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Chapter III: Freedmen

By Charles Shonk

For Martial, freedmen occupy an uneasy position in the Roman social order. On the one hand, as former slaves, they ought to wear their newfound freedom with some degree of humility and deference; on the other hand, as beneficiaries of manumission, they can hardly be expected not to take advantage of their improved social status. They are members of the most upwardly mobile class in Roman society, and, as such, they are threatening to (relatively) established, conservative equestrians like Martial. Some freedmen, such as Parthenius, personal attendant of Domitian, are immune to criticism by virtue of their proximity to the emperor, and, indeed, it is because Martial goes out of his way to flatter such men, whom he should, it seems, revile on principle, that he has sometimes been labeled a hypocrite. Take, for example, this prayer to Apollo on behalf of Parthenius and his son, Burrus:

*Haec tibi pro nato plena dat
laetus acerra, / Phoebe,
Palatinus munera
Parthenius, / ut, qui prima
novo signat quinquennia
lustris, / impleat innumeras
Burrus Olympiades. / fac rata
vota patris: sic te tua diligit
arbor / gaudeat et certa
virginitate soror, / perpetuo
sic flore mices, sic denique
non sint / tam longae Bromio
quam tibi, Phoebe, comae.¹
(4.45)¹*

Admittedly, the tone of this epigram is factitious and unconvincingly affectionate, but to accuse Martial of hypocrisy on the basis of such insincerity would be to misunderstand the fundamental reason behind his prejudice against freedmen. The fundamental reason that Martial despises so

many freedmen is not because they are freedmen, but because they pretend they are something better than freedmen and, in so doing, violate the existing social order. Now, Parthenius does neither of these things. He does not pretend to be something better than he is, nor does he violate the existing social order, for, in the Empire, all social rules and distinctions are defined by the emperor's decree, and Parthenius is, as it were, an extension of that fiat. Therefore, Martial is not guilty of any inconsistency in praising Parthenius, even if he is guilty of pretense and insincerity. Here again, however, one might defend Martial by *admitting* that he is being insincere: *of course* he is. Even Parthenius knows that. It is the transparency of such pretense that makes it harmless – a polite fiction between two civilized people.

Thus, Martial's classism is not, in my view, a rigid classism, like that of Juvenal, for whom a person's social rank, determined at birth, is something like a person's eye color – an immutable natural characteristic. Martial's view of the social order is *somewhat* more fluid because he recognizes that distinctions within the social hierarchy are not features of the natural world: they might be overruled or, indeed, assigned and determined (as in Parthenius's case) by Rome's leading citizen, the emperor. Conveniently enough, Martial is rarely forced to choose between this belief in the emperor's sovereignty – his adherence to the imperial status quo, as it were – and his classist tendencies, because Domitian himself seems to have been something of a classist. He thought, like Martial, that freedmen ought not to usurp the rights and privileges of their betters. Actually, he thought that freedmen ought not to usurp the rights and privileges of their betters precisely to the extent that his power was

¹ Cf. 5.6, 11.1, 12.11.

thereby enlarged or secured. But insofar as his power was tied to the hierarchical structure of Roman society, he exercised it for the conservation of that hierarchy, which was pleasing to Martial. True, the class distinctions Martial held dear were born out of the Republic, which naturally encouraged them by virtue of its hierarchical system of elected offices, and, to that extent, the Republic would probably have been more amenable to Martial's classism than the Empire, which effectively flattened out that hierarchy by investing one person with its various offices.

This tension – between Martial's somewhat old-fashioned classism and his adherence to the imperial status quo – is borne out by a scholarly debate over his epigrammatic treatment of the *Lex Roscia theatralis*, a censorial law that was reinstated, after a period of dormancy, under Domitian's reign. The *Lex Roscia*, as it is called, prescribed that the first fourteen rows in the theater be reserved for the use of equestrians only. Naturally, this law pleased Martial very much. In fact, he wrote a whole cycle¹ of epigrams on the subject, each of which pokes fun at the various non-equestrian freedmen who try, by diverse ploys, to pass themselves off as bona fide knights in order to get into one of the reserved seats. Using these epigrams as interpretational fodder, Thomas Malnati attempts to argue, contra John Sullivan, that Martial, as opposed to Juvenal, does not object to (the) social mobility (of freedmen) in itself; rather, he is simply concerned with exposing pretense and enforcing the law, i.e. maintaining the imperial status quo: 'Martial is not concerned in the slightest about one's birth... As far as Martial is concerned, no one without the equestrian census is permitted [by law] to sit in the first fourteen

