
WHO WAS DEPENDENT UPON WHOM?

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1 Introduction

From about 200 BC, during the period that Roman law most developed, the Roman economy was largely dependent on conquest and slavery.¹ Although it is difficult to estimate numbers, it may be said that slavery in Rome was a general phenomenon. By the end of the 1st century BC there were approximately two million slaves in Italy, which means that they constituted 35 to 40% of the population.² Two interesting facts concerning slavery in Rome may be mentioned here since they have direct bearing on the topic of this article. The first is that a Roman slave was not necessarily inferior.³ A slave was, obviously, dependent upon his master, but then many people in Rome, for example women and children, were dependent in many respects. And although slaves were legally, economically and in many other respects dependent upon their masters, they were often morally and intellectually superior.⁴ Secondly, the possibility existed that slaves could be freed, and that they would then receive full citizen rights.

These two statements of course give rise to a multitude of questions. Why was a slave not necessarily seen as inferior? Why were slaves manumitted? Were manumitted slaves really free and independent? Or were there remnants of dependence? Were freedmen socially accepted in Roman society?

An attempt will be made to answer these questions. Some of them will only be touched upon briefly, but one specific aspect of dependence, namely *operae*, will be discussed in more depth. I will conclude with a short exposition of the extent to which the Roman patron and Roman society in general were dependent upon freedmen.

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1 Watson *Roman Slave Law* (1987) 2. According to Justinian (*Inst* 1 3 *pr*) men are either free or slaves. After describing liberty (*Inst* 1 3 1) and servitude (*Inst* 1 3 2), he continues (*Inst* 1 3 5) by stating that there are many distinctions in the case of a free man, since they are either born free or made free.

2 Watson (n 1) 2. See also Duff *Freedmen in the Early Roman Empire* (1958) 13.

3 Watson (n 1) x.

4 Duff (n 2) 15.

2 Manumission in Rome

2.1 General

In the Roman world slaves were not necessarily seen as inferior. Slaves were captured in all parts of the Roman world and they differed greatly. Although many were fit for manual labour only, others were extremely well educated and highly civilised – often much more so than their masters. It may thus be said that although slaves were financially and socially inferior, there were many other respects in which they were superior. This fact was acknowledged by Roman slave owners, who benefitted from it, financially and otherwise.

According to Treggiari, if slaves were to be categorised at all, it would be between those belonging to civilized or uncivilized nations, and between educated and uneducated individuals.⁵ For both the Roman dealer and prospective client it was important to know whether the slave was an educated and intelligent man, or merely suited to manual work. Unskilled or savage slaves from certain countries were only fit for the mines or *latifundia*, they were expendable and they had little hope of manumission.⁶ The freedmen that we know of usually belonged to a limited class: Scholars, confidential servants of the governing class, more prosperous tradesmen and craftsmen, merchants, and workers in well-documented industries such as pottery. These were the cream of the freedmen, men with a high degree of learning and skills who had the necessary qualities to recommend them to their masters, and would also made their mark on society after manumission.⁷

Manumission was an inherent part of the system of slavery in Rome, and was regulated by law.⁸ Freedom was often conferred on slaves, and the slave class knew that release was a possibility. Slavery was therefore not necessarily a permanent state. It was accepted in Rome that the freeing of slaves was normal and desirable.⁹ Slaves thus could and did hope for freedom. In industry and domestic service by working well and saving their *peculium* they could win or buy their liberty.¹⁰ Consequently, there were tens of thousands of freedmen in Rome.¹¹ The great bulk, however, especially those in menial, non-domestic

5 *Roman Freedmen during the Late Republic* (1969) 8.

