# Recovering Runaways

## Slave Catching in the Roman World

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# CONTENTS

# ABBREVIATIONS

AE = *L'Année Épigraphique*

BGU = *Aegyptische Urkunden aus den Koniglichen Museen zu Berlin, Griechische Urkunden*

CIL = *Corpus Inscriptionum Latinarum*

FD = *Fouilles de Delphes*

ILS = *Inscriptiones Latinae Selectae*

O. Bu Njem = *Bu Njem Ostraca Papyri*

P.Cair. Zen. = *Zenon Papyri*

P.Corn = *Cornell Papyri*

PGM = *Papyri Graecae Magicae*

P. Grenf. = *Grenfell Bernard Papyri*

P. Harr. = *Harris Papyri*

P. Oxy. = *The Oxyrhynchus Papyri*

PSI. = *Papiri greci e latini*

P.Turner. = *Turner Papyri*

SGD = *Survey of Greek Defixiones Not Included in the Special Corpora* (D. R. Jordan, 1985)

UPZ = *Urkunden der Ptolemäerzeit Papyri*

# Introduction

To be a slave was to exist in a state of powerlessness. However, unlike the later slave societies of the eighteenth and nineteenth century, Roman slavery was not an institution set up solely to meet labour demands. Instead, antique slavery can be characterised as the subjugation of the weak by the strong, the abhorrent outcome of an elite attitude to seek mastery over others.[1] Slaves in the Roman Empire were under the complete authority of their owners, they possessed no legal rights and suffered daily objectification. Chiefly, slaves lacked what the freeborn could take for granted; legitimate kinship, physical integrity, legal representation and the right to own property.[2] As a result, it is little wonder that many slaves chose to resist. Resistance took many forms, ranging from low-level acts of rebellion such as slowing down the pace of work, damaging tools and feigning illness, to the extremes of violence and escape.[3] Running away was, as we shall see, a risky endeavour, though many slaves considered it the only viable way they could break free from a life of bondage.

In reaction to the threat of slaves taking flight, slave owners and legislators took precautionary measures to make escape extremely difficult. A complex network of interlinking systems and strategies were in place, designed to deter flight and streamline the capture and return of fugitives. It is the various ways in which slave owners sought to recover and protect their property that this paper will aim to address. Although much has been written about ancient slave resistance in the last forty years, few scholars have focused on the servile motivations for escape or the pursuit and capture of fugitive slaves. This dissertation will attempt to fill in the gaps left by past studies by answering several historical questions: Why and how did slaves escape? What methods did slave owners use to prevent decampment? Who was involved in the pursuit of fugitive slaves? How did the provincial and central government react to the problem of runaways? And finally, how were captured slaves punished? The findings highlight not only the brutal treatment runaways suffered, but the lengths that the imperial government went to ensure that the property rights of slave owners were upheld.

## *Historiography*

The study of ancient slavery has had a long and uneasy history. Antiquarian interest in the subject can be traced back several hundred years, though it was not until the nineteenth century that modern scholarly research started to be produced. Critically, historians of the Victorian era begun to make increasing use of inscriptional evidence in their examination of slaves in Roman society. Among the first to utilise the epigraphic material was the French historian Henri Wallon, who examined epitaphs alongside literary and legal sources in his multi-volumed work exploring enslavement in antiquity.[4] By the early twentieth century, the systematic study of epitaphs had led to the emergence of several new theories linking the prevalence of slavery with the decline and fall of Rome. Tenney Frank's 1916 statistical analysis of 10,000 inscriptions from Roman Italy, argued the vast majority of tombstones belonged to ex-slaves originating from the eastern half of the Empire. Frank concluded that the high percentage of oriental ex-slaves in Rome amounted to a form of "race suicide", wherein the native Roman stock was diluted by those of racially and socially inferior

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[1] Bradley, 2015, 150.

[2] Joshel, 2010, 38.

[3] Joshel, 2013, 107-108.

[4] Henri Wallon, 1847.

ancestry.[5] Shockingly, Franks's findings were supported by Mary Gordon's 1931 epigraphic enquiry into Roman municipal government. Gordon found that over 20% of individuals holding municipal office during the second century CE were of servile decent.[6] Like Frank, Gordon considered the assimilation of freedmen into the ruling class one of the reasons for Rome's gradual demise.

In addition to the quasi-racist viewpoints exemplified by Frank and Gordon, many early classicists were reluctant to acknowledge that the Roman and Greek societies they so highly prized freely engaged in the exploitation of other human beings.[7] Subsequently, numerous nineteenth and early twentieth century historians downplayed the severity of ancient slavery and focused instead on what they considered to be the milder aspects of the system i.e. manumission. For instance, Jérôme Carcopino's *Daily Life in Ancient Rome* promoted the idea that Roman slaves were comparatively well treated and enjoyed a host of social and material benefits.[8] Alternately, as Moses Finley has identified, some scholars sought to highlight the relationship between the Christianisation of the Empire and the decline of slavery across Europe.[9] The French historian Paul Allard is perhaps the most famous proponent of such views, arguing that Christ's call to renounce worldly possessions extended to the manumission of slaves.[10] Despite their best efforts, Christian academics could not avoid the simple fact that the triumph of Christianity in the later Roman Empire did not bring about the immediate end of slavery. As a result, they attempted to find historical explanations for the survival of slavery that did not compromise the sanctity of the Church. Heinrich Wiskemann side stepped the issue by maintaining that the Apostles tactically accepted slavery in order not to deter potential converts.[11] A number of other historians, notably Joseph Vogt, opted not to engage with the counter-evidence at all.[12]

Following the Second World War, classicists and historians alike accepted that a more balanced approach to ancient slavery was needed. Although it would be nearly impossible to list the entirety of post war scholarship, I will try to give an overview of some of the more influential arguments. The growth of the Marxist perspective is particularly consequential. From the outset, David Konstan was keen to stress that the rise and fall of Roman slavery could be interpreted as part of the wider class struggle underway in antiquity.[13] Likewise, Geoffrey Croix, among others, felt sure that Marxist theories of labour exploration could better illustrate the extent of servile labour practices across the ancient world.[14] Marxist interest in the life and work of Roman slaves culminated in the belief that slave owners viewed their workforce in purely exploitive terms. While this reading of ancient slavery was favourably received among English speaking academics, many German scholars considered the debate to have been an oversimplified and argued master-slave relations were in fact far more diverse. Since 1950, the Mainz Academy's project *Forschungen zur antiken Sklavere* (Research into Ancient Slavery) has been publishing work challenging the opinions

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[5] Frank, 1916, 704.

[6] Gordon, 1931, 70.

[7] Finley, 1998, 286-287.

[8] Carcopino, 1943, 56.

[9] Finley, 1998, 81.

[10] Allard, 1876, 202

[11] Wiskemann, 1866.

[12] Vogt, 1975.

[13] Konstan, 1975, 158.

[14] Croix, 1981, 133.

promulgated by British and American scholars. The *Forschungen* have predominantly taken to examining the evidence neglected by other historians and approached ancient slavery from a highly "functionalist" perspective.[15] The 1991 work of Fridolf Kudlien, examining the presentation of slaves in ancient oracles, epitomises their approach. Rather than focusing on the manner in which slaves were controlled, Kudlien explored the more human aspects of slave life (their hopes, aspirations and fears) and asserted that slaves did not undergo a social death simply because they lacked freedom.[16] Above all, the German school has sought to move the debate away from the subjugation of slaves and instead focus on their lives and personal relationships.

Returning to anglophone tradition, it is Keith Bradley who has done most to advance our understanding of the slave experience. Bradley's passionate belief that the slave voice can be recovered from the silence of elite writers has led to a multitude of new historical approaches.[17] Critically, Bradley advocates that in order to understand how slaves responded to their subjugation we must turn to acts of resistance, studying the ways in which slaves challenged the presumptive right of their owner to demand service.[18] However, Peter Hunt has questioned the ability of historians to distinguish between acts of self-interest and acts of resistance.[19] For example, how are we to discern between an act of arson motivated by a slaves hatred of his master and the slow pace of work resulting from 'laziness'. Although Hunt is right to point out the shortcomings in Bradley's methodology, some acts of rebellion are clearly distinguishable from the surviving evidence. Interestingly, Morris Silver has reached a drastically different conclusion. Silver argues that rather than being forced into slavery, the majority of slaves sold themselves into bondage in the hope of guaranteed subsistence and opportunities for social advancement.[20] Yet Silver's argument is complicated by the clear presence of slave resistance in the ancient sources. He retorts that two kinds of slavery existed in Rome, contractual and forced, and acts of resistance belong in the proportionally smaller category of forced slavery.[21] While I am not entirely convinced by Silver's hypothesis, it remains good food for thought.

A final mention is owed to Keith Hopkins, whose seminal study into the social position of slaves in the Roman Empire, served to highlight the benefits of a comparative approach.[22] Hopkins advocated that through comparing Rome with the other slave societies of world history, the nuances of Roman slavery could be better accentuated. The economic historian Peter Temin has levied some rightful criticisms against Hopkin's methodology, especially in regard to his assumption that slave economies thousands of years apart functioned in essentially the same manner.[23] In spite of this, it cannot be denied that there is still considerable value in the comparative approach trailblazed by Hopkins, a point to which I will return shortly.

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[15] McKeown, 2007, 31-32.

[16] Kudlien, 1991.

[17] McKeown, 2007, 77.

[18] Bradley, 2011, 363.

[19] Peter Hunt, 2018, 140.

[20] Silver, 2011, 73.

[21] Ibid, 97.

[22] Hopkins, 1978, 100.

[23] Temin, 2013, 121.

