaves owned by the state and by the emperor: this reveals the peculiar status of dependants of the 'house of Caesar' (*domus Caesaris*)—in one sense chattel slaves belonging to a household like any other, but also agents of the government. We may also note how difficult it was for 'amateur' citizen administrators to supervise state-owned slaves effectively.

(96) I find that the responsibility for each of the aqueducts used to be let out to contractors, and the condition was imposed upon those who bought the contracts that they should keep a specified number of slave workmen on the aqueducts outside the city, and a certain number inside the city, and also that they should post up on the public notice-boards the names of those they were going to use in this capacity for each of the city regions. At times the responsibility for inspecting these operations lay with the Censors and the Aediles, and sometimes it came within the Quaestors' sphere of competence.

Marcus Agrippa was the first person who was given responsibility for the water supply as a permanent office:

(98) He kept a special slave family for the water supply, which looked after the aqueducts, the distribution towers and the reservoirs. This slave family was inherited by Augustus, and he handed it over to the state.

(116) Before I go on to discuss the maintenance of the aqueducts, I ought to make some remarks about the slave family which exists for this purpose. There are in fact two families, one of which belongs to the state and the other to Caesar. The state one is the earlier one; I have already noted that it was left by Agrippa to Augustus and then passed over to the state. It has about 240

men. Caesar's family was set up by Claudius when he brought his aqueduct into the city, and it contains 460 men.

(117) Each slave gang is subdivided into different groups of specialists—managers, people to look after the distribution towers, inspectors, people to mend the pavements, plasterers and other craftsmen. Some of these have to be outside the city to deal with problems which are small scale but need immediate attention. Those men within the city who are stationed at the distribution towers and public buildings [baths and fountains] will—particularly when there are sudden emergencies—take whatever action they can to transfer additional supplies of water from several other city regions towards the one which needs them. These large numbers of operatives in the two slave families had tended to be diverted to work for private individuals as a result of corruption or of insufficient supervision, and I arranged to bring them back to a certain degree of discipline and to work for the community, by writing down on the previous day what each gang was going to do, and having what it had actually done on each particular day filed in the records.

(118) The rations [or wages: *commoda*] of the state slave gang are paid out of the state treasury; this expense is partially covered by the payments for private rental of water rights. These come in from places and buildings which are near aqueducts, distribution towers, fountains or reservoirs. This income of almost 250,000 Sesterces used to be lost or misappropriated, was recently diverted into Domitian's private funds, and has now been restored to the People as a result of the sense of justice of the Divine Emperor Nerva; and I myself took pains to draw up definite rules so that it should be quite clear which were the places which were subject to these water rates. Caesar's slave family gets its rations from the Imperial finance office, and that is where all the lead and all the expenses for the upkeep of the aqueducts and the distribution towers and the reservoirs come from.

168.

Claudius' Senate Recommendation (*Senatusconsultum Claudianum*): Code of Theodosius, 4, 12

The anomalous position of imperial slaves, called 'fiscal' because they were paid (or not: see No. 234 below) by the emperor's treasury rather than the state's, was recognised in legislation passed during the reign of Claudius which permitted them to marry citizen women, and gave their children the status of Latins; for any other slave, cohabitation with a citizen woman was a serious offence, and the woman and her children were reduced to slave status (see No. 176 below). Apart from formally recognising the privileged status of fiscal slaves, the law had the effect of extending the emperor's control, as patron, over the persons and property of their wives and children. Later emperors frequently reminded their subjects of the provisions of the *Senatusconsultum Claudianum*.

1. The August Emperor Constantine, to Probus.

If any free woman is forced against her will to be united to a man of servile status, either by a slave or by any other person whatsoever, then she is to be avenged by the proper severity of the laws.

(1) But if any woman should be forgetful of her own honourable status, she is to lose her freedom, and her children are to be the slaves of the owner of the slave with whom she has been living. This law is to be enforced retrospectively.

Dated 1 April 314.

3. The same August Emperor, to the People.

Ancient custom penalises free-born women who live with fiscal slaves, and no favour can be shown them on grounds of ignorance or youth; so we rule that the bonds of such a cohabitation ought to be avoided. But if a free-born woman does live together with a fiscal slave, in ignorance or even willingly, then she is not to lose her free-born status. Those children who are born of a father who is a fiscal slave and a mother who is free-born are to have an intermediate status, so that as the free children of a slave and the illegitimate children of a free woman, they are to be Latins. Thus although they are freed from the restrictions of slavery, they shall nevertheless be held liable to observe the obligations due to patrons.

(1) We wish this law to be observed with regard to fiscal slaves, to those born on the imperial patrimony and on emphyteutic estates [estates leased by the emperor], and to estates belonging to the emperor's private account.