6 Treggiari (n 5) 9.

7 Treggiari (n 5) 10.

8 Dionysius of Halicarnassus 4 24 1-4.

9 Cicero *Philippicae* 8 32.

10 Duff (n 2) 15; Treggiari (n 5) 17.

11 Legislation was passed by Augustus concerning the manumission of slaves, and limiting their number. The *lex Fufia Caninia* of 2 BC limited the number of slaves certain Romans were allowed to manumit, and the *lex Aelia Sentia* of AD 4 prohibited Roman youths under the age of twenty to free their slaves, and permitted grants of freedom only to

jobs, had no expectation of being manumitted or being set free. It was the educated, civilised slaves who had expectations, and who placed an incentive on their Roman masters to manumit them since they would actually be worth more that way.¹²

2 2 Reasons for manumission

There were various reasons for manumission. First, the Romans, who often employed slaves of higher culture and/or skills than themselves, were impelled to adopt an attitude to manumission which seems very liberal.¹³ Slaves were treated as human beings, and it was sometimes seen as a duty to reward good service with freedom;¹⁴ recognition of individual merit was therefore the most important motive for manumission. It may be said that there existed a general notion of freedom as an incentive and reward in the life of a slave, and that good services would bring compensation in the form of freedom.¹⁵ Slaves were thus freed as a token of real gratitude for long service or special achievements and their personal demonstration of loyalty and obedience over the years.¹⁶

It should, however, be borne in mind that acts of generosity by owners were not the rule.¹⁷ Literary sources are full of examples of freedom being used both to bribe and to pay slaves.¹⁸ It should also be mentioned that the hope of manumission for good service was used by masters to keep their slaves docile. In a large household a master would manumit a few so that the rest would be encouraged to follow the example of their good service.¹⁹

Secondly, a master who manumitted by means of a testament, rewarded his deserving slave without himself incurring any inconvenience.²⁰ There are furthermore several cases known of slaves who were manumitted by masters on their deathbeds. For example, as he lay dying, Martial freed his slave Demetrius.²¹ Although manumission could not have altered his lot after life, it affected the fate of his remaining kin.²²

slaves over the age of thirty. Cf Watson (n 1) 23.

12 Watson (n 1) 23.

13 Treggiari (n 5) 19-20.

14 Cicero *Ad Familiares* 4 4.

15 Bradley *Slaves and Masters in the Roman Empire* (1984) 83.

16 Cf Cicero *Catilina* 4 16; *Ad Familiares* 16 16. See too Bradley (n 15) 83; Barrow *Slavery in the Roman Empire* (1968) 175.

17 See Treggiari (n 5) 11ff; Finley *The Ancient Economy* 2nd ed (1980) 122; Hopkins *Conquerors and Slaves* (1978) 117.

18 Cf *D* 40 2 9; and also Plautus *Mercator* 152; *Poenulus* 134.

19 Treggiari (n 5) 18.

20 Treggiari (n 5) 14.

21 Martial *Epigrammata* 1 102.

22 Barrow (n 16) 174-175.

Thirdly, manumission was in many cases the result of a mere commercial transaction by which the slave bought his freedom with money he had saved.²³ Senators were prevented by law from engaging in commerce since there was a social stigma attached to merchants.²⁴ Manumitted slaves were therefore put into business with terms which were beneficial to both parties.²⁵ In those cases where a slave bought his own freedom, the patron gained a short-term financial advantage. But, since the slave did not receive a *beneficium*, he may have been exempt from the obligation to render *operae*.²⁶

Fourthly, it was expensive to keep slaves, and when they grew old, or ill, it became uneconomic.²⁷ In practice this often led to an impoverished family manumitting their slaves in order to save on maintenance, while retaining some service from their freedmen.²⁸ For the poorer slave owners economic motives were of extreme importance. A slave might have been almost unsaleable, but if freed he could still render various benefits to the patron, such as *operae*, if it were stipulated, and in certain cases a share in the slave's property upon his death.²⁹ Furthermore, the freedman would possibly be able to support himself, thus taking the burden away from his former owner.

Fifthly, negative reasons sometimes motivated manumission. For example, whereas a slave could be tortured to obtain evidence against his master, a free man could not. It was thus to the former master's benefit if he were freed.³⁰

A manumitted slave became a freedman and, usually, a Roman citizen. There were, however, certain legal restraints which prevented him from fully realising himself in society.³¹ The fact that the slave was not born free served as a disqualification, since only freeborn Romans were capable of holding a Roman magistracy or entering the high orders of the army. Fortunately, however, by law the status of freedman was restricted to one generation. The son of a manumitted slave was regarded as freeborn if he was born after his father had been manumitted.³² He thus enjoyed rights which his father never had, and in practice this meant that it took two generations to "overcome" the disqualifications of a servile origin.