The historiography pertaining to the capture of fugitive slaves is less substantial. To the best of my knowledge, only three studies have exclusively dealt with the tactics used by Roman slave owners to deter and recover runaways. David Daube's investigation into the legal evidence for professional slave-catchers is especially intriguing. Daube estimates that *fugitivari* (slave-catchers) and runaways would, on occasion, work together in order to defraud the slave master.[24] Heinz Bellen's inquiry into slave flight in the Roman Empire is more extensive. Bellen primarily tracks the evolution of the state's response to runaways, focusing on the legal measures designed to deter flight and punish those suspected of harbouring fugitives.[25] More recently, Christopher Fuhrmann has surveyed the evidence for runaway slaves in the context of Roman policing.[26] Fuhrmann does an admirable job in underlining the interconnectivity between the civilian, imperial, gubernatorial, and military resources used to track fugitive slaves. However, Fuhrmann's work still leaves some unanswered questions, particularly in regard to the prevalence and motivations of runaways. Nevertheless, both Bellen and Fuhrmann's studies will serve as the benchmarks for this thesis.

My discussion of the previous scholarship is, needless to say, selective. Only those debates that were instrumental in recalibrating our understanding of Roman slavery and, more recently, slave resistance, have been admitted. This being said, I hope now to outline my own position and signpost a number of differences in my approach. As already suggested, flight must be considered alongside other forms of slave resistance, as it directly compromised the slave owner's prerogative to demand labour. However, like Kudlien, I think it unwise to tar all slaves with the same brush. Doubtlessly, some slave men and women did flee because the weight of bondage became unbearable, but we must also expect to find those who ran away for deeply personal reasons unconnected to their servile status (see chapter one). Furthermore, I wish to emphasise the place of personal agency and social connectivity in a slave's decision to abscond. The ability of bondspeople to procure provisions, map out escape routes and enlist the help of other members of their community is vital to understanding their chances of success. Lastly, it is important to recognise a feature peculiar to Roman slavery. However uncomfortable it is to hear, sources can be found to support nearly any argument, ranging from Silver's belief that the majority of ancient slavery was voluntary, to Bradley's standpoint that slavery is inherently violent and exploitative. With this in mind, I will proceed to discuss the variety of sources used in this enquiry.

### *The Sources*

Studies of Roman slavery are at the particular disadvantage of having to work with extremely limited evidence. As a result, it has been necessary to use a "murky ancient Mediterranean soup of sources".[27] This entails the examination of literary, legal, papyrological, epigraphic and archaeological material. Although using a wide range of sources goes someway in mitigating the scarcity of primary evidence, it does present the user with some interpretive challenges. Foremost, we must account for the elite bias in the ancient literature. Generally speaking, it was not in the interest of ancient authors to record the day to day life of their slaves. When slaves do appear, it is common for them to be portrayed as lazy, disloyal and cunning. Occasionally we come across a 'good' slave, such as the senator Urbinus Panapio's servant, who voluntarily sacrificed himself to

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[24] Daube, 1952, 12-28.

[25] Bellen, 1971.

[26] Fuhrmann, 2012, 22-43.

[27] Richlin, 1997, 198.

save his master's life.[28] The polarisation of slaves in Roman writing reveals a great deal about elite prejudice, but offers very little insight into the slave worldview. Nevertheless, it is possible to gauge something of the slave experience through scrutinising elite attitudes towards slavery. For example, the agriculture writer Columella's assumption that the use of slave labour in a mill would result in grain going missing from the threshing floor, suggests slaves resisted their subjugation through stealing some of the products of their labour.[29] Hopkins has come out in support of such an approach, arguing that social history can be "squeezed" from elite writings and ancient fiction if only the time is taken to fully analyse their content.[30]

The legal codices suffer from a similar bias, owing to the fact they predominantly reflect the professional interests of the legislators. By and large, Roman jurists were not concerned with law reform or typical court proceedings, but rather those aspects of the law which personally intrigued them.[31] Consequently, the discussion of slaves preserved in the *Digest*, *Institutes* and *Theodosian Code* is skewed towards ownership, manumission and sale, as opposed to the realities of slave life and work. Despite this, some of the laws reproduced in the legal texts can be understood as reacting to specific social problems. Therefore, examining reactive legislation can help uncover the ways in which civic authorities dealt with fugitive slaves at different points in time. Finally, it is important to remember that the laws laid out in the codices functioned alongside numerous other local laws, about which we know very little. In order to compensate for this, it is necessary to balance the legal evidence with more nuanced sources.

Letters, arrest warrants, and the engraved tags and collars worn by slaves can tell us a great deal about runaways. However, it is important to consider the representative value of these sources before drawing definitive conclusions. As Jenifer Glancy notes, the difficulties of interoperation are compounded when we try to generalise the significance of a specific finding.[32] This is particularly true in the case of papyrological and epigraphic sources, where the extant material may not necessarily reflect widespread practices or points of view. Indeed, Lily Taylor's study into the demographics of Roman slavery concedes that the inscriptional evidence from Rome cannot be used to estimate the total slave population.[33] In a similar fashion, the disproportionate number of papyri texts to survive from Roman Egypt leads us to question its typicality as a province.[34] Egypt is well known to have had a smaller slave population than other areas of the Empire, and thereby the surviving papyri are unlikely to reflect the universal slave experience.[35] The use of archaeological material encounters comparable problems.

It must also be noted that the sources used in this paper do not adhere to a strict time frame. Due to the finite evidence for runaways in the Roman period, I have opted to include material from the Hellenistic world as well. Papyri from pre-Roman Egypt and Asia Minor are particularly insightful. Among the declarations, petitions and private letters of the Zenon archive, we find a number of

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[28] Macrobius, *Saturnalia*, 1.16.

[29] Joshel, 2013, 109.

[30] Hopkins, 1993, 4.

[31] Watson, 1993, 1347.

[32] Glancy, 2006, 4.

[33] Taylor, 1961, 132.

[34] Glancy, 2006, 5.

[35] For the singularity of slave labour in Roman Egypt see Gibbs, 2012, 44.

invaluable references to escaped slaves.[36] Inscriptional evidence from Hellenistic Greece has, where appropriate, also been called upon. Although Hellenistic and Roman slavery had much in common, it is essential to identify some of their key differences. Unlike Roman slaves, Hellenistic bondsmen could not expect to receive citizenship following their manumission.[37] What is more, liberated slaves (*apeleutheroi*) were often subjected to a form of conditional freedom known as *paramonē*, wherein they were required to continue in their master's service for a certain period of time. Slaves under *paramonē* could not own land, had their labour mandated and were, as far as we can tell, unpaid.[38] Roman slavery had no such concept, instead, manumission spelt the end of a slaves servile status and their (relative) incorporation into free society.[39]

The Christianisation of the Empire following Constantine's conversion in 312 CE, has led some scholars to propose that Roman slaves experienced changes in their treatment and material circumstances (see above). Dimitris Kyrtatas has argued that "besides rejecting the religious beliefs and practices of their contemporaries" Christians were highly critical of the "predominant morals" of their pagan peers.[40] For example, Constantine's ban on the tattooing and branding of slaves is often cited as a sign of the gradual humanising effect Christianity had on chattel slavery. Equally, the Christian condemnation of extramarital sex, or *porneia*, is sometimes taken as a sign that the sexual abuse of slaves became increasingly taboo. However, the former does not appear to have a Christian origin, while the latter was only ever legislated against in the context of mistress-slave relations.[41] While it is clear Christian moralist were critical of cruel slaveholders, slave masters continued to suffer no legal penalties for their violent and abusive behaviour.[42] As a result, I do not subscribe to the view that the Church had any immediate effect on the institution of slavery and, henceforth, do not make an evidential distinction between the pre and post-Constantinian sources.

However, the polemical nature of Christian literature does require some attentiveness on the part of the reader. The underlying proselytism in many of the works of the early Church can be seen, at points, to warp the historical reality. Indeed, we find time and time again the use of slaves and slavery as a metaphoric vehicle to express subservience to Christ. Nonetheless, the details of the slave experience persevered in Christian homilies, sermons and diatribes must not be discounted. On the contrary, it is highly probable that these stories had a strong basis in real-life events. For surely, religious teachings overly detached from the day-to-day experiences of the congregation would have been ineffective in disseminating the Christian message.

While I do not claim to have examined all the evidence for runaway slaves in the Roman world, I have engaged with the bulk of the primary material. I have consciously excluded any anecdotal references to runaways, highly common in Latin literature, on the basis that they yield little insight into either the master or slave's perception of escape. My hope is that, in creating an easily

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[36] Zeno of Kaunos served as the private secretary to Apollonius, the finance minister to Ptolemy II and Ptolemy III. In the early 1900's over 2000 letters written by Zeno were recovered from the site of ancient Philadelphia in the Fayum region of Egypt.

[37] Maffi, 2005, 259

[38] Kamen, 2013, 40.

[39] It must be noted however, that not all forms of manumission resulted in full citizenship rights.

[40] Kyrtatas, 2018, 1.

[41]For the non-Christian origin of Constantine's ban on tattooing see Vera, 1998, 319-320. For legislation against master-slave sexual relations see Harper, 2013, 168.

[42] Glancy, 2011, 7.

understandable and extensive overview of the Roman runaway experience, students of other slave societies will be more willing to compare their findings with my own. After all, Roman slavery is a prism through which we can approach and enhance our understanding of other slave systems and the lived experiences of bondspeople throughout history.

***Methodology and Structure***

In addition to using a wide range of sources, I will call upon several methodologies unique to the study of ancient slavery. Above all, this denotes making use of the comparative approach pioneered by Hopkins. Despite the obvious dangers arising from comparing New World and Roman slavery, a comparative analysis can prove genuinely informative. Bradley goes so far to say that it is "misguided" to assume that the evidence for later slave societies cannot be used to compensate for the inadequacy of the Roman sources.[43] Indeed, striking parallels can be drawn between the pursuit and capture of runaways in the New World and the Roman Empire. Nevertheless, it is important to recognise the limitations of a comparative study, that is to say, it cannot be used to fill in the gaps left by the extant evidence, only broaden our understanding of the available sources.

Moreover, as this study will at points examine the material evidence for ancient slaves, it is logical to embrace aspects of the comparative framework promoted by Jane Webster. Archaeologists, Webster argues, have been reluctant to compare Roman slavery with more recent slave systems despite comparison playing a central role in archaeological reasoning.[44] The anthropologist Ian Hodder illustrates this point through outlining how excavations from one site can inform findings from another, even if they do not share the same cultural context.[45] On this basis, the archaeological record for Atlantic slavery can be used to mitigate the shortcomings in the ancient evidence. This is particularly worthwhile when it comes to estimating the ways in which Roman slave owners contained their workforce.