rows. ...his main concern is to expose pretense.'² Arguing against this view, Sullivan maintains, on the basis of a much broader selection of epigrams, that Martial's social outlook was more akin to Juvenal's, i.e. that he did indeed have quite definite concerns about the status of one's birth: 'Strongly conscious of rank and status, Martial fears anything that threatens the social order as he conceives it and his own position in it.'³

Now, Malnati may be correct to point out that Martial is concerned, in general, to 'expose pretense' and, in particular, to see that the *Lex Roscia* is enforced, but, presumably, these are not claims that Sullivan would care to dispute. We are left, then, with Malnati's only controversial assertion, namely that Martial is perfectly comfortable with social mobility, or, as Malnati puts it, 'not concerned in the slightest with one's birth.' Surely, however, this claim is grossly oversimplified and unnecessarily absolute. Indeed, if Martial does not care at all about the social status of one's parents, then what are we to make of Malnati's assertion that Martial's 'main concern' is to 'expose pretense?' Expose pretense about *what*? Malnati cannot reply 'pretense about social rank', for it makes no sense that Martial should 'expose' or criticize a freedman for pretending to be an equestrian if, as Malnati suggests, Martial is completely ambivalent about whether anyone is a freedman or an equestrian in the first place! At this point, Malnati might reply, 'Ah! That's just it. I do *not* say that Martial exposes a freedman for pretending *to be an equestrian*, but rather that he exposes a freedman, or anyone else, for having pretensions *at all* – for pretending to be what he is not.' This claim, however, is simply false: Martial *does* expose

¹ The *Lex Roscia* cycle is comprised entirely of epigrams from Book V: 8, 14, 23, 25, 27, 35, 38, and 41.

² Malnati, T.P. 'Juvenal and Martial on Social Mobility'. *Classical Journal*. Vol. 83, p. 133.

³ *Martial: the Unexpected Classic*. p. 162.

freedmen for pretending to be equestrians, *not* for pretending to be 'whatever'. Indeed, it would be quite odd if he *exposed* them for pretending to be giraffes, for example, even if they were, in fact, pretending to be giraffes. The point is this: it only makes sense to say that Martial 'exposed pretense' if we mean that he exposed pretense *about certain things*, and he would not have bothered to *expose* pretense about, say, social rank if indeed he did not care about social rank in the first place.

Laying aside, for the moment, such *a priori* considerations, let us look at some of the *Lex Roscia* poems and see whether there is, after all, anything worthwhile in Malnati's interpretation of them. In the first of these, the object of Martial's satire is a certain Phasis, whose attempts to pass himself off as a knight at the local theater do not fool the theater's attendant, Leitus:

*Edictum domini deique
nostri, / quo subsellia
certiora fiunt / et puros eques
ordines receipt, / dum laudat
modo Phasis in teatro, /
Phasis purpureis rubber
lacernis, / et iactat tumido
superbus ore: / 'tandem
commodius licet sedere, /
nunc est reddita dignitas
equestris; / turba non
premier, nec inquinamur' -
/ haec et talia dum refert
supinus, / illas purpureas et
arrogantes / iussit surgere
Leitus lacernas.ⁱⁱ (5.8)*