23 Duff (n 2) 15; Treggiari (n 5) 17.

24 Duff (n 2) 17.

25 *D* 2 13 4 3; *D* 17 2 63 2; *D* 14 4; *D* 14 3.

26 Treggiari (n 5) 16-17.

27 Cato *De Re Rustica* 2 7.

28 Barrow (n 16) 174.

29 Treggiari (n 5) 16 28. Cf, too, Dionysius 4 24; Dio Cassius 39 24.

30 Treggiari (n 5) 18. This was done, eg, by Clodia (Cicero *Caelum* 68), and Milo (Cicero *Milo* 57ff).

31 Barrow (n 16) 190 aptly describes the manumitted slave's position: "The control from the past was accompanied by a barrier against the future." See also Alföldy *Römische*

2 3 The rights of the patron after manumission

The patron's rights after manumission fell into three classes.³³ The right of succession on the freedman's death, the right to *obsequium*, and the right to *operae*. In this discussion the focus will fall on the right to *operae*.

Operae concern the relationship between a patron and his former slave. What did this relationship comprise? Did the master have any rights and obligations? Did the freed slave have any rights and obligations? It has already been said that newly-freed slaves entered society in a disadvantaged position due to their servile origin. The authority of their former masters, now their patrons, was a living reality.

In *Digest* 38 2 1, the most important text on the rights of patrons and freedmen during Republican times, Ulpian says that the *praetor*, Rutilius, proclaimed that the patron would only have an action for services if a pledge had been granted.³⁴ If the manumission was voluntary and gratuitous in other respects, it was allowed and usual for patrons to require *operae*.³⁵ These were the duties which the slave had to perform to the advantage of the patron. The patron's right to *operae* did not automatically follow on manumission. It was the result of an oath which the freedman took at the time of manumission.³⁶ This duty therefore followed from a contract, and not from his status as freedman. Modestinus says that where no services have been imposed, a slave who has been manumitted cannot be impelled to perform services which he has not promised, even if he has performed them of his own free will at some time or another.³⁷

Sozialgeschichte 2nd ed (1979) 99.

32 Barrow (n 16) 190; Bradley (n 15) 82.

33 Watson (n 1) 35ff.

34 *Cf D 38 2pr + 1. Hoc edictum a praetore propositum est honoris, quem liberti patronis habere debent, moderandi gratia. namque ut Servius scribit, antea soliti fuerunt a libertis durissimas res exigere, scilicet adnumerandum tam grande beneficium, quod in libertos confertur, cum ex servitute ad civitatem Romanam perducuntur. 1. Et quidem primus praetor Rutilius edixit se amplius non daturum patrono quam operarum et societatis actionem, videlicet si hoc pepigisset, ut, nisi ei obsequium praestaret libertus, in societatem admitteretur patronus.* Gardner (*Being a Roman Citizen* (1993) 26-27) says that the edict of Rutilius, issued late in the 2nd century BC, should probably be interpreted to mean that Rutilius would allow patrons to sue freedmen only to exact the fulfilment of specific contractual obligations: *operae* and *societas* are mentioned. According to Rutilius, therefore, certain demands made upon freedmen were not legally enforceable, and he illustrated this by mentioning those which he would indeed be prepared to enforce.

35 Buckland *A Textbook of Roman Law from Augustus to Justinian* 2nd ed (1950) 89.

36 Usually at the time of manumission. A slave could not make legally valid oaths and in practice this meant that he made a promise before manumission, and was then bound by the *fas* to repeat it after manumission. *Cf D 38 1 31* (Modestinus). *Operis non impositis manumissus, etiamsi ex sua voluntate aliquo tempore praestiterit, compelli ad praestandas, quas non promisit, non potest.* See also Cicero *Atticum* 7 2 8: *Itaque usurpavi vetus illud Drusi, ut ferunt, praetoris, in eo, qui eadem liber non iuraret, me istos liberos non addixisse, praesertim cum adesset, nemo a quo recte vindicarentur.*

37 *D 38 1 31* (see n 36). See also *D 38 1 7*. *Cf Treggiari* (n 5) 74; Kaser *Das römische Privatrecht* vol 1 (1971) 119; Nicholas *An Introduction to Roman Law* (1964) 75.