This dissertation is organised thematically so to document each stage of a slave's escape and (potential) capture. The first portion of my thesis will consider the prelude to flight. I will begin in chapter one with exploring the motivations for escape. This not only deals with the obvious incentive of freedom, but discusses those instances where the sources do not point to a clear rationale. The proceeding three chapters will be devoted to escape itself. Chapter two will discuss the methods slave owners used to deter and prevent flight, while chapter three will address the pursuit and recovery of fugitive slaves. I will argue that slave owners received considerable help in the capture of runaways from the provincial and central government. At a local level, this entailed practical and magisterial support, while at Rome the imperial government legislated to protect the property rights of the slave owner. In addition to governmental support, I will investigate how third-parties, including professional slave-catchers, could be enlisted to help in the repossession of fugitives. The distribution of arrest warrants and the offering of rewards for the capture and return of escapees will also be explored. I will end the discussion in chapter four with an overview of how captured slaves were punished and the repercussion their escape might have had on their later life. In sum, I hope this thesis will highlight the sophisticated and often brutal social and legal mechanisms supporting slave owners in their pursuit of runaways.

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[43] Bradley, 1994, 9.

[44] Webster, 2008, 103-104.

[45] Hodder, 1982, 6.

To close, I would like to take a moment to voice what could be seen as the secondary aim of this dissertation. At the time of writing, an estimated 40.3 million men, women and children live and work as slaves, the highest number in human history.[46] In other words, this equates to roughly 1 in 200 people continuing to suffer under the yoke of bondage. Slavery is not an institution we have transcended, too often studies of ancient slavery are detached from what is still for so many a tragic reality. The history of slavery, from its earliest incarnation to its most recent, must be seen as an unbroken chain of human suffering. Historians are not powerless to affect the contemporary world and our findings do not exist in a vacuum. Consequently it is necessary, more than ever before, to connect the dots and examine every facet of slavery, with the eventual goal of understanding what it meant and continues to mean to be a slave.

[46] These figure were taken from the results of a five year study into modern slavery conducted by the International Labour Office and Walk Free Foundation, in partnership with the International Organisation for Migration. The full report can be found online (https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf) and damningly highlights the scale of modern world slavery.

# I

## Motives for Escape

We are fortunate enough that, from time to time, the motivations for a slave's escape are recorded in the ancient sources. Flight took many forms and can be measured on a spectrum ranging from "true escape" to temporary respite.[47] It would be logical to assume that the awful conditions endured by slaves directly correlated with their desire to break free. In many cases, this would appear to be true. The threat of violence, physical and verbal abuse, as well as inhumane working hours, can all be seen to have factored into a slave's decision to cut and run. The fable of Androcles and the lion, recorded by Gellius, is a prime example. Androcles, a slave belonging to the proconsul of Africa, cites his "undeserved and daily floggings" as the reason behind his decision to abscond.[48] Tellingly, Androcles goes on to say that he considered the prospect of starvation in the deserts of Egypt a "safer" option than to return to his cruel master.[49] While the authenticity of Androcles story is debatable, similar explanations for escape can be observed in the wider literature.

Impending punishment seemingly ranked as one of the more common justifications for flight. It is highly imaginable that slaves who had long entertained thoughts of escape would have been pushed over the edge by the threat of immoderate violence. Cicero, in a letter to his friend Publius Sulpicius bemoans the disappearance of his slave Dionysius, who had stolen some valuable books and "anticipating a day of reckoning" (i.e. physical punishment) opted to run away.[50] By the same token, in Apuleius' *Metamorphoses* the slave girl Photis confesses that she is beaten with "the utmost savagery" and it is only the presence of her lover, Lucius, that prevents her from fleeing.[51] Indeed, the legal sources point to the fact that slave owners were, at times, overzealous in their punishment. The especially grim case of a soldier murdering his slave, and later claiming that he had died of a serious illness, goes some way in highlighting the severe violence some slaves encountered.[52] In his commentary on the case, Hunt speculates that either the soldier deliberately beat the slave to death or seriously injured him in a frenzied rage.[53] Whatever the precise details, it is clear that some slave masters would inordinately punish the men, women and children in their service. It is bizarre that in this instance the soldier felt obligated to lie about the death of his slave. Roman law administered no punishment for slave owners suspected of murder, though it was, as the soldier's reaction infers, socially taboo.

Papyri also hint that some slaves would flee to avoid possible legal action. *P. Grenf.* 1.47 and *P. Oxy*. 3.472 are particularly noteworthy, the former concerning the theft of the harvest by slaves leasing land from the nephews of a certain Horos. Similarly, *P.Cair. Zen.* 4.59621, a draft petition to King Ptolemy II, records the disappearance of a slave called to testify in a property dispute against his owner. In this case, it seems clear that the slave, fearing his testimony would incur some form of retribution, resolved to flee. Unlike Ptolemaic Egypt, Roman slaves were barred from giving

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[47] Harper, 2011, 260.

[48] Gellius, *Attic Nights*, 5.14.17.

[49] Ibid.

[50] Cicero, *Letters to Friends*, 13.77.3.

[51] Apuleius, *Metamorphoses*, 3.16.

[52] *Collatio Legum Mosaicarum et Romanarum*. 3.4.1.

[53] Hunt, 2018, 204.

evidence against their master. If a slave was required to come to court, their statement could not be given freely. Instead, Roman law required that they must first be tortured.[54] As slaves were considered innately criminal, the truth was perceived to be obtainable only through mutilating the slave's body.[55] This was surely a reason for flight in itself, though no surviving sources attest as much.

It appears that not only punishment but violence in general, strongly influenced a slaves decision to abscond. Several papyri fragments from the Zenon archive allude to physical abuse as being the root cause for escape. The author of *P.Cair. Zen*. 4.59537, perhaps a subordinate of Zenon, notes that slaves recently sold to the addressee had been "badly treated" by their former master. Stephen Llewelyn has suggested that these lines reference the same runaways mentioned in *P.Cair. Zen*. 5.59804, another letter to Zenon.[56] Interestingly, the Christian writer Salvian states that the responsibility for flight lies with whoever caused the slave's living situation to become intolerable. He remarks that a life lived in fear of violence left many slaves no choice but to escape: "They have no desire whatever to leave their master's service, but the cruelty of their fellows [fellow men, not other slaves] does not allow them to continue in it".[57] Remarkably, another letter addressed to Zenon (*PSI*. 6.667) offers first-hand support for Salvian's proposition. In the text, an unnamed slave woman admits that her fellow maidservants were most motivated to escape when they felt wronged by their master. Based on the extant evidence we can suppose that slaves did expect to encounter a degree of maltreatment. However, if this transgressed acceptable limits many slaves may have felt they had no option but to resist. John Chrysostom unmistakably equates the fear of violence with a slave's decision to escape, asking his congregation "if you have a slave…when is he most in fear, when most inclined to run away? Is it not when you threaten him?"[58] In light of this, it seems fair to assume that for a great many slaves the risks associated with flight were outweighed by the imminent threat of a beating or whipping.[59]

Moreover, we must also consider the danger of sexual assault as a key motivator for some slaves to take flight. Theodoret of Cyrus recounts one such instance, wherein an unmarried slave girl left behind her mother and family and fled to a convent in the hope she would be granted asylum from her master's sexual advances.[60] Shockingly, on learning of her escape, the master had the girl's mother "whipped and strung up" until she revealed the hiding place of her daughter.[61] The sexual abuse of slaves often goes unrecorded, a fact that has led Finley to argue it was so common few Roman authors thought it worth mentioning.[62] Alternately, Susan Treggiari has contested that instances of sexual assault in Roman literature are highly exaggerated. Her assessment is based, in part, on a comparison with the representations of sexual abuse in Victorian writing.[63] Though interesting, this viewpoint is largely unsatisfactory. The virtual absence of the sexual abuse of slaves

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[54] *Digest*. 48.18.10.

[55] Harrill, 2003, 248.

[56] Llewelyn, 1997, 37.

[57] Salvian, *On the Government of God*, 4.3.

[58] John Chrysostom, *On the Acts of the Apostles*, 12.

[59] Harper, 2011, 256.

[60] Theodoret of Cyrus, *History of the Monks of Syria*, 9.12.

[61] Ibid.

[62] Finley, 1998, 95.

[63] Treggiari, 1979, 192.

in our sources surely points to an under-representation as opposed to an over exaggeration. In Chariton's *Callirhoe*, for example, the title character finds herself the slave of Dionysius and is constantly avoiding his attempts to sleep with her.[64] The preservation of chastity is a recurring theme throughout Latin and Greek romances where the sexual availability of slaves is often taken for granted.

Two inscriptions from Hellenistic Delphi allow us to further explore the punishments some slaves could expect if they did not submit to their owner's desires. The first text (*FD* 3.3.329) records that Eisias, a former slave, bought her freedom from her master, Kleomantis, subject to *paramonē* (see introduction). The proviso, against which Eisias' freedom was guaranteed, required her to continue to serve Kleomantis in every way until his death, or be liable for a beating or reselling.[65] Oddly, in the second inscription (*FD* 3.3.333), Eisias' master appears to have revoked these conditions and fully released her from his service. On top of this, Eisias was apparently reimbursed the money she had used to purchase her freedom in the first place. This makes it almost certain that Eisias had borne Kleomantis a son while she was still under his *paramonē*. Evidently, the sexual relationship Kleomantis had undertaken with Eisias had resulted in an heir, for which Eisias' manumission was necessary to legitimise the child's inheritance rights.[66] This is significant not only for highlighting the blatant concubinage some slaves experienced but potentially reveals the practice of holding slaves in sexual relationships under duress. There is no way of knowing the prevalence of such arrangements, though they almost certainly existed. Faced with the choice of unwanted sexual relations or violent abuse (or both), it is little wonder some slaves chose to escape.