(2) We do not intend to derogate anything from the traditional rights of the local authorities, and do not include slaves belonging to any city whatsoever under this law; we want the municipalities to hold their powers unimpaired, and unaffected by the force of the ancient interdict.

(3) If a silly mistake or simple ignorance or a lapse due to the frailty of youth leads anyone into the snares of such a cohabitation, she is to be excepted from this ordinance.

Dated 27 August 326 (?), Serdica (Sofia).

169.

Pliny the Elder, *Natural History*, 12, 5

The advantages of being a dependant of the imperial household were such that people might join it voluntarily. Here Pliny ironically compares a freedman who had imported a special Cretan variety of plane-tree to Dionysos, who introduced the vine to Greece.

(12) An extremely wealthy eunuch of Thessalian origin, who was a freedman of Marcellus Aeserninus but had chosen to have himself enrolled among the freedmen of the emperor in order to become more influential, introduced this type of tree from there to his suburban estate in Italy during the reign of Claudius; he could justifiably be called a New Dionysius!

170.
Stattius, *Silvae*, 3, 3

Among the poems of the ‘court poet’ of Domitian is one praising a treasury official of the *domus Caesaris*, the freedman Claudius Etruscus. Poems or speeches praising someone (panegyrics) in the Greek and Roman world followed a set form: ancestry, place of origin, public career and private virtues. Stattius deals with all four of these topics—even though, as a slave, Etruscus had no ancestry, and the poet has to apologise for his slave origin by comparing it to that of some divine exemplars.

Ancestry

(43) Admittedly your ancestry is not famous, most gentle father, and you have no family tree stretching back many generations; but your immense good fortune has made up for your ancestry and counters any criticism of your parentage. For you had no ordinary masters, but those to whom East and West alike do service. This is not something for you to be ashamed of—for what is there on earth or in heaven that does not have to obey; everything rules and is ruled in its turn. Every land has its own particular kings; fortunate Rome administers the crowns of these kings; our Leaders have the responsibility to rule Rome; and control over them rests with the gods. But the divine powers themselves are controlled—the swift dance of the stars is enslaved, the moon in its course is a slave and the sun’s orbit wouldn’t bring down light so regularly except in obedience to command. Furthermore—if I may be allowed to compare ordinary examples to great—Hercules put up with the appalling conditions imposed by the barbarous king Eurystheus, and Apollo’s pipe was not ashamed when the god served as a slave.

Birthplace

(59) You, however, did not come to Latium from some barbarous shore; your birthplace was Smyrna, and had the pleasant water of the river Meles to drink, and the shallows of the Hermes, into which Lydia’s god, Bacchus, wades when he wants to replenish his horn of plenty with its golden silt.

Public Career

(63) There followed a brilliant career, and the esteem with which you were regarded increased as a result of the various positions of responsibility that you held in turn; it was your privilege always to walk in divine company, always to stay by the emperors’ side and attend to the secret rites of the gods. Tiberius’ court was the first to be open to you when a youthful beard was only just beginning to alter your appearance. It was then that freedom was offered to you—and your age ignored because of your great ability. The next heir of the Caesars, despite his cruelty and madness, did not dismiss you. It was then that you accompanied that tyrant—who terrorised his people, whose speech

and appearance were so frightening—to the frosts of the far North, and put up with him like those who tame fierce and savage beasts and force them to let go of limbs they have taken in their jaws, jaws which have already tasted blood, and order them not to live by robbery.

But it was Claudius who deservedly gave you the most senior positions, before he left the world in his old age for the starry heavens, and left you to his great-nephew. Has any conscientious worshipper had the chance to serve as many temples or altars? Arcadian Mercury with his wings is Jupiter's messenger; Juno owns Iris, the rain-bringing daughter of Thaumas; Triton stands ready to obey Neptune's orders; but you have blamelessly and fittingly borne the various yokes of all these Leaders, and your little boat managed to ride safely on every ocean.

And then great Fortune came stepping into your obedient home with a wonderful radiance—to you alone was entrusted the administration of the imperial treasures, the revenues accruing from every people, the income of the whole wide world. All that Spain produces from its gold-bearing mines, the gleaming ore of Dalmatia, all that is harvested from Africa's corn fields and crushed on the threshing-floors of the torrid Nile; whatever divers have brought up from the depths of the Indian Ocean; the rich flocks of Galaesus [near Tarentum]; snow-white crystals, and wood from Marseilles; the glory of Indian ivory—all these are entrusted to your administration alone, what the North Wind and the wild East Wind and the cloud-bringing South Wind carry to Rome; it would be easier to count the drops of rain in winter or the leaves on the trees! How vigilant a man! What an able mind! How quick to estimate how much is needed by the Roman armies all over the world, how much by the tribes of citizens; the cost of upkeep of temples and of aqueducts, of the forts that protect our shores and the wide network of long-distance roads; the gold needed to make his master's high ceilings glitter, the amount of ore required to be melted down to make statues of the gods, the metal that has to rattle as it is turned into coin in the fires of Italian Moneta.