It was usual before manumission to exact from a slave an undertaking under oath to render certain services, the nature and extent of which were defined by law.³⁸ In terms of this obligation, the manumitted slave had to perform certain services for his patron for a certain period of time.³⁹ Paul describes services as the work performed in one day.⁴⁰ By law the patron thus had the right to services of the freedman for a fixed number of days work per year.⁴¹ However, it often happened that these services exceeded those explicitly required by law.⁴² Manumission thus worked to the patron's advantage.⁴³

This arrangement profited both parties. On the one hand, the slave whose social status changed to that of freedman, was generally happy to be freed, in spite of the possible hardship that freedom might have brought upon him. On the other hand, the patron did not suffer such a dramatic economic loss as would have been the case had the manumitted slave just disappeared from his life. He continued to benefit economically from the freedman's labour in terms of a contract, and furthermore the freedman could perform services which could not be performed by a slave.⁴⁴ *Operae* were regarded as a way in which the slave's value could be recouped. According to Bradley the *operae* system may explain the prevalence of manumission in Roman society as a whole.⁴⁵

It is generally accepted that the promise to perform *operae*, the *promissio iurata liberti*, was as old as manumission itself.⁴⁶ This oath was a general one. The practice of *redemptio operarum*, in terms of which a freedman could buy himself off from performing the duties which were due in terms of the oath, or, if he had already performed some of them, the remaining duties, is also proof of the existence of such custom.⁴⁷

Operae were of two kinds, namely *operae officiales* and *operae fabriles*. *Operae officiales* were mainly domestic, while *operae fabriles* consisted of skilled labour, such as work performed by physicians, artists, architects and manufacturers.⁴⁸ *Operae fabriles* were of greater economic value than *operae*

38 Since the agreement was not supposed to form a burden on the freedman's liberty, the number of days work and the nature thereof had to be reasonable. Cf *D* 38 1 16*pr*; *D* 38 1 16 1; *D* 38 1 15*pr*; *D* 38 1 46; *D* 38 1 48 2.

39 Duff (n 2) 44ff; Treggiari (n 5) 75ff.

40 *D* 38 1: *Operae sunt diurnum officium*.

41 Watson (n 1) 41.

42 D'Arms *Commerce and Social Standing in Ancient Rome* (1981) 103.

43 Gaius *Inst* 1 19: *Iusta autem causa manumissiones et si quis ... servum procuratoris habendi gratia aut ancillam matrimonii causa apud consilium manumittat*.

44 See Gardner (n 34) 20. Although both money and *operae* could not be exacted, money could be accepted instead of promised *operae* in certain cases.

45 (n 15) 81.

46 See Treggiari (n 5) 75. Cf also Steinwenter *RE* Kroll (ed) Vol 25(2) (1926) *sv libertini* 109.

47 Treggiari (n 5) 75-76. Cf *D* 40 32 1f; *D* 40 9 39.

48 Duff (n 2) 44; Treggiari (n 5) 76-77.

officiales, and passed to the heirs of the patron. The freedman's obligation, however, died with him and did not pass to his heirs. Probably, the *operae officiales* usually contained little more than the privileges which the *officium* conferred upon the patron, and it was thus easy to see why it died with the patron. Since the *operae fabriles* were more commercial in character, and had much wider implications, it was made to continue to the death of the freedman.⁴⁹

Operae constituted a legal bond between the freedman and the patron, but it did not make up a large part of their relationship.⁵⁰ It did, however, place a serious burden on freedmen who wished to rise in society and do business for themselves.⁵¹ Although the slave was legally and formally freed, some legal rights and duties continued to make up a part of the relationship between the former master and former slave. The social relationship between these two parties, however, was usually not based on equality. This applied also to the social relationship between the former slave and Roman society. It may be said that freedmen, in general, enjoyed a lower social status. No freeborn Roman would freely choose to be called a *cliens*,⁵² and a manumitted slave was consequently called a "friend" by his former master⁵³ and not treated as a slave. However, this did not at the same time bring an end to any dependence or domination which still existed in the relationship. A slave's social standing was obviously also dependent upon the nature of the work he performed and his relative poverty. It should be borne in mind though, that there were many slaves who became extremely wealthy, and through their wealth and the work they performed became the equal of any Roman.