The availability of contraceptive amulets and magical formulas in the Roman world makes it highly probable that some slave-women would have attempted to safeguard themselves against unwanted pregnancy. One amuletic recipe required that Bitter Vetch seeds and cow mucus be wrapped together in fawn skin and tied with mule hide, the number of seeds apparently indicating the number of years the user wished to remain infertile.[67] Roman and Greek medical writers also list a variety of plants, herbs and other substances that could have been used to offset the chance of pregnancy. Soranus, for instance, recommended that women, before sex, carefully wiped their vagina with old olive oil, honey, cider resin or juice of the balsam tree.[68] Many of the ingredients listed in the magical and medical handbooks were easily accessible, leaving us no reason to believe that they weren't used by slave-women. What is more, John Riddle has suggested that the contraceptive techniques recorded by the ancient medical writers represent only a fraction of what was predominantly an oral tradition transmitted among networks of women, many of whom would have been slaves.[69] Studies of bondswomen in the American South have revealed near identical use of home-made contraceptives (often cotton roots), administered in part to ward of the chance of conceiving a child by rape.[70] Taken collectively, it would be sensical to imagine that Roman slave-women would have undertook measures to protect themselves, though if the situation became unbearable, escape was always another option.

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[64] Chariton, *Callirhoe*, 2.7.

[65] Tucker, 1982, 230.

[66] Ibid, 231.

[67] *PGM* 36.320-332.

[68] Soranus, *Gynecology*, 1.61.

[69] Riddle, 1992, 16.

[70] Perrin, 2001, 261.

As indicated in the introduction, it is possible to find among the ancient sources some less obvious reasons for absconding, including religious. Jerome's *Life of Malchus* is perhaps the best example. The story goes that, following his parent's death, Malchus resolved to join a monastic order in the desert of Chalcis. After spending some time there he left the monastery, against his Abbot's advice, and was captured and sold into slavery by bandits. Although Malchus did not consider himself maltreated by his master, his longing to return to the monastic way of life spurred him to escape: "I began to tire of captivity, and to regret the monk's cell, and longed to imitate those ants and their doings, where toil is for the community, and, since nothing belongs to anyone, all things belong to all".[71] Correspondingly, it appears that those slaves captured and imported from outside the Empire were motivated to flee by a desire to rejoin their kinsmen. Ammianus Marcellinus claimed that the diminishing Roman influence along the Danube frontier during the late fourth century CE, allowed a great number of runaways to slip over the border and return to their homeland.[72] Slaves fleeing into barbarian territory were apparently enough of a problem for Constantine, or Licinius, to pass a law dictating that any fugitive slaves caught crossing the borders were to be sent to the mines or have a foot amputated.[73] Garrisoned soldiers did on occasion arrest fugitive slaves attempting to cross the frontiers. A fragment of papyrus (*O. Bu Njem* 71) found nearby the ancient settlement of Bu Njem, records the apprehension of a runaway trying to leave Roman Egypt. Pliny the Younger relates a comparable story in a letter to Emperor Trajan, disclosing that a fugitive slave named Callidromus (a fitting name) had been captured by soldiers in Nicomedia.[74] Callidromus had up until that point been in the service of two bakers but claimed his previous master, the legionnaire Susagus, had captured him in the Dacian wars. The plot thickens when Callidromus confesses that he had been given by Susagus as a gift to Pacorus, the King of Parthia, but after some years escaped to Nicomedia. It is conceivable that by the time he was arrested by Pliny's men he was attempting to make his way back to Dacia. The three-time runaway Callidromus may have been exceptional, though his desire for freedom was likely shared by many foreign slaves living in the Empire.

Surprisingly, there is little hard evidence to suggest that slaves ran away with the goal of reuniting themselves with family members, friends or spouses. This stands in stark contrast with fugitive motivations in the American south. The autobiographical *Narrative of the Life of Henry Box Brown* exemplifies this phenomenon. We are told that Henry, on returning from work one day to find that his wife and child had been sold, determined to avenge the loss of his family by running away.[75] Mary Gallant's study of runaways in colonial Virginia identifies three main reasons for why slaves opted to escape: (1) to avoid prosecution or punishment; (2) to track down family members or when expecting a child; (3) because they had been lured away or stolen by another property owner.[76] As we have already seen, the first motive is strongly represented in the Roman sources, as is the third (see below), though the second line of reasoning finds no ancient parallel. Nonetheless, it is clear that Roman slaves did sometimes flee as a group. *P.Corn* 127, a letter from Egypt, is particularly interesting for recording the disappearance of five slave weavers. At least one of the slaves is described as being "home-born" and thus we can assume grew up in his master household.[77] As Ryan McConnell has pointed out, the term home-born can be interpreted in two ways. On the one

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[71] Jerome, *Life of Malchus*, 7.

[72] Ammianus Marcellinus, *History*, 31.6.5.

[73] *Codex of Justinian*. 6.1.3.

[74] Pliny the Younger, *Letters*, 10.74.

[75] Henry Brown, *Narrative of the Life of Henry Box Brown*, (Manchester: Lee and Gylnn, 1851), 33.

[76] Gallant, 1992, 393.

[77] McConnell, 2013, 159.

hand, if the neuter plural is assumed then *οἰκογενῆ* would infer that several of the runaways had been born into the same household, on the other hand, if the masculine singular is favoured then *οἰκογενής* would suggest only one of the slaves had been raised under his master's roof.[78] To my mind, if the latter interpretation is taken, it would suggest a degree of familial association or friendship between the five slaves. While this cannot be proved (or disproved), it is surely plausible that some slaves fled with a partner or close friend they had grown up with. An examination of the legal codices offers further clues as to whether slaves ran away on familial grounds. The jurist Africanus makes plain that slave-women who made off with their children were liable for theft.[79] The fact that this point needed legal clarification suggests that some mothers would flee with infants or toddlers in tow. However, it is unclear if this was simply a practical measure or an attempt to secure freedom for the child. The *Digest* also records that slaves would sometimes seek temporary asylum with relatives or their mother.[80] In this particular case, it seems that if the slave had no intention of leaving his master's service permanently then he could not be considered a fugitive.

There is, of course, another reason for why we might not find any evidence for slaves escaping as a family unit or in search of loved ones. Marleen Flory, in her 1975 doctoral thesis examining social relations in the *familia*, identified that nuclear families often consisted of free and non-free members. Flory, using the evidence from Roman epitaphs, argues that the term *familia* extended to those slaves already manumitted and that manumission did not end the relationship between freedmen, their former master and fellow slaves.[81] More recently, Henrik Mouritsen has asserted that manumission only "redefined" master-slave relations in terms of *libertus* and *patronus*.[82] On this basis, it seems safe to assume that most slaves, even those who had been manumitted, would have lived as part of their master's household. If this was the case for the majority of bondsmen in the Roman Empire, then there would have been little reason for them to escape on familial grounds. While this is purely speculative, the minimal evidence to suggest the contrary leads me to believe that slaves living with their family would have had less reason to take flight.

Besides the deeply personal reasons for running away, it appears that some slaves were opportunist. In times of political upheaval, or in the confusion following the death of their master, slaves are known to have made their escape. Most famously, the slave revolt led by Spartacus in the first century BCE attracted thousands of runaways from across Italy.[83] Comparably, during Alaric's siege of Rome in 410 CE, a three day peace treaty was arranged allowing goods to flow in and out of the city. According to Zosimus, the majority of Roman slaves took this as an opportunity to desert their masters and join the ranks of the barbarian invaders.[84] Back within the household, Pliny records that after Larcius Macedo had been murdered by his slaves, much of his workforce made a break for freedom.[85] Reading between the lines, the aforementioned *P. Cair. Zen*. 5.59804, along with *P. Cair. Zen*. 4.59537, suggest that slaves being transferred to a new master would have been on the lookout for any chance to escape during the journey. Such instances find parallels in the American south. The case of Charles Carol, a wealthy plantation owner and veteran of the war of independence, is a

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[78] Ibid, 155.

[79] *Digest*. 47.2.61.

[80] *Digest.* 21.1.17.5.

[81] Flory, 1975, 17.

[82] Mouritsen, 2011, 36.

[83] Florus, *Epitome of Roman History*, 2.8.20.

[84] Zosimus, *New History*, 5.42.3.

[85] Pliny the Younger, *Letters*, 3.14.

typical example. Several days after Carol's death the heir to his estate fired the overseer and quickly lost control of the slaves. One tenant farmer living on Carol's land observed that the "negroes" were "running at large", "doing nothing" or simply "getting drunk".[86] Alternately, it is plausible that a master's death would have caused slaves to flee not because they wished to utilise a temporary lapse in security, but because they feared a new owner. The slave shepherds in Apuleius' *Metamorphoses* express just that and, under the cover of darkness, pack up their valuables and head out into the wilderness.[87] Even the threat of being pursued and recaptured was not enough to deter the shepherds from fleeing. Their desire to preserve the slave community they had established under their former master was simply too strong.[88]

One thing is decidedly missing from the sources, namely the inner debate many slaves must have had with themselves when deciding whether to escape or not.[89] However, it is important to realise that in many cases slaves did not go blindly into flight. On the contrary, a slave's ability to procure provisions for a life on the run conceivably factored into their decision to abscond from the outset. Indeed, we have clear evidence that some slaves gathered food in the run-up to their escape. Jerome's *Life of Malchus* is again useful for demonstrating this point. Malchus recollects that he slaughtered two he-goats on the eve of his getaway and "made their skins into bottles, and from their flesh prepared food" for the journey.[90] Likewise, the philosopher Epictetus records that it was typical for slaves to steal "a little bit" of food or money to get them through their first few days on the road.[91] Aside from stealing food and coin, it seems slaves, on occasion, opted to carry off one of their master's children. The comic twist in Plautus' drama, *The Captives*, revolves around Hegio's slave who, deciding to flee from his master's service, snatches one of his two sons.[92] Having successfully got away with the stolen child, Hegio's slave proceeds to sale the boy to Elis under the pretext that it is his own son. Logically, the money procured from selling the child would have gone some way in offsetting the material insecurities that came with escape. Despite being a work of fiction, this episode must have had at least a partial basis in reality. Such a theory gains traction when we consider an equivalent case of child snatching recorded in a petition (*BGU* 4.1139) to the prefect of Alexandria. In the letter, we learn that Prima, a wet-nurse, had escaped with her mistress's child, Tathreiphis, upon learning that her pre-agreed manumission date had been postponed. This appears to have been an unusual lawsuit, at least judging by the numerous revisions and corrections the scribe went through while trying to clearly express the facts of the case.[93] Notwithstanding this, the proximity slaves had (especially women) with their master's children, not to mention the obvious vulnerability of infants, made them easy targets for kidnapping, either to be sold or used as a bargaining chip if the slave were ever to be caught.