Martial's references to Phasis's 'purple cloak' (*purpureis ...lacernis*) and 'purple, arrogant mantle' (*purpureas...arrogantes...lacernas*) are cues to the reader that Phasis has donned the traditional color of a knight in order to 'blend in,' (presumably) in the hopes that Leitus will not notice him. Now, Malnati maintains that Martial is simply concerned

to mock Phasis's pretense: 'Because he *pretends* to be an equestrian, he becomes the butt of Martial's humor.'¹ In keeping with what was said above, we might well reply, with different emphasis, 'Yes, of course: because he pretends *to be an equestrian*, he becomes the butt of Martial's humor'. But even apart from such theoretical considerations, Malnati's interpretation is unconvincing, for Martial is obviously concerned to satirize not only Phasis's equestrian pretensions, but also his stupidity. What person with an average intelligence quotient, after all, would disguise himself (in the manner outlined above) for the purpose of blending into a crowd of equestrians, and then intentionally make himself conspicuous by loudly expressing support, in the most stereotypical terms, for the *Lex Roscia*? Phasis's performance is convincing to no one; it only serves to catch the attention of Leitus, the attendant, who apparently knows this idiot on sight. Clearly, Martial's intention is to portray Phasis, representative of would-be equestrians, not only as a fake, but also as a moron. Clearly, Martial is not merely exposing Phasis's pretense, but also laughing down his nose at him. Clearly, Martial is the social elitist that Malnati does not want him to be.

The next non-equestrian to attract Martial's derision in the *Lex Roscia* cycle is Nanneius, who evidently is not much smarter than Phasis. He is expelled from various seats in the equestrian section no less than three times until, finally, he moves to the end of a crowded equestrian bench and 'half-supported...tries to sit with one leg for the knights and stand with the other for Leitus':

*Sedere primo solitus in gradu
semper / tunc cum liceret
occupare Nanneius / bis
excitatus terque transtulit
castra, / et inter ipsas paene*

¹ 'Juvenal and Martial on Social Mobility', p. 135.

*tertius sellas / post Gaiumque
Luciumque consedit. / illinc
cucullo prospicit caput tectus
/ oculoque ludos spectat
indecentis uno. / et hinc miser
deiectus in viam transit, /
subselloque semifultus
extremo / et male receptus
altero genu iactat / equiti
sedere Leitoque se stare.ⁱⁱⁱ
(5.14)*

The first two lines of the poem identify Nanneius as one of the ‘squatters’¹ who had become accustomed to sitting in the first fourteen rows (*primo...in gradu*) of the theater before the *Lex Roscia* was reinstated. As the epigram continues, the reader can hardly doubt that Martial is trying to make a fool out of Nanneius; the poor man takes up first one position, then another, in an infantile attempt to evade detection. He even tries to hide by cramming himself between two equestrians and peering out from beneath his hood with one eye (*illinc...uno*) – as if that does not make him all the more conspicuous. There is no hint of sympathy in Martial’s tone, though there may be a bit of condescending pity (*miser deiectus*). Martial obviously enjoys watching – from the comfort of his seat *in gradu primo* – this non-equestrian make an ass of himself.

Later on, Martial singles out a certain Bassus for ridicule. It seems that, before the *Lex Roscia* was reinstated, Bassus always wore plain green to the theater, but ever since then, oddly enough, he has been sporting a purple cloak:

*Herbarum fueras indutus,
Basse, colores, / iura
theatralis dum siluere loci. /
quae postquam placidi
censoris cura renasci / iussit*

*et Oceanum certior audit
eques, / non nisi vel cocco
madida vel murices tinctoria /
veste nites et te sic dare
verba putas. /
quadringentorum nullae sunt,
Basse, lacernae, / aut meus
ante omnis Cordus haberet
equum.^{iv} (5.23)*

‘There are no cloaks worth *four hundred thousand*², Bassus’ (Line 7). This punch line is indicative of the epigram’s purpose, which is quite obviously elitist. Martial does not *just* want to ‘expose pretense;’ he wants to expose pretensions of social rank – to embarrass an already insecure Bassus by bringing his not-so-clever ruse out into the open. Martial is deliberately rubbing it in, as if to say, ‘Oh *come on*, Bassus! No cloak is worth *that* much’ – implying, of course, that the cloak is the sum total of Bassus’s financial assets.