Trimalchio is often used as an example of a freedman making it good, a freedman aspiring and trying to achieve respectability by becoming a landowner and money-lender.⁵⁴ Finley points out that as freedman, Trimalchio was excluded from certain activities and social circles, in spite of his wealth.⁵⁵ He accepted senatorial values, bought large estates in order to qualify as a gentleman, and was proud of his money. He worked hard to increase his commercial and agricultural activities, and steadily increased his wealth.

49 *D* 38 1 (Ulpian). 6. *Fabriles operae ceteraeque, quae quasi in pecuniae praestatione consistunt, ad heredem transeunt, officiales vero non transeunt.*

50 Watson (n 1) 43.

51 Duff (n 2) 45.

52 See Cicero *De Officiis* 2 69.

53 Cicero *Ad Familiares* 16 16 1.

54 Trimalchio is discussed in Petronius' *Satyricon*. See also D'Arms (n 42) 98-99.

55 Finley (n 17) 50-51 61.

3 The freedmen's role in Roman society

3.1 Private life

The Romans were obviously quite willing to admit talented slaves after their manumission into the intellectual life of the Roman community. They were also accepted into Roman political and economic life without any manifestation of prejudice arising from their former status.⁵⁶ This attitude may be ascribed to the following: First, the secure position which slaves held in the Roman *familia*; secondly, Roman citizenship was non-exclusive, and slaves could become citizens after manumission; thirdly, Greek culture was superior and there were many Greek slaves in Rome; and, fourthly, there was a need for and lack of teachers to meet the new cultural demands of Roman society combined with the fact that the main source of slaves during the third and second centuries, namely capture in war, provided a steady source of educated slaves capable of instructing the youth of the Roman upper classes.⁵⁷

In private households they served as procurators, doctors, barbers, or they carried on the trade or industry they previously performed for their masters.⁵⁸ Slaves learnt from their masters how to run a shop that he financed, how to practice a trade that he apprenticed them to, how to handle his accounts, and when they were manumitted, they had experience and could practice their knowledge.⁵⁹ Relations between patron and freedmen were usually friendly and close: For example, where the owner of an apartment block with shops along its frontage made use of his former freedman, whom he knew and trusted, to manage the shops for him.⁶⁰ In this case the freedman and his family would live over the shop and the main profits would go to the patron. Slaves who learnt their trade while working for their master in his trade usually continued in that trade once they were freed, and it seems as though they normally followed their patron's trade. Slaves and freedmen were frequently used during the last decades of the republic as business agents in the transfer of money and property,⁶¹ and as accountants in large households.⁶²

56 Westermann *The Slave Systems of Greek and Roman Antiquity* (1957) 79.

57 *Ibid.*

58 Duff (n 2) 90-92.

59 MacMullen *Roman Social Relations - 50BC to AD 284* (1974) 103.

60 Meiggs *Roman Ostia* (1973) 224. See Gaius *Inst* 1 19: *lusta ... causa manumissionis est si quis ... servum procuratoris habendi gratia, aut ancillam matrimonii causa apud consilium manumittat.*

61 Cicero *Ad Atticum* 13 50 2. *Ad Familiares* 12 29 2.

62 *Ad Atticum* 1 12 2; 5 4 3; 19 1; 8 7 3; 10 5 3; and *Ad Familiares* 5 20 12.