Bellen has identified some of the more unconventional preparations slaves undertook, including the use of dream interpreters and the production of protective amulets.[94] Only one book of dream

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[86] Franklin and Schweninger, 1999, 18.

[87] Apuleius, *Metamorphoses*, 8.15.

[88] Bradley, 1988, 490.

[89] Bradley, 2011, 369.

[90] Jerome, *Life of Malchus*, 8.

[91] Epictetus, *Discourses*, 3.26.1-2.

[92] Plautus, *The Captives*, prologue.

[93] Montevecchi, 1985, 240.

[94] Bellen, 1971, 6.

interpretations survives from the Roman period, Artemidorus' *Oneirocritica*. The text offers some explanations for the images and motifs seen in dreams. For instance, a cuttlefish was considered a good sign for runaways, their excretion of "thick inky fluid" being synonymous with escape.[95] The ancient association between dreams, the future and the divine ensured that many individuals took these interpretations as authoritative.[96] Although we possess no amulets definitively known to have belonged to slaves, Greek magical papyri provides clear instructions on how to prepare such objects. One extant extract claims that if a certain Homeric verse (which one is not specified) were to be inscribed onto an iron tablet then the wearer would "never be found".[97] Another magic recipe instructs that by rubbing a series of special substances over the body and performing an incarnation, the user would be granted temporary invisibility.[98] As the formulas presented in magical handbooks were intended for mass circulation, there is little reason to suspect that they weren't used by slaves.[99]

Fortune telling guides are also known to have been consulted by slaves. Astrampsychus' *Sortes Astrampsychi*, a third century CE text comprising of oracular responses, contains several questions asked by bondspeople. One slave queried "will I be freed from slavery?" to which one of ten possible answers was "you won't be freed just yet".[100] Another slave asked the seer "will I come to terms with my master?" and could have conceivably received the response "you will not come to terms with your master".[101] Even from these two short examples, it is easy to see how some slaves may have been prompted to flee by the oracular responses they received from fortune tellers. Interestingly, Columella, following Cato, in his discussion of the duties of the farm bailiff warns against allowing soothsayers on to the *villa rustica*. He elaborates that such individuals "disturb ignorant minds" and encourage superstition among slaves.[102] Although Columella does not explicitly connect divinatory activities with escape, it is conceivable that some Roman slave owners foresaw that bondsmen were, from time to time, inspired to flee by the prophecies they received from a haruspex. All being said, surely both the practical and supernatural forearming slaves underwent would have had some bearing, not only on their chances of success but on their decision to escape in the first place.

Finally, it is necessary to consider the assistance some slaves may have received during and leading up to their escape. Those runaways who had help certainly stood a better chance of success or, at the very least, could resist capture for a longer period of time. Under Roman law, farm bailiffs were prohibited from assisting runaways and were instructed to bar suspected fugitives from entering the wooded areas of an estate.[103] This was presumably in reaction to slave overseers obliging runaways or directing them to nearby hiding places. Equally, a penalty fine was imposed on anybody (slave or free) who prohibited their master's property from being searched.[104] Again, we can imagine this was

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[95] Artemidorus, *Oneirocritica*, 2.14

[96] Price, 1986, 16.

[97] *PGM* 4.2145-55.

[98] *PGM* 1.222-31.

[99] Martínez, 2017, 188.

[100] Astrampsychus, *Sortes Astrampsychi*, 32.

[101] Ibid, 46.

[102] Cato, *On Agriculture*, 5.4; Columella, *On Agriculture*, 6.22.

[103] *Digest*. 11.4.1.1.

[104] *Digest*. 11.4.1.2.

intended to deter those who potentially sympathised with an escapee. It is also clear that masters would have, in some instances, suspected someone to have persuaded their slave to flee their service. In a letter (*P.Turner*. 41) written to the *stratêgos* (district governor) of Oxyrhychite, Aurelia Sarapias discloses the disappearance of a servant she had inherited from her father. In her disbelief at the slave's escape, Aurelia concludes that he must have been persuaded to abscond by a neighbouring slave owner. Another piece of novel evidence, a curse tablet (*SGD* 60) found on the Greek island of Amorgos, records that "[Epaphroditus] has taken off my slaves, he has led them into evil ways, indoctrinated them, advised them, misled them". Both the letter and the *defixio* suggest that slaves were liable to escape to another owner, perhaps in the hope of negotiating more favourable living or working conditions.

What is more, Bellen observes that if an escaped slave requested to go into the service of another man he would have almost certainly been asked about the probability of his former master finding him.[105] Saint Augustine provides clear evidence that this was indeed the case: "Men who shelter runaways, ask them from whom they have fled; and when they find anyone a slave of some master less powerful than themselves, him they shelter as it were without any fear… But when they are told of a powerful master, they either shelter not, or they shelter with great fear".[106] We can deduce from this that a slave belonging to an influential master would have had less chance of finding a new owner due to the risk of their former master discovering their location and enacting legal proceedings against whoever had harboured them. Nonetheless, some slaves seemingly did find a new home. John Chrysostom recounts a story of a widower who had in her service a "vile runaway" who was married to one of her slave girls.[107] Regardless of what Chrysostom thought of the fugitive's character, he was evidently able to find work and shelter after escaping from his previous master.

Virtually all the runaways discussed above appear to have been, as far as we can tell, domestic household slaves or slaves whose job necessitated a degree of autonomy (i.e. shepherds). I would wager that this is no coincidence. Needless to say, those bondspeople who were not constantly under their master's watch would have had greater opportunity to hatch and execute an escape plan. Equally, it is imaginable that slaves who were permitted to move freely over their master's property would have had more scope to steal provisions or money for a life on the run. In light of this, we must consider that a slaves desire to flee was, practically speaking, limited to the number of escape opportunities their line of work presented. As we shall see in chapter two, agricultural slaves and the men and women enslaved in the mines were kept in locked holdings under constant guard. This, quite obviously, restricted their ability to resist their subjugation and henceforth we find hardly any evidence for runaway agricultural workers or miners. Estimating the percentage of slaves who attempted to escape is simply impossible, though in all likelihood the majority of those who fled were engaged in labour spheres that afford them some freedom of movement.

Before we proceed to examine how flight was combated, it is crucial to re-state that in no part of the Roman Empire was slavery outlawed. While we cannot be sure, it is reasonable to believe that the majority of runaways would have been conscious of the fragile freedom escape brought.[108] The proverbial destitution attributed to runaway slaves in the literature should not be understated. Flight

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[105] Bellen, 1971, 6-7.

[106] Augustine, *Psalms*, 139.7.

[107] John Chrysostom, *Thessalonians*, 11.3.

[108] Bradley, 2011, 373.

was a dangerous business and ran a high chance of failure. Even those slaves who did manage to attain a more permanent degree of freedom lived in the perpetual fear of being caught. As Epictetus indicates, to be a runaway was to exist in a constant state of "fear and misery".[109] Nevertheless, the copious evidence for flight underlines the fact that for many slaves it was worth the risk. The sources discussed above represent only a fraction of the near limitless reason for why slaves chose to abscond. Yet, all runaways were unified by a desire to bring about a change in their immediate circumstances, something which their servile status naturally prevented. Perhaps the complex feelings and motivations governing a slaves decision to flee can be boiled down to a simple quote attributed, by Fronto, to a runaway messenger: "I have run sixty miles for my master" but "I will run one hundred miles for myself to escape".[110]

[109] Epictetus, *Discourses*, 1.30. 62.

[110] Fronto, *Correspondence*, 2.1.

# II

## Precautions Against Flight

For the slaveholder, flight was a deliberate affront to private property. Roman masters worked hard to forestall escape, employing a range of strategies aimed at making decampment as hard as possible. Ultimately, these measures sought to control the mobility and time of bondspeople, leaving them no opportunity to break free. As Stephanie Camp observes, numerous slave societies can be characterised by their close supervision of the movements and activities of bondsmen. This she terms a "geography of containment" or, simply put, the laws, customs and ideals that legitimised some forms of movement and punished others.[111] At the heart of Camp's theory lies the idea that slaves need not have been locked up to have been controlled. Instead, cultural alienation, reduction to the status of property, denial from the fruits of one's labour and the threat of sale restricted slaves physical and social mobility.[112] Although writing in regard to the American South, Camp's hypothesis can be recalibrated for the study of Roman slaves. Sandra Joshel has done just that, highlighting the fact that similar geographies of containment can be found in the ancient literary, legal and archaeological evidence.[113] Indeed, Roman masters endeavoured to control all aspects of their slaves day to day lives in the hope of curtailing the prospect of meaningful resistance.

In order to survey the precautions slave owners took to prevent flight, we must first make a distinction between rural and urban bondservants. Lifestyles between the two groups varied wildly and it is generally considered that rural slaves endured harsher conditions than their urban counterparts. While the scope of this paper does not permit an extensive discussion of the dissimilarities between rural and urban bondsmen, a number of the more consequential differences can be outlined. Foremost, urban slaves were ostensibly more likely to achieve manumission than agricultural labourers. Rural slaves had far fewer opportunities to meet, let alone forge paternalistic bonds, with their master and were consequently rarely set free out of a sense of familial duty.[114] Equivalently, the social and physical separation between agricultural slaves and their absentee owners ensured that rural bondspeople had reduced access to profitable sources of *peculium* (see below).[115] As well as further inhibiting a slaves ability to purchase freedom, inferior *peculium* could not be relied upon to provide material independence. Secondly, it is evident that household slaves had a greater capacity to move freely between the private and public sphere. This is not to say domestic slaves were not heavily supervised, rather their work sometimes required them to go beyond the confines of their master's house. Finally, urban slaves were, on the whole, more highly skilled than their agricultural peers. This was principally because masters tended to train or apprentice domestics, with the goal of increasing their value or personal usefulness.[116] Some slaves working within extremely rich households were elevated to positions of virtual indispensability, such as managing their master's expenditure and income. Agricultural labourers could rarely expect such stability, Cato the Elder, for example, brutally recommended that old and sickly field hands be

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[111] Camp, 2004, 12.

