

**ON THE SOCIAL STANDING
OF FREEDMEN AS INDICATED
IN THE LATIN WRITERS, A
DISSERTATION, PART I**

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JOHN JACKSON CRUMLEY

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ON THE SOCIAL STANDING OF FREEDMEN
AS INDICATED IN THE LATIN WRITERS

PRECEDED BY

A DISCUSSION OF THE USE AND MEANING OF THE WORDS
LIBERTUS AND *LIBERTINUS*

BY

JOHN JACKSON CRUMLEY

PART I

A Dissertation

SUBMITTED TO THE BOARD OF UNIVERSITY STUDIES OF THE JOHNS HOPKINS UNIVERSITY
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INTRODUCTION.

The primary object in this investigation is to collect the materials upon which may be founded an historical survey of the social standing of the Roman freedmen. This aspect of the freedman's life has been touched upon by various modern authorities while dealing with other matters; but no complete treatment of the subject, which follows the method here attempted, is known to me.

Rome was a state in which slavery was, from first to last, an established institution. Under such conditions, the social standing of any freedman may, in a general way, be taken for granted. The influence of race, of character, of ability, would at best be slight; and traces of them wherever they occurred, would call for careful examination.

Social position is not necessarily affected by civic rights. For that reason those aspects of the bondsman's life, (to which many scholars have already devoted their attention), are touched upon here only where they appear to have some bearing upon the subject in hand. It was enough that the freedman was a freedman. The question then seems to be whether the effect of this opinion upon the man's social standing varied at all at different times and under changed conditions, and if so, what the causes were.

With this end in view, I have examined the Roman authors from Plautus to Suetonius as well as some of the more important later works, including the law codes. The inscriptions are also important in this connection but it was found necessary to omit them, at all events, for the present.

A necessary preliminary to my investigation is a discussion of the use and meaning of the Roman words for a freedman, *libertus* and *libertinus*. This is the more necessary because the distinction between them is even of greater importance here than it is in any other phase of the subject. This study of *libertus* and *libertinus* must also be prolonged at some length, owing to the fact that discussions of these words began among the Romans themselves, and that no small portion of the modern literature on the duties and privileges of Roman freedmen is affected by differing conceptions of the meaning and value of the words by which they were designated.¹

¹Only the discussion of the words *libertus* and *libertinus* is herewith presented.

LIBERTUS AND LIBERTINUS IN LITERATURE.

Two words were used by the Romans to designate a freedman, *libertus* and *libertinus*. Both of these appear in the earliest extant Latin literature and both continued throughout the entire history of the language. As regards the meaning and use of *libertus*, there seems to be practically no difference of opinion. Isidor., Orig. 9, 4, 47, defines *libertus* as follows: *Libertus autem vocatus quasi liberatus. Erat enim prius iugo servitutis addictus.* All classical writers, as we shall see below, seem to have used the word in the sense of 'a man that has been freed from slavery,' and modern authorities, so far as I know, give it this interpretation; but they say that it designates the freedman only in relation to his patron or manumitter. Some add that it is either always used with a genitive or a possessive modifier referring to the patron, or that we must mentally supply such a modifier.¹

There is no such unity of opinion concerning *libertinus*, and the discussion of this word dates back to the time of Suetonius. Suet. Claud. 24, *Ignarus temporibus Appii et deinceps aliquandiu libertinos dictos, non ipsos qui manu emitterentur, sed ingenuos ex his procreatos.*

Isidor. Orig. 9, 4, 47. *Libertorum autem filii apud antiquos libertini appellabantur, quasi de libertis nati.*

Acron on Hor. Sat. 2, 3, 281. *Libertinus.* liberti filius.

Schol. on Ter. Adolph. 896, in Hermes 1867, II, 401, (quidam) *libertinos volunt esse iam ingenuos, ut pote de civibus (libertis) Romanis natos.*

Schol. on Ter. Eun. 3, 5, 60, (Schlee, p. 105), *Libertinus filius liberti.*

The writer of the following passages in the Theodosian Code,

¹ Cf. Momm. Staat. 3, 422; Smida, Suet. Claud. 24; Krebs-Schmalz, Antibarbar.; Valla Elegant, iv, 1; and the dictionaries.

though he does not define the terms, may have written under the influence of the passage in Suetonius.

Cod. Theod. 8, 13, 1. Liceat matribus, si impios filios probare se posse confidunt, publice adire iudicia. Matrem autem ingenuam, libertam, libertinam, cui scilicet civitatis Romanæ iura quaesita sunt, ita ut queri antiquo iure poterant accipi audiri que decernimus; itemque filios filias, ingenuos ingenuas, liberos libertas, libertinos libertinas, cives pari condicione Romanos.

Cod. Theod. 4, 6, 2, (Goth.), Ceteris (quæ) de eorum matribus, libertis libertinisque per novam constitutionem decreta sunt.