It should be borne in mind that the upper-class Romans' disdain for manual labour did not include agriculture and direct service to the state.⁶³ All the work in Rome which did not fall into these two categories therefore had to be performed by slaves and freedmen. Freedmen, especially those who had no obligations, that is, who have been set free from *operae etcetera*, went out into the world as independent Roman citizens. Their abilities, willingness, capital and intelligence enabled them to fill a need in society which earned them an important place in Roman history. They were indifferent to the indignity attending trade which bothered the upper-class Romans. It was freedmen and their descendants who amused the public, supplied most articles of daily use and consumption, and made an important contribution in the fields of the liberal professions.⁶⁴ In trade and industry the role of freedmen and their descendants were dominant.⁶⁵ They entered into every phase of commercial life and took part in almost every sphere of money-making: They were farmers, builders, food-merchants, clothiers, slave-dealers, bankers, metalworkers, doctors, artists and teachers.⁶⁶ Manual work was left to slaves, freedmen and their descendants, as a true aristocratic Roman deemed such drudgery unworthy. For them it was less disgraceful idly to depend on the state or on a patron for subsistence than to earn a living by sordid labour. This is seen clearly from Cicero's discussion of Roman prejudice against manual labour.⁶⁷ It should be borne in mind that when the great influx of slaves began in the second century BC, they were first absorbed into industrial labour and domestic employment. During this time talented slaves brought art and science to Rome, and they remained in control of these disciplines. Industry, medicine, architecture and similar occupations became increasingly connected with slavery, and this intensified the Romans' prejudice against these forms of labour.⁶⁸

Roman industry thus recruited its labourers almost entirely from slaves, freedmen and their descendants. Freedmen who excelled in the above trades,

63 Duff (n 2) 98.

64 Duff (n 2) 103-104 117-122 (law, medicine, teaching and art).

65 The wealth of most Romans, eg senators, was based on farming their big estates, and it was usually *equites* and freedmen who acquired their money by means of commerce and moneylending. Cf Alföldy (n 31). See, too, Petronius *Satyricon* 75.

66 See Duff (n 2) 105.

67 *De Officiis* 1 150-151. The general opinion regarding work among the higher, aristocratic classes, is reflected in Cicero *De Officiis* 1 150, where he states that although there is nothing noble about a workshop, to do (in many cases the same thing) on a higher level, from which society derives the highest benefit, are considered honourable occupations for those to whose social position they are appropriate. According to Cicero many freedmen occupied humble positions in commerce and manufacturing. They were, however, respected, and the further away they lived and worked from Rome, the less was the distinction made between a freedman and a freeborn Roman. The late Republican upper-class attitudes towards traders and trade slowly faded away.

68 Duff (n 2) 107-108.

professions and amusements found many opportunities to enrich themselves and they rose to positions of considerable wealth.

Much of the information regarding non-imperial freedmen and their activities come from Ostia and Puteoli since epitaphs and dedications of freedmen dominate the surviving inscriptions from these cities. It provides us with information about their status, their position in local society, and their prospects for eventual acceptance into the ruling class.⁶⁹ Inscriptions from Ostia indicate that freedmen constituted a large part of the population, especially in the second century, and that their activities were widespread. It is clear from these inscriptions that they were largely involved in the commercial and manufacturing activities of the local communities. It also appears that freedmen's sons featured largely in municipal life, and that they were of real importance in these imperial ports.⁷⁰ Meiggs points out that freedmen were at the very centre of Ostian society.⁷¹ They were indispensable to the town's trade and trading guilds. Their descendants increasingly took part in local government. Freedmen were mainly occupied with trade and industry, but they also had social ambitions. Although they could not hold public office, their sons and descendants could, and did. Freedmen thus worked hard at their trade and made use of their new fortune to launch their families in a public career. They first became active the governing classes of Ostia at the end of the first century, and during the second century their sons and descendants became more prominent.

This leads to the question: Did freedmen attain real freedom to pursue their money-making and other activities in these cities, or did the patrons continue to exercise control? It is difficult to distinguish between those cases where a freedman's duties remained more or less the same as before manumission, and those where he performed more responsible tasks, imposed by the patron, and mainly to the patron's economic and other advantage.⁷² But there was yet another group, consisting of truly independent freedmen who acted only on their own behalf and in their own interest. How large was this group? Large enough to make an impact on the economy? D'Arms suggests a considerable number of freedmen were fully released from their former masters and their

69 D'Arms (n 42) 121-122.

70 D'Arms (n 42) 139-140.

71 Meiggs (n 60) 217.

72 D'Arms (n 42) 142-143, especially n 106. According to him (at 65), in some cases senators were involved in trade, including banking, commerce and manufacture, and then their freedmen were found in the forefront of such enterprises.

families, and that they were in a position to be economically independent and contributed to the benefit of society. These freedmen were juridically, economically and socially independent of their patrons.⁷³