[112] Ibid, 13.

[113] Joshel, 2013, 100.

[114] Bradley, 1987, 103.

[115] Roth, 2005, 289.

[116] Bradley, 1985, 320.

sold in order to avoid the cost of their continued upkeep.[117] On account of the differences between rural and urban slaves, we can expect the precautionary measures designed to preclude escape to have varied between the farmstead and the villa.

Needless to say, slaves were not only found working on agricultural estates and in urban households. Servile labour was utilised in all manner of industries, including mining. However, unlike other labour spheres, work in the *metalla* (mines) was typically reserved as a punishment for those of low social standing i.e slaves, non-citizens and the non-elite.[118] As a result, such workforces typically consisted of both slave and freeborn labourers. The ancient sources are more or less silent on life and work in the mines. Subsequently, we have little idea of the security measures taken to contain inmates. From the few scraps of surviving literary and archaeological evidence, it is possible to estimate one or two ways mining officials sought to undermine escape. A number of Roman mining sites, such as Simitthus (northwestern Tunisia) and Docimium (central Turkey), are known to have been encircled by walls and had purpose-built housing compounds for locking away inmates.[119] Equally, convicts toiling in the mines seemingly worked under the constant supervision of an overseer. The ancient Greek historian Diodorus Siculus, discussing the silver mines at New Carthage, remarked that slaves were allowed "no respite or pause" and were compelled by their managers to work almost continuously.[120] While I suspect other containment strategies would have been in place, we currently have no record of them. Henceforth, little more can be said in regard to the ways in which flight from the mines was counteracted.

So far the discussion has eluded only to the negative measures taken to contain slaves. We must also address the positive containment strategies used by slaveholders to make escape impractical. The right to raise a family, the prospect of promotion and the hope of manumission all tethered slaves to their master. Roman slavery is unique in that it eradicated any alternatives to bondage. Outside the household, slaves were fugitives and escape all but guaranteed the loss of a legitimate personal identity. Virtually all aspects of servile life were locked into the structure of the household. Henceforth, slaves who opted to abscond ran the risk of losing the few social and material benefits they were permitted to enjoy. Together, labour incentives and the absence of any feasible alternative to slavery conspired to trap bondspeople within servile environments. These centripetal forces were no doubt as effective as any of the more direct precautions taken to forestal escape. In light of this overview, I will divide the forthcoming discussion into rural, urban and positive flight prevention strategies, beginning with the containment of agricultural slaves.

***Rural Containment***

The equation of slaves and chains is almost universal. There can be little doubt that Roman masters did, at times, fetter their slaves as either a security measure or means of punishment. For Columella, chains were an obvious way of impeding the movement of slaves and he duly recommends that vineyard workers be put in manacles to ensure against potential misbehaviour.[121] Cato, in his discussion of servile food rations, also gives the impression that fettered slaves were a typical

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[117] Cato, *On Agriculture*, 2.5.

[118] Holleran, 2016, 104.

[119] Hirt, 2010, 33.

[120] Diodorus Siculus, *The Library of History*, 5.38.1.

[121] Columella, *On Agriculture*, 1.5.

feature of the the *villa rustica*.[122] Pliny the Elder, on the other hand, was opposed to hiring "slave gangs", complaining that the work performed by "desperate men" was often of inferior quality.[123] Similarly, the younger Pliny remarks that he did not employ any manacled slaves on his estate and that it was customary for neighbouring landowners to do the same.[124] Frontinus provides the most lengthy discussion of slave gangs, claiming that 240 state owned slaves worked alongside 420 imperial slaves to clean the aqueducts and sewers of Rome.[125] From Frontinus description, we gain the impression that slave gangs were used mainly for those jobs no-one else wanted to do. Likewise, Frontinus makes clear that the decision to employ a chain gang was largely down to the contractor paid to undertake the job. This is in line with the Pliny the Younger's comment, insinuating that the use of chained slave gangs was a matter of personal choice.

Although a handful of ancient authors do suggest the existence of chain gangs on the rural estate, the prevalence of such labour practices are hotly debated. Ulrike Roth has convincingly shown that our modern construct of chain gangs – shackled slaves set to work in the fields of the Roman elite – finds only a minimal basis in the sources.[126] Instead, Roth argues, chains were reserved for a select minority of unruly slaves, and that the vast majority of bondservants worked unfettered. Certainly, in the minds of the Roman agricultural writers, quick-witted and bright minded slaves were deemed naturally disobedient. Interestingly, however, Columella records that astute workers were often necessary, especially for jobs requiring a high degree of intuition such as vine dressing.[127] This created a catch-22 scenario, in which the labour of intelligent slaves was desired but perceived to come with considerable risk.[128] Chains were then, for some landowners, the logical means by which to offset the dangers of employing slaves prone to resistance. For bondspeople of 'better' character, Columella recommends that alternate means of cohesion be utilised, particularly group peer pressure, where slaves were encouraged to compete against one another for the highest productivity.[129] While there is no direct evidence to suggest that chaining was used specifically to counteract flight, for a small number of permanently bound agriculture slaves, fetters would have proved a serious obstacle to escape.

Moreover, Columella writes that manacled slaves were to be kept in "an underground prison (*ergastulum*), as wholesome as possible, receiving light through a number of narrow windows built so high from the ground that they cannot be reached with the hand".[130] Livy also mentions the *ergastulum*, though his description is far more vague, noting only that it was a form of jail or workhouse.[131] While Columella's portrayal supports the prison interpretation, Apuleius suggests the *ergastulum* to be a workhouse. The scene in question depicts a flour mill where a wretched few slaves are observed to be labouring in chains.[132] A third meaning of *ergastulum* is also possible,

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[122] Cato, *On Agriculture*, 56.

[123] Pliny the Elder, *Natural History*, 18.7.36.

[124] Pliny the Younger*, Letters*, 3.19.

[125] Frontinus, *Aqueducts of Rome*, 2.118.

[126] Roth, 2011, 73.

[127] Columella, *On Agriculture*, 1.5-6.

[128] Roth, 2011, 79.

[129] Columella, *On Agriculture*, 1.9.6-8.

[130] Ibid, 1.6.3.

[131] Livy, *History of Rome*, 7.4.4.

[132] Apuleius, *Metamorphoses*, 9.12.

perhaps being used to refer to those groups of slaves sentenced to hard labour. Evidently, much debate surrounds the exact definition of *ergastulum*, though the term likely had no univocal meaning.[133] For our purposes the *ergastulum* described by Columella is of most interest, that is to say the space reserved for chained slaves on the *villa rustica.*

Excavations of the Settefinestre estate in southern Etruria have uncovered what is thought to be the architectural remains of a prison similar to the one described by Columella. Built in the Trajanic and Antonine periods, the proposed *ergastulum* formed part of a complex of buildings set apart from the main villa and was constructed in such a way as to maximise security.[134] Equally, it appears that the *ergastulum* at Settefinestre was separated from the other slave quarters by storage rooms on one side and a kitchen on the other. To my mind, this would suggest a deliberate attempt by the master to exclude troublesome slaves from the social spaces of the villa, whether this was considered an added punishment or a precaution against the spread of rebellious attitudes is unclear. In any case, the *ergastulum* at Settefinestre seemed to be designed with the expressed purpose of containing the movements of chained slaves when direct supervision was not possible. Similar structures are found in the American South, one farmer, in particular, recommend that a log house equipped with a heavy-duty lock and door be built.[135] He continues that such a building could act as a jailhouse for thieves, runaways or any other slaves who had failed to be subdued by the usual punishments. In all likelihood, the Roman *ergastulum* would have served the same purpose, though the precise reasons for a slave's incarceration would have been highly circumstantial.

For unchained slaves, small and primitive rooms known as *cellae* were utilised. Although a watertight definition for *cellae* eludes us, the available evidence suggests the term to mean a row of near-identical rooms with dirt floors and un-plastered walls. Like the *ergastulum*, *cellae* are tricky to identify from the archaeological record. Nonetheless, a number of architectural hallmarks can be seen to characterise the layout of servile living space. Typically, *cellae* centred on an enclosed courtyard close to work areas and had a limited number of entrances and exits, presumably to help control the movement of bondspeople to and from their rooms.[136] The aforementioned excavation of the Settefinestre estate initially claimed to have uncovered several *cellae* measuring approximately 3x3 meters squared.[137] The doorways of each cell were around 1 meter wide with the thresholds consisting of monolithic blocks of limestone. Interestingly, it appears that the doors of each cell could only have been shut and secured from the outside. More recently, however, it has been suggested that these spaces could have been used as storage rooms or stalls for horses.[138] This is based largely on the discovery of nearby bridles and the fact that stables excavated elsewhere in Italy were built according to similar dimensions. In spite of this, there is still a reasonable possibility that servile families would have been housed in such areas. For instance, at the Pompeian villa of Oplontis, several rooms have been unearthed revealing animal and human remains in the same living space.[139] Equally, Dominic Rathbone's discussion of the layout of the Appianus estate in Egypt draws attention to the fact that papyri shows rooms in the rural villa

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[133] Marzano, 2007, 149.

[134] Carandini, 1985, 177.

[135] Anonymous, "The management of Negroes," *De Bow's Reviews 2*, (1851), 369.

[136] Joshel, 2013, 103-104.

[137] Carandini, 1985, 167.

[138] Schumacher, 2001, 101.