Private Virtues

(106) You had few opportunities for leisure, and all thought of pleasure was banished from your thoughts; you ate little, your attention to your work was never reduced by being drowned deep in wine. On the other hand, you enjoyed the pleasure of wedded life and bound yourself by a solemn marriage to father dependants (*clientes*) who would be loyal to their master. Who doesn't know about your much-respected Etrusca's high birth and beauty?...

171.
ILS 1552

Like other freedmen, those of the emperor were keen to express the respectability they had acquired in the form of lavish funerary monuments; these inscriptions are our main source of information about the career structure of the household administration, and the extreme degree to which the specialisation of different functions was carried. thus there was a special keeper of the robes the emperor wore at triumphs.

The following inscriptions also illustrate how a freedman would free a slave woman in order to marry her (see Nos. **33** and **79** above); the *esprit de corps* within particular departments, so that one treasury official would set up a tombstone for a colleague (see No. **50**), and two aqueduct managers would share a tomb; how a slave might own slaves himself (see No. **127** above); and that ex-slaves shared the Roman respect for the ideal of monogamous family life.

To the Spirits of the Dead. To Titus Flavius Januarius, freedman of Augustus, assistant at the office of the 5 per cent inheritance tax; who died aged 26. Flavia Erotis set this up for her ex-owner and husband, who well deserved it.

172.
ILS 1556

To the Spirits of the Dead.

To Felix, freedman of Augustus; recorder of the 5 per cent inheritance tax for Nearer Spain. Hilarus, his fellow-freedman, registrar of the 5 per cent inheritance tax for the province of Lusitania [set this up].

173.
ILS 1604

To Hierocles [slave] of Augustus, superintendent of Public Works; Eros his under-slave (*vicarius*) set this up.

174.
ILS 1612

To the Spirits of the Dead.

Sabbio, slave of our Emperor, manager of the Claudian Aqueduct, made this for himself and for his wife Fabia Verecunda, with whom he lived most faithfully for twenty-four years, and for his freedmen and freedwomen, and for their under-slaves (*vicarii*), and for all their descendants.

The tomb is shared with Sporus and his dependants, also a *vilicus* of the Claudian Aqueduct.

175.
ILS 1763

Marcus Cocceius Ambrosius, freedman of Augustus, keeper of the White Ceremonial Robe for Triumphs, made this for his wife Cocceia Nice, with whom he lived for forty-five years and eleven days without cause for complaint; and their son Rufinus, home-born slave (*verna*) of our Emperor, Assistant at the Record Office, for himself and for his freedmen and freedwomen and their descendants.

This tomb is not to pass to an heir outside the family.
16 feet across, 22 deep.

176.
Tacitus, *Annals*, 12

Just as any other *paterfamilias* relied upon his freedmen procurators and slave *vilici*, so some early emperors, particularly Claudius, relied heavily upon their freedmen for advice, even on matters of public policy; since freedmen were outsiders who were not involved in the political rivalry of citizens, it was assumed that the advice they gave their patron would be objective. Only in the Flavian period were men of citizen status prepared to sacrifice their independence to join the imperial administration. The resentment felt by this later generation of imperial officials at the fact that their jobs had once been done by slaves is clearly expressed by Tacitus (and Pliny: *Letters*, 8, 6).

(53) Following these events, Claudius made a proposal to the Senate about the punishment of women who married slaves. It was enacted that those women who had succumbed to this dishonour without the knowledge of the slave's owner should be reduced to slave status, but if he had given his approval, to the status of freedwomen. The emperor made it known that his proposal had originated from Pallas; so the consul-elect Barea Soranus proposed that he should be awarded the rank of an honorary ex-praetor together with fifteen million Sesterces. Cornelius Scipio moved an amendment that he should be publicly thanked for allowing himself to be included amongst the emperor's servants and preferring the public good to his inherited nobility, since he was a descendant of the kings of Arcadia. Claudius stated that Pallas was happy just with the honour, and that he would continue to make do with his previous modest income. And so the Senate's decree was engraved publicly on a bronze tablet, praising for his old-fashioned frugality a freedman who owned three hundred million Sesterces. (54) But his brother, who was called Felix, showed no such restraint. He had already been appointed to govern

Judaea and thought that with such influential connections he could commit any crime with impunity.