3 2 Public life

Slaves of the imperial family posted throughout the Empire during the first two centuries AD fulfilled an important role in public life. Their importance attained as slaves often continued during the rest of their lives as imperial freedmen. Inscriptions found in all parts of the Empire and the literature of the period indicate that the increase of the imperial domains and other properties of the emperors, both in the imperial and the senatorial provinces, as well as the increasing ceremony and luxury of the imperial household, encouraged the use of slaves and freedmen in the confidential and personal duties for which they were responsible.⁷⁴ They were known to be trusted and capable. Freedmen also played an important role in the actual management of the household of the imperial palace, either as attendants of members of the imperial family, or as assistants assigned by the emperors to their administrative agents.

As in private life, imperial slaves who were manumitted by the emperor frequently owed their patron (ie the emperor) services (*operae*).⁷⁵ At the end of Domitian's reign there was still a substantial number of freedmen in the civil service.⁷⁶ The gradual transition in the civil service from freedmen to the military was not yet completed by the time of Constantine.⁷⁷

The powers which were gained in the first two centuries by some of the freedmen through their intimate connection with certain emperors may be illustrated by a few examples. Licinius, a freedman, was appointed procurator of Gaul by Augustus;⁷⁸ Musicus Scurranus, freedman of Tiberius and former paymaster attached to the *fiscus* in Gallia Lugdunensis, had sixteen slave assistants assigned to be in attendance when he died in Rome;⁷⁹ and Cleander became *cubicularius* when a freedman under Commodus.⁸⁰ Also in the central administration of Rome several powerful freedmen may be found: Polybius (*a studiis*), Pallas (*a rationibus*), Narcissus (*ab epistulis*) and Castor (*a memoria*

73 D'Arms (n 42) 146.

74 Westermann (n 56) 109-110.

75 Jones *Studies in Roman Government and Law* (1960) 160.

76 Jones (n 75) 164.

77 Jones (n 75) 165.

78 Suetonius *Augustus* 67 1.

79 Westermann (n 56) 112.

80 *Scriptores Historiae Augustae* "Commodus" 6 2. He was said to have enrolled freedmen in the senate and to have made 25 persons consul in one year.

et a cubiculo).⁸¹ In the provincial administration the use of the *liberti Augusti* was mainly restricted to those positions which were open to direct appointment by the emperors of men who were to act as their personal representatives. Several freedmen were known to have been appointed to high posts. Under Claudius a brother of the freedman Pallas, named Felix, was appointed as *procurator* of Iudaea with command over its troops.⁸² When Hadrian, however, started replacing imperial freedmen in all higher administrative posts with *equites*, the power and position of slaves and freedmen necessarily started to diminish.⁸³ Thereafter they appeared with increasing rarity in the higher positions. During the latter half of the third century both imperial slaves and imperial freedmen disappeared from the lower administrative posts of the Empire. They were displaced by the new bureaucracy taken from the free population.

During the first two centuries AD there was a positive change in the attitude towards slaves and presumably also freedmen. It was probably aided by the honourable positions which freedmen of the imperial household assumed in this period, and their efficient services. Westermann refers to Ciccotti who ascribes the change in the public attitude toward the institution of slavery under the Empire to the wealth and social positions attained by freedmen.⁸⁴

Generally it may be said that with the exception of imperial freedmen, a freedman's past was against him in every sphere of public life, religious, municipal and military. They were denied the highest positions. Yet they pre-eminently filled the lower ranks. Without being in positions of high authority, they kept the imperial machinery going. They provided the foundations on which greater men built.⁸⁵ Concerning the influence of freedmen on the social and economic history of Rome, it should be borne in mind that while the number of freedmen in proportion to Roman society is a relevant factor, it is difficult to determine. Freedmen's business ability accorded them a large share in the credit for the sound administration of the empire and they solved the difficulty for the early emperors to bridge the gap between the Republic and the Empire.

4 Conclusion

It is clear that most freedmen in Rome were seldom really free. To a certain degree they remained bound to their patrons – morally and contractually.