[139] Marzano, 2007, 137.

serving multiple purposes.[140] The key point here is that slaves and things were equated, storage spaces and servile living quarters were thereby interchangeable. On this basis, we should not jump to conclusion that servile dwellings were always a permanently defined space. Rather, it is more plausible that slaves were housed wherever there was sufficient room and in areas that could be easily supervised.

Living quarters separated from the villa have also been uncovered at a number of provincial sites in France and Germany. At Köln-Müngersdorf for example, it has been suggested that slaves slept in a kind of dormitory set away from the main residential building, with individual cells being defined by wooden partitions.[141] Many other rural slaves, particularly agricultural workers and fishermen, lived in ramshackle huts or cottages.[142] Such structures were largely makeshift, thrown together with whatever materials a slave could lay his hands on. In light of this, it is worth remembering that countless slave dwellings would have been made from perishable materials that have left few discernible traces. To make up for the evidential shortfall, we can again turn to the plantation South where agricultural guides outline the ideal design and purpose of slave accommodation. A planter from Virginia, writing in the mid-nineteenth century, instructed that slave quarters should be well lit, located nearby essential amenities and designed for ease of surveillance and discipline.[143] Columella also recommends the admittance of light and that servile quarters be located near a large kitchen which could double as a common room.[144] Even in spaces designated for bondspeople, observation appeared to be at the forefront of the slave owners mind. Columella advises that servile houses be erected in close proximity to one another in order to make the job of keeping track of each slave easier.[145] In some cases, the overseers house was positioned in such a way as to give him a clear view of the surrounding slave accommodation.[146] Yet again, this can be seen as a way in which the management of bondspeople was incorporated into the physical layout of the *villa rustica.*

Finally, we arrive at what was arguably the most formidable disciplinary tool available to the slave owner – the *vilicus* (overseer). Columella extensively discusses the necessary attributes of the foreman noting, among other things, that he should have been worked since childhood, possess a deep knowledge of the farmstead and exhibit loyalty to his master.[147] For our purposes, the surveillance activities entrusted to the *vilicus* are of most interest. Cato explains that one of the principal tasks of the overseer was to keep slaves from "wrongdoing and meddling".[148] This was expected to be achieved through a mixture of time management and discipline. The *vilicus* was the first to rise and the last to sleep, he was responsible for leading slaves out to work in the morning and returning them to their quarters at night. While in transit between the villa and the fields, the *vilicus* would walk at the rear of the slaves making sure that none were left behind or given the

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[140] Rathbone, 1991, 30-31.

[141] Samson, 1989, 105.

[142] Lucretius, *On the Nature of Things*, 6.1252-1255; Varro, *On Agriculture*, 2.10.6.

[143] R. W. N. N. "Negro Cabins," *The Southern Planter 16*, (1856), 129.

[144] Columella, *On Agriculture*, 1.6.3.

[145] Ibid, 1.6.8.

[146] Varro, *On Agriculture*, 1.13.2.

[147] Columella, *On* Agriculture,11.1.7.

[148] Cato, *On Agriculture*, 5.2.

opportunity to slip away unnoticed.[149] Before retiring for the day, the foreman was to lock all the doors and check to see if everyone was "in his proper place".[150] For slaves imprisoned in the *ergastulum*, the overseer was required to inspect inmate's chains and make sure the prison doors were properly secured.[151] Equivalent duties were expected of the foreman in the Antebellum South. Here, the overseer was charged with calling round all the slave quarters once the day's work had been finished and would periodically check on slaves at night. In 1857, the agronomist Plowden C. Weston, instructed that "the overseer is every now and then to go round at night and call at the houses, so as to ascertain whether their inmates are at home".[152] Though we have no evidence for this specific duty in the Roman sources, it is highly imaginable that some masters would have expected their *vilicus* to do the same.

***Urban Control***

Let us now turn to the regulation of bondspeople in the urban villa. Doubtlessly some of the practices discussed above would have also been implemented in city households, yet a careful examination of the archaeological record identifies what could be seen as a number of urban-specific containment techniques. Foremost, like the *villa rustica*, metropolitan houses were constructed in such a way as to control the movements and direct the activities of slaves. In the House of Menander, an opulent villa excavated at Pompeii, a series of narrow corridors connected the *cellae* to the kitchen and stable yards. These corridors were seemingly built to be deliberately too small for an individual to comfortably rest or relax in.[153] It would follow that this was an attempt by the slave owner to discourage loitering and keep domestics focused on the task at hand. The distances slaves were expected to travel between service areas and their master's living spaces can also be viewed as a method of subjugation. Slaves serving meals in the House of Menander had to walk a considerable way to get from the kitchen to the dining room. It is estimated that this route consisted of leaving the kitchen, walking through several corridors, around the peristyle and into the huge dining salon, a distance of around seventy-five paces.[154] Such a layout served to do more than simply separate work areas from the rest of the house. On the contrary, the long distances slaves were forced to walk re-expressed their master's control of their bodies and movements.

What is more, at another Vesuvian villa, the House of Oplontis, art historians and archaeologists have detected what appear to be black and white stripes painted on the lower part of some walls. These 'zebra stripes', as Lara Laken calls them, were divided vertically into even panels with yellow or red lines forming a clear border. Notably, zebra patterning stands in stark contrast to the wall paintings in the other rooms of the house and has been suggested to have served a non-aesthetic purpose. Laken ventures to say that a distinction existed between "static" – rooms in which people relaxed – and "dynamic" – rooms which were traversed to get from A to B – spaces in the villa.[155] Daniela Scagliarini further observes that static rooms were normally decorated in a hypnotic style, where wall paintings centred around one particular panel or fresco.[156] Dynamic

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[149] Columella, *On Agriculture*, 11.1.18.

[150] Cato, *On Agriculture*, 5.5.

[151] Columella, *On Agriculture*, 11.1.22.

[152] Plowden C. Weston, "Management of a Southern Plantation," *De Bow's Review 22,* (1857), 38.

[153] Joshel, 2013, 113.

[154] Ibid.

[155] Laken, 2003, 172.

[156] Scagliarini, 1974-1976, 19-20.

spaces, on the other, hand were generally characterised by uniform panelling or wall paintings. Joshel argues, for Oplontis at least, that these stripes acted as directional markers for slaves, denoting which rooms or corridors they could pass through without expressed permission. Rooms and corridors lacking striped walls, therefore, would have been off limits to domestics without their master's prior consent. This, Joshel follows, created a series of "visual traffic signs" allowing for the slave's movements within the villa to be choreographed and controlled.[157] Not only did this enable domestics to be directed away from areas of the house where guests were being entertained, but helped the slaveholder channel bondspeople towards 'checkpoints', or zones where they could be more easily monitored.

As with the rural estate, servile spaces in the urban household were not free from observation. Among the excavated remains of the House of Vettii and the House of Menander, were found several *lararia* (indoor shrines) tucked into small alcoves of the servile kitchen. In both cases, these shrines contained an effigy of the master, who's gaze would have extended out over the room while domestics were eating or resting. Presumably, this was intended to cultivate a sense of omnipresence and remind bondspeople of their master's far-reaching authority.[158] Moreover, in the *Casa del Principe di Napoli* at Pompeii, the stairs to the slave quarters passed a porters cabin. Here we can imagine a guard was posted, responsible for overseeing the comings and goings of slaves at all hours of the day. Some domestic servants were not even allowed the privilege of personal space. Slaves performing intimate jobs for their master or mistress, such as *cubicularii* (chambermaids), slept on mattresses outside their owner's bedroom door.[159] The surveillance of servile spaces or the unavoidable proximity some jobs brought to the master would have amounted to yet another obstacle to flight.

Many slaves were required to leave their master's home and venture into the outside world. Slave bath attendants, childcare workers and various administrative assistants are well known to have regularly moved between the villa and the city. Equally, on festival days or public holidays slaves may have been allowed to move about town freely. Columella speaks disdainfully of such domestics, describing them as a "sleepy-headed class of servants" accustomed to gambling and frequenting brothels.[160] Columella's comments, however demeaning, certainly suggest that household servants were sometimes found wandering around the cities in which they lived. Roman masters were clearly alarmed at the prospect of servants taking flight in such circumstances and took measures to dissuade slaves from straying too far from home. Most famously, in Petronius' *Satyricon*, the exuberantly rich freedman Trimalchio hangs a sign on his door reading "No slave to go outside without his master's permission. Penalty, one hundred lashes".[161] As well as issuing warnings, slaveholders maintained networks of friends and agents to track the movements of bondspeople. The jurist Ulpian explicitly records that third parties could sometimes be relied upon to point out the hiding places of wanted slaves[162] This suggests, especially in urban environments, that servants belonging to prominent slave owners were recognisable enough to be identified in the event of their decampment. By the same token, a number of slave collars carry inscriptions giving no indication of to whom the runaway belonged. *CIL* XV. 7195 and *CIL* XV. 7183, are both

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[157] Joshel, 2013, 117.

[158] Ibid, 115.

[159] Wallace-Hadrill, 1988, 78.

[160] Columella, *On Agriculture*, 1.8.2.

[161] Petronius, *Satyricon*, 1.28.

[162] *Digest*. 19.5.15.

nameless, perhaps inferring that the wearer's master was influential enough to expect that if his slave was found they would be returned.

***Positive Containment Strategies***

As mentioned in the preamble to this chapter, Roman slaveholders made equal use of positive containment strategies. Positive, in this case, refers to the ways in which servitude was upheld that can be seen to have benefited slaves. Loyal and hardworking servants were, for instance, rewarded with the right to start a family. Legally speaking slave families were non-existent, Ulpian makes this abundantly clear when he says that family law does "not apply to servile relationships".[163] In spite of this, many slaveholders allowed their slaves to maintain stable partnerships and have children. There is considerable evidence to suggest that slaves engaged in official unions, despite servile marriage being legally unfounded. Plautus' comedy *Casina*, for example, takes place during a slave wedding while Columella painstakingly describes the duties of the *vilicus*' wife.[164] Cato as well implies it was common practice for masters to pick out a wife for the estate overseer.[165] With wives came children. Although the prevalence of slave families has been much debated, their existence is unquestionable. The relatively high number of attestations to slave children in Roman epitaphs is one such indicator. Correspondingly, a clerk working in the service of Trimalchio informs his master of the brith of seventy slave children on his estate at Cumae.[166] Incentives aimed at motivating slaves in to having large families were also issued. Columella recommended that slave-women who gave birth to three children should be relieved from work duties and mothers of four set free.[167] Besides the economic benefits child slaves brought masters, the right to start a family would have served to anchor bondspeople in the household, giving them little reason to escape.