Now, if Malnati’s point is simply that Martial is not concerned to criticize a freedman just for being a freedman, then of course he is right. But this merely reinforces what we, following Sullivan, have already said about Martial’s general outlook on society: everyone, even a freedman, has his place in the social order. This is the positive side of Martial’s negative satire, and, indeed, it is illustrated by yet another of the ‘*Lex Roscia* poems: *ingenium studiumque tibi Moresque genusque / sunt equities, fateor: cetera plebis habes. *** bis septena tibi non sint subsellia tanti, / ut sedeas viso pallidus Oceano*’^v (5.27). ‘May the fourteen rows not be of such great value to you that you sit pale at the sight of Oceanus’ (Lines 3-4). Martial is telling his anonymous addressee (whose name may or may not be supplied in the missing section of the epigram) not to care so much about the equestrian theater seats – to be content,

¹ Shackleton-Bailey, D.R., ed. and trans. *Epigrams*. Vol. I. Cambridge, Mass.: Harvard UP, 1993. p. 14.

² I.e., four hundred thousand sesterces – the amount of wealth requisite for the rank of equestrian.

more or less, with his place in the system. Granted, this anonymous man has the 'talent, application, manners, and breeding' (*ingenium...genusque*) of a knight, but without 'the rest' (*cetera*) – without the requisite property – he is not a knight. And so, says Martial, he should not desire to be one, at least not to the point of growing 'pale' about it.

The *Lex Roscia* poems offer a cohesive and illuminating account of Martial's social attitude toward freedmen, but they do not tell the whole story. Indeed, the total number of *Lex Roscia* poems adds up to less than half the number of epigrams written about, or rather against, just one freedman – an ostentatious libertine and self-made equestrian by the name of Zoilus. He is one of the few people whom Martial seems to insult for no other reason than the pure joy of it. Take, for example, this two-liner from Book II: '*Zoile, quod solium subluto podice perdis, / spurcius ut fiat, Zoile, merge caput*' (2.42). The English has a certain immediacy: 'Zoilus, you foul the bath by washing your anus. To make it dirtier, Zoilus, sink your head in it.' Such verbal abuse is not an isolated case, and the reader may safely assume that Zoilus represents the sum of everything Martial detests in a freedman.¹ Perhaps the thing he hates most about Zoilus is his ostentatious display of wealth.

The most extended treatment of this subject occurs in Book III, where Martial spends thirty-three lines^{vi} describing the outrageous – and slightly disgusting – opulence of one of Zoilus's dinner parties. Elbowing his guests out of the way (*hinc et inde*), Zoilus spreads himself out on the couch (*iacet in lecto*), while various slaves

attend to his every desire: '*stat exoletus suugeri que ructanti / pinnas rubentes cuspidesque lentisci, / et aestuanti tenue ventilat frigus / supine prasino concubina flabello, / fugatque muscas myrtea puer virga. / percurrit agili corpus arte tractatrix...*' (3.82, Lines 8-13). Perhaps most shocking of all, to a modern reader at least, is the occupation of Zoilus's eunuch: '*digiti crepantis signa novit eunuchus / et delicatae sciscitator urinae / domini bibentis ebrium regit penem*' (3.82, Lines 15-17). These excesses might be excusable if Zoilus were as generous with his guests as he is with himself, but, as Martial testifies, the guests' fare is meager indeed: '*Ligurumque nobis saxa cum ministrentur / vel cocta fumis musta Massilitanis...*' (3.82, Lines 22-23). Finally, Zoilus slips into a drunken slumber, and his guests are constrained, on strict orders, to drink in silence, 'pledging each other with nods': '*nos accubamus et silentium rhonchis / praestare iussi nutibus propinamus. / hos malchionis patimur improbi fastus, / nec vindicari, Rufe, possumus: fellat*' (3.82, Lines 30-33).

These last two lines get to the heart of Martial's frustration with freedmen such as Zoilus: 'We endure the disrespect of an impudent jerk, and we cannot avenge ourselves! Rufus, he sucks dick'² (3.82, Lines 32-33). It is noteworthy that Martial chooses to call Zoilus '*malchio improbus*.' *Malchio* comes from the Greek for 'nasty fellow,' while *improbus* has a range of meanings and connotations, all of which seem to apply, in one way or another, to Martial's representation of Zoilus: 'inferior,' 'bad,' 'morally bad,' 'perverse,' 'wilful,' 'bold,' 'persistent,' 'mischievous.' Thus, Zoilus is loathsome to Martial on many levels. There is the obvious fact that he is boorish, offensive, and selfish – a 'nasty fellow' – and there is the fact that is a

¹ By the way, the fact that there are certain things – things quite apart from what is allowed or prohibited by law – that Martial expects from (or detests in) any freedman, is sufficient to disprove Malnati's thesis that Martial does not care about social rank in itself.