81 Suetonius *Claudius* 28; Dio Cassius 60 14 3-4 and 76 14 2.
82 Suetonius *Claudius* 28 1.
83 Westermann (n 56) 112.
84 (n 56) 113 n 75.
85 Duff (n 2) 129.

However, it is also clear that Roman patrons and Roman society as a whole became more and more dependent upon freedmen as time went by. Working for a wage was regarded as unworthy of a Roman of high standing,⁸⁶ and the Roman aristocracy dreamt about a life of *otium*. For them this did not mean that they would do nothing; it meant that they would have sufficient time to work for the common weal. Only people who had time and money enough could devote their lives to the service of the state. This, of course, was the attitude of the upper classes. A very different view of labour was held by normal middle-class Romans, who worked as artisans and traders. It is also important to bear in mind that certain kinds of work were not looked down upon, not even manual labour. As indicated, farming was regarded highly, and considered to be worthy of the most distinguished Romans.⁸⁷ It was the fact that the work was performed for the person himself, and not for a third person, that made it acceptable. And then too, the question was whether it was done gratuitously or not. Altruistic behaviour was acceptable, whereas working for money was not.⁸⁸

There is no certainty regarding the number of wealthy freedmen, or their socially accepted upper-class sons, who put their money in land, but perhaps half of the larger farms and vineyards in the neighbourhood of Pompeii (employing many slaves – as evidenced by excavations), were the property of freedmen.⁸⁹ To a large extent freedmen (or their descendants) were thus responsible for the food production of the population.

It is important to note that the status of freedman was by law limited to a single generation. A freedman thus placed all his hopes on his sons to realise the social and political aspirations which he had been denied. Gordon, in a study based on more than a thousand texts, found that a large percentage of members of municipal senates were the sons of freedmen.⁹⁰ In Ostia, the figure might have reached 33% or more. According to Tacitus most equestrians and many senators were the sons of slaves.⁹¹ This might not be quite true, but the fact remains that a statement like that indicates that the sons of freedmen achieved many and high positions in Rome.

86 Zimmermann *The Law of Obligations. Roman Foundations of the Civilian Tradition* (1990) 388 nn 23 and 24. See Cicero *De Officiis* 1 150f about the low estimation of manual labour.

87 Cato *De Agri Cultura pr*; Cicero *De Officiis* 1 151f.

88 Zimmermann (n 86) 389.

89 Finley (n 17) 78.

90 "The freedman's son in municipal life" 1931 *Journal of Roman Studies* 65-77.

91 *Annals* 13 27.

As Rome expanded, first in the western and then also in the eastern Mediterranean, a huge market developed. The growth of cities in the late Republican period presented great opportunities and there was a need for luxury goods, services and trades. This apparently went largely unnoticed by the Roman upper-class who turned to land. The needs were consequently filled by (Greek) freedmen, who were ambitious, talented and remarkably successful.⁹²

Those Romans from the upper class who saw the financial potential of this expansion, made use of freedmen to build or expand their fortunes, while remaining behind the scenes. In the Roman world it was possible for a person with a minor skill or a small sum of money to become wealthy. Romans with money invested in smaller enterprises which were then run by an entrepreneur, in many cases a freedman.⁹³ It may be said that the organization of commerce and manufacture in the Roman world moved across social divides, and involved men from different social levels, all working towards the same goals, namely acquiring wealth and social status.⁹⁴

Both freedmen who were truly independent and those who were still in some sense dependent upon their patrons, to a large extent contributed to the cultural development and financial growth of the Roman empire. The “dependence” of some freedmen did not detract from the fact that they made a significant contribution to many aspects of Roman society. They enhanced the quality of life and level of civilization in Rome by their higher level of development. The truly independent benefitted their patrons as well as Roman society in many respects. They, as well as, of course, the descendants of both groups, made their own fortunes, and obtained high positions in public life. They were of great importance to the development and growth of Rome – intellectually and in all fields of commercial life. In public life their intellectual capabilities and administrative skills contributed to the smoother and more effective running of the state machinery during the later Republic and the Empire. It follows that although most freedmen remained, in some sense, dependent upon their patrons, Rome too was dependent upon freedmen and their descendants.

92 MacMullen (n 59) 126.

93 MacMullen (n 59) 99.

94 D'Arms (n 42) 55 169.