In addition to having a family, some slaves were granted property rights. Property ownership was awarded at the master's discretion and contemporarily known as *peculium*.[168] Slaves in both agricultural and urban contexts were granted *peculium*, often as a reward for hard work. *Peculium* ranged from livestock to other slaves and provided bondservants with a source of independent income. On the rural estate, Varro instructed that slaves should be allowed to keep sheep or cattle as a means of maintaining themselves or subsidising their food rations.[169] Imperial slaves entrusted with the affairs of state received far greater rewards. One epitaph (*CIL* VI. 5197) documents the slave of Emperor Tiberius, Musicus. Reportedly, Musicus administered the treasury of the province of Lugdunensis and was commemorated by his own 16 *vicarii* or under-slaves. The wealth acquired by Musicus was, of course, exceptional though *peculium* was conferred upon slaves at all levels of servitude. If slaves were able to generate enough profit from their *peculium*, they could save towards the cost of freedom. Unsurprisingly, as Seneca makes clear, slaves in lowly jobs would have had a far harder time purchasing freedom than those in trained professions.[170]

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[163] *Digest.* 38.8.1.2.

[164] Columella, *On Agriculture*, 12.1; Plautus, *Casina*, prologue.

[165] Cato, *On Agriculture*, 143.1.

[166] Petronius, *Satyricon*, 1.53.

[167] Columella, *On Agriculture*, 1.8.19.

[168] Roth, 2005, 278.

[169] Varro, *On Agriculture*, 1.19.3.

[170] Seneca the Younger, *Moral Letters*, 80.4.

Promotion was another way slave owners incentivised loyal service. Like *peculium*, opportunities for promotion were dangled before household and field slaves alike. In both the villa and on the farm, slave foremen oversaw work and issued orders. Ambrose, Archbishop of Milan, claimed that the promotion of slaves was based on individual performance and productivity.[171] Ambrose is almost certainly correct, as only the most diligent slaves could be trusted with positions of responsibility. S. Scott Bartchy has argued that the prospect of upward mobility was so alluring that even freeborn citizens sold themselves into slavery.[172] Dio Chrystom remarked that free men and women were spurred to self-sale in the belief that they could one day hold a managerial position in a wealthy household.[173] Ultimately, the prospect of promotion encouraged effective labour among slaves and deterred bondservants from seeking out opportunities elsewhere.

Needless to say, manumission was the holy grail of servile labour incentives. Broadly speaking, Roman manumission can be categorised into manumission with and manumission without full citizenship.[174] In either case, manumitted slaves were free, though freedmen without citizenship lived as Junian Latins, effectively meaning they had no right to bequeath property.[175] The Augustan era *Lex Aelia Sentia* and *Lex Fufia Caninia* outlined the laws surrounding manumission. Among other things, the law stipulated that slaves under thirty could not receive full citizenship and set strict limitations on the number of bondspeople that could be freed annually. Clear disparities separated agricultural and urban slaves, with the latter being far less likely to achieve manumission (see above). Nevertheless, slaves from all walks of life would have at least had the hope of being set free, even if in reality manumission was beyond their reach. Cicero says as much when he declares that servitude would be “intolerable for slaves if some hope of liberty were not held out to them”.[176]

As we have seen, flight was combatted in two main ways; the control of slave movements and labour incentives. From the villa to the farmstead, bondspeople were heavily supervised and had few opportunities to move outside of prescribed time and space. Almost all aspects of a slaves life involved some oversight by the master or his representatives. These geographies of containment, though not foolproof, were, we can assume, reasonably successful. As illustrated in the previous chapter, the majority of runaways who appear in the extant sources were slaves whose jobs entailed some degree of autonomy or less supervision. Labour incentives were again universal. Family life, *peculium*, and the prospect of promotion or freedom, collectively gave slaves a reason to stick out the hardships of servitude. In the words of Varro, such measures ensured slaves grew “attached to the place” they lived and discouraged them from ideas of decampment.[177] Viewed alongside one another, the supervision and incentivisation of slave work can be seen as a carrot and stick containment strategy. Servile life was subject to intense control but also provided bondspeople with opportunities to better themselves. Despite the precautionary measures taken by slave owners to prevent flight, some bondspeople were able to slip through the net. With this began the process of tracking and recovering escaped slaves.

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171 Ambrose, *On Abraham*, 1.3.13.

172 Bartchy, 2003, 46.

173 Dio Chrysostom, *The Fifteenth Discourse: On Slavery and Freedom II*, 23.

174 Harper, 2011, 465.

175 Gaius, *The Institutes*, 3.56.

176 Cicero, *Pro Rabirio Perduellionis Reo*, 15.

177 Varro, *On Agriculture*, 1.17.6.

# III

# Pursuit

It is significant that among the achievements of Augustus, as recorded in his *Res Gestae*, was the return of 30,000 runaway slaves to their owners for punishment.[178] Regardless of its authenticity, Augustus clearly thought this particular episode in his career worth memorialising. The servile wars that had rocked Italy the decade before Augustus was born were still fresh in the mind of the Roman elite. The large-scale movement of slaves outside prescribed social and geographic limits was a perpetual anxiety for wealthy masters. Maintaining the social distinction between slave and free was, therefore, integral to Augustus' consolidation of power. Servitude and freedom were among the foundational principles of Roman thought, all men were either free or enslaved, there could be no middle ground.[179] Fugitive slaves were considered a threat to the status quo and had to be stopped. The capture of runaways was of great concern to Roman slaveholders and facilitated an unusually high level of cooperation between landowners, policing authorities and provincial and local governments. These networks were designed to track, arrest and return escapees as effectively as possible.

In order to make sense of the evidence, it is necessary to delineate between official and unofficial recapture efforts. Anti-flight strategies emanating from the central state can be considered official, while individual responses to fugitives can be described as unofficial. Typologically speaking, the key difference lies in the fact that official responses had a basis in Roman law, whereas unofficial responses did not. I will stress, however, that this is largely an analytical distinction made, in the most part, to ease the examination of a complex body of sources. In reality, official and unofficial methods for combating flight worked hand in hand. It is precisely the entanglement of official – state – and unofficial – private – recapture strategies that makes the evidence so tricky to interpret. Separating the two allows us to more clearly discern who was involved in the pursuit of runaways and assess the relative effectiveness of state and private responses. With this is mind, we shall proceed to examine the tactics used by the central and provincial authorities to counteract flight.

### *Official Response*

The fourth chapter of Book 11 of the *Digest* represents the bulk of the legal evidence for runaways in the imperial period. The *Digest* makes no bones about the fact that if slaves were to abscond then the full weight of the legal system would be brought against them. As the jurist Tryphoninus proclaims, in no circumstances could a slave legally "escape his owner's power".[180] Foremost, the law encouraged private citizens to come forward with any information regarding the whereabouts of wanted slaves. Interestingly, it appears that informants occasionally feared being accused of theft themselves, at least judging by the laws designed to protect them. The *Digest* is explicit in stating that those who reported the hiding places of runaway slaves could not be charged with theft.[181] Failure to disclose any relevant information to the magistrates was, however, a punishable offence. A *senatus consultum* ruled that landowners, after discovering a fugitive on their property, were to be

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[178] *Res Gestae Divi Augusti*, 25.1.

[179] Gaius, *Institutes*, 1.3.9.

[180] *Digest*. 11.4.5.

[181] *Digest*. 19.5.15.

given twenty days to report the runaway's location or be liable for conspiring in the slaves escape.[182]

Private property proved a major obstacle to slave hunting. In Italy especially, vast plantations (*latifundia*) dominated the landscape and were tightly supervised by their wealthy owners. As Italy was not a subject province, no single governor could claim complete authority over the Italian countryside. Consequently, local magnates were free to enforce the boundaries of their estate and resist magisterial requests to search their land. In retaliation, the senate decreed that soldiers and citizens who had obtained a search warrant were to be given a free pass to look for fugitives.[183] Landowners who failed to cooperate could be fined up to 100 *solidi*.[184] Search warrants were acquired by the writing of a formal letter to the magistrate requesting help with recovering an escaped slave. Magistrates were legally obliged to assist, once again under the threat of a hefty fine. Likewise, a letter penned by Marcus Aurelius and Commodus recommended that magistrates and policing authorities helped slaveholders in any way they could, including in the punishment of uncooperative landowners.[185] Fuhrmann suspects that such legislation was necessary in order to combat institutional corruption at the magisterial level.[186] It is highly plausible that some municipal officials were in the pockets of the local elite or benefited from the illegal resale of escaped slaves.

The laws permitting private land to be searched extended to include imperial and senatorial holdings. A proclamation from the Emperor Antoninus Pius established that anyone who wished to look for their slave on another person's land could do so with a letter of authorisation from the governor.[187] Some years later, Marcus Aurelius, in a speech to the senate, confirmed the precedent set by Antoninus, saying that those who were in pursuit of runaways were free to search citizenry, senatorial and imperial estates alike.[188] It is testament to the importance Roman emperors placed on fugitive slaves that they were willing to open their estates to private search parties. What is so remarkable about the law surrounding the pursuit of runaway slaves is the apparent level of cooperation between the emperor, senate and magistrates. As Fuhrmann points out, in a single *Digest* title we witness every level of state authority working together to undermine fugitive escape attempts.[189] One could make the argument that just because Roman law encouraged interdepartmental coordination doesn't mean it was widely practised. However, a number of papyri texts from second century Egypt would suggest that collaboratory policing efforts were relatively widespread.

*P.Oxy*. 12.1422 appears to be a letter written from one *stratêgos