Claudius in speaking of his ancestor Appius, had used the word *libertinus* in a sense that included manumitted men. Suetonius in the place cited, criticised this use of the word, stating that in the time of Appius, *libertinus* did not mean a freedman himself but the free-born son of a freedman. It should be observed here that Suetonius in this statement is not supported by any other Latin author; and that it is made in criticism of a man who did not take this view of the word. The statement too, is a very bold one and there can be no doubt as to what he meant. It seems to have left a deep impression on the scholars of the late empire and of mediæval times. They not only accepted the statement concerning the preliterary use of the word; but some seem to have adopted and continued this signification; for example in the Theodosian Code, places cited above. It has had the same influence upon scholars of modern times, especially in the field of law.¹

¹ Gothofredus and Haenel both interpret the word in the Theodosian Code in this way and cite Suet. Claud. 24 as authority.

M. Voigt, Ueber die Clientel und Libertinität, chapters 8 and 9, in Berichte d. Kön. Sächs. Gesel. Vol. 30, takes the same view and quotes numerous passages from the classical writers apparently to maintain the idea that the word was used even in the literary period in this restricted sense. (Note the distinction between this narrow signification, the son of a freedman, and the meaning given in this paper, 'freedmen as a class.')

The position of Voigt in this article, which appeared in 1878, is certainly untenable, as the examination of the literature made herein will indicate. It seems to me also that H. Lemonnier, Condition Privée des Affranchis aux Trois Premiers Siècles de L'Empire Romain, 1887, pp. 1-12, has shown that Voigt's view is wrong; but Voigt in the second volume of his Römische Rechtsgeschichte, 1899, advocates the same view as in his former

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.

The Latin dictionaries are fairly uniform on the meaning and use of *libertus* and on the first meaning of the noun *libertinus*, saying that they both referred to freedmen, that is to manumitted men, but that *libertus* designated a freedman in reference to his manumitter or patron, that *libertinus* designated a freedman without reference to his patron but to his position in society or the state. (This matter will be taken up after we have made an examination of the two words). They are not agreed, however, in regard to the recognition of the statement of Suetonius.

Forcellini, definition 4), App. Claudii aetate, et aliquandiu post libertini dicebantur non iidem ac liberti, sed libertorum filii: qui tamen inter ingenuos postea habitati sunt. (Then quotes Suetonius).

Stephanus, def. 2), Libertinus, qui ex liberto creatus est.

Georges, Zur Zeit des Appius Claudius, 447 d. St. u. noch eine geraume Zeit nachher, bedeutete Libertinus den Sohn eines Freigelassenen, und erst der Enkel eines Freigelassenen hatte die ingenuitas. Unter den Kaisern aber waren Söhne der Freigelassenen gleich ingenui, und die Freigelassenen selbst hatten die Libertinitas, s. Suet. Claud. 24. Libertini iidem qui liberti, a servitute manumissi, cum conditione operarum exhibendarum.

Ducange, for mediaeval Latin, Alias libertini appellantur ex libertis nati.

Freund, 2), (followed by Harper's and White & Riddle), Uebertr., der Sohn eines Freigelassenen, zum Untercheide v. libertus, dem Freigelassenen selbst, (so nur nach einer Angabe des Sueton. u. des Isidor).

article. On the other hand, Lemonnier seems to have overlooked one of the principal characteristics of *libertinus*, that is, its use to designate a class of men rather than definite individuals. (For the persons that may be included in this class, see later pages in this paper.)

Momm. Staatsr. 3, 422, regards the statement of Suetonius as incorrect and misleading. Smilda, Suet. Claud. 24, thinks there is no reason why we should distrust the statement of Suetonius. Compare also Karlowa, Röm. Rechtsges. I, 354, and Herzog, Gesch. u. System d. Röm. Staatsv., I, 994.

The use of the word in the classical authors will be examined later in this paper, and after we have made a study of the words *libertus* and *libertinus* throughout the entire literature, and also a grammatical study of the forms of both words, we may be able to throw some light on the definition given by Suetonius.

Those who have written on the subject of the freedmen and the two words that the Romans used to designate this class of men seem for the most part to have handled the subject from the legal or political point of view; and but little has been offered by this class of writers from a philological point of view. It is my desire therefore to make a grammatical study of the forms of the two words, as preliminary to an examination of the words themselves in literature.

THE SUFFIX *-to*.

This form seems to have been used in early times both as a primary and as a secondary suffix: 1) Joined immediately to the root or ground form, as in *altus*. 2) As a secondary suffix joined to adjective, noun or verb stems, as *vetus-tus*, *scelus-tus*, *lega-tus*, *arbus-tum*. *Libertus* belongs to this class. The suffix itself, originally had an active signification,¹ and some of the participial adjectives or participles formed by it remained active even on Italian soil²; as *sci-tus*, *sta-tus*, *cena-tus*; but the most of these forms in Italian times had a passive signification, especially those connected with transitive verbs³; as *da-tus*, *lega-tus*.

A characteristic signification of the forms that contained this suffix seems to have been 'fullness or completed action,'⁴ and it is therefore somewhat like the suffix *-ed* in our past participles. The old verbal adjective was more inclined to take a participial

¹ Cf. Brugmann, Grundriss II, 206; Indogerm. Forsch. V, 218; Meyer, Vergleichende Grammatik II, 303.

² The fact that there was no other active or middle suffix for past action may have in a measure been the cause of this.

³ Brug. Grund. II, 206; Indogerm. Forsch. V, 97, and 119; Meyer, Vergl. Gram. 303.

⁴ Stolz, Histor. Gram. I, 530; Brug. Grund. II, 206; Meyer, 303.