² Martial accuses Zoilus of fellatio an inordinate number of times: 6.91, 11.30, 11.85.

freedman, a former slave, and therefore *improbus*, in the sense of 'inferior.' As if these characteristics were not bad enough, they are exacerbated immeasurably, in Martial's mind, by at least two other circumstances: first, the fact that Zoilus is *improbus* in yet another sense, i.e. 'bold' or 'persistent,' and second, the fact that he is a very wealthy knight¹, and therefore protected from 'retaliation' (*vindicari*). Indeed, it is this last item that seems to infuriate Martial the most. He cannot simply laugh at Zoilus, as he laughs at the non-equestrian freedmen in the theater, for Zoilus is one of his own class. And he cannot simply ignore him. His only recourse, then, is to abuse him in print, if only for the purpose of letting off steam. The gross hyperbole and fantastic caricatures of 3.82 are, perhaps, the fruits of such 'anger management.'

Just as we saw that the officiousness of Charidemus² was all the more irksome to Martial by virtue of Charidemus's status as a freedman, so we see now that the outrageous vices of Zoilus are even more intolerable to Martial by virtue of the fact that Zoilus, now an equestrian, was once a slave. Indeed, Martial goes out of his way on at least three occasions³ to heap shame upon Zoilus for his servile past. He even accuses him of being a runaway, the implication being, presumably, that no master in his right mind would manumit Zoilus except, perhaps, to get rid of him: '*a pedibus didicere manus peccare protervae. / non mirror furem, qui fugitives eras*'^{vii} (11.54, Lines 5-6). Zoilus is certainly the most infamous of freedmen to draw the sting of Martial's satire, but he is not the only one. Cerdo, the cobbler of Bononia, figures prominently in at least

three epigrams⁴, one of which is especially illustrative of Martial's classist tendencies: '*sutor Cerdo dedit tibi, culta Bononia, munus, / fullo dedit Mutinae: nunc ubi copo dabit?*'^{viii} (3.59). The tone of this short epigram is one of disdain and incredulity. Martial cannot believe that freedmen of such menial occupations – a cobbler and a fuller – are financially equipped to put on *public shows* (*munus*) in their respective cities, and so he asks, rhetorically, 'Where now will the *shopkeeper* give one?'

It is clear from such examples that, contrary to Malnati's assertions, Martial's fundamental social outlook is a classist one and that he is especially sensitive to the social mobility of (ostentatious) freedmen. It is probably unfair, however, to concentrate so much on the deficiencies of Malnati's interpretation without also pointing out the flaws in Sullivan's. Indeed, although Malnati's interpretation stands in need of qualification, it contains some kernels of good sense that are, perhaps, missing from Sullivan's account. Specifically, Sullivan is sometimes too quick to say that Martial's classism is grounded in a certain conception of the natural, rather than the social, world: 'The natural subservience of slave to master, even of wife to husband, female to male, is for Martial a social, indeed natural, given'⁵ (*sic*). I submit that, on this issue, Sullivan ascribes to Martial a position that more comfortably fits Juvenal. In effect, Juvenal constantly complains that the *actual* social order does not match up with the *natural*, or *ideal*, social order. One often finds Juvenal complaining, for example, that those with the real brains, breeding, and talent must deal with social subordination to hypocrites and morons. On the other hand, Martial's genial acceptance of certain 'high-profile'

¹ More wealthy, in fact, than Martial, if the evidence of other epigrams is reliable (2.16, 4.77).

² Martial's boyhood tutor.

³ Cf. 3.29, 11.37, and 11.54.

⁴ Namely 3.16, 1.59, and 3.99.

⁵ Sullivan, John. *Martial: The Unexpected Classic*. Cambridge: Cambridge UP, 1991. p. 166.

freedmen, such as Parthenius, is ample evidence that he did not consider class

Appendix: English translations¹ of passages quoted in Latin

- i. 'These gifts, Phoebus, Palatine Parthenius gives you happily from a full censer for his son's sake, that Burrus, who marks his first five years with a new luster, may complete numberless Olympiads. Make the father's prayer come true; so may your tree love you, and your sister rejoice in assured virginity. So may you shine in perpetual bloom, so in fine may Bromius' locks not be so long as yours, Phoebus.' (*Epigrams*, Vol. I, p. 315)
- ii. 'As Phasis in the theater the other day (Phasis ruddy in resplendent cloak) was praising the edict of our Lord and God, whereby the benches are more strictly assigned and the knights have regained their rows undefiled, and proudly puffing made this vaunt: "At last we can sit more comfortably, knightly dignity is now restored, we are no longer pressed and soiled by the crowd" – while, lolling back, he delivered himself in these and similar terms, Leitus ordered that resplendent and, [*sic*] arrogant cloak to get up.' (*Epigrams*, Vol. I, p. 361)
- iii. 'Nanneius, who always used to sit in the first row in the days when squatting was allowed, was

distinctions 'natural' in an absolute sense.

roused and moved camp twice and thrice. Finally, he sat down behind Gaius and Lucius, right between the seats, almost making a third. From that position he peered out with a hood over his head and watched the show with one eye in no seemly style. Dislodged from there too, the wretch moves to the gangway and, half-supported by the end of a bench, where he is ill received, he pretends to the knights with one knee that he is sitting and to Leitus with the other that he is standing.' (*Epigrams*, Vol. I, p. 367)

- iv. 'Your clothes were the color grass, Bassus, so long as the seating rules in the theater lay dormant. But since the care of our kindly censor ordered their revival and a less dubious corps of knights obeys Oceanus, you shine in garments steeped in scarlet or dyed in purple, nothing else, and thus you think to cheat him. No cloak, Bassus, is worth four hundred thousand, otherwise my friend Cordus would be first to have his horse. (*Epigrams*, Vol. I, p. 377)
- v. 'Brains, application, characters, family – these you have as befits a knight, I grant. Your other attributes are of the common people. *** Don't let the fourteen rows mean so much to you that you turn pale in your seat when you see Oceanus.' (*Epigrams*, Vol. I, p. 381)

¹ All translations are by Shackleton-Bailey, D.R., ed. and trans. *Epigrams*. Vol. I-III. Cambridge, Mass.: Harvard UP, 1993.

- vi. 'Whoever can stand dinner with Zoilus, let him dine among Summemmius' wives and drink sober from Leda's broken jar. That would be easier and cleaner, I'll be bound. Clother in green he lies filling up the couch and thrusts his guests on either hand with his elbows, propped up on purples and silk cushions. A youth stands by, supplying red feathers and slips of mastic as he belches, while a concubine, lying on her back, makes a gentle breeze with a green fan to relieve his heat, and a boy keeps off the flies with a sprig of myrtle, A masseuse runs over his frame nimbly and skillfully, scattering an expert hand over all his limbs. The eunuch knows the signal of his snapping finger and probes the coy urine, guiding a tipsy penis as his master drinks. But himself, bending back toward the crowd at his feet, in the midst of lapdogs who are gnawing goose livers, divides the boar's sweetbreads among his wrestling-coaches and bestows turtle rumps on his fancy-boy. While *we* are served with the produce of Liguria's rocks or must cooked in Massiliot smoke, he pledges his naturals in Opimian nectar with crystal and murrine cups. Himself dusky with Cosmus' phials, he does not blush to distribute a needy drab's hair oil among us out of a gold shell. Then he snores, sunk by
- many a half pint. We lie by, with orders not to interrupt the snorts, and pledge each other with nods. This insolence of an outrageous cad we suffer and cannot retaliate, Rufus: he sucks, males.' (*Epigrams*, Vol. I, p. 263)
- vii. '...Your impudent hands learned wickedness from your feet. I don't wonder you're a thief, seeing that you used to be a runaway. (*Epigrams*, Vol. III, p. 49)
- viii. 'Cerdo the cobbler gave a show for you, elegant Bononia, a fuller gave one for Mutina; where now will the innkeeper give one?' (*Epigrams*, Vol. I, p. 245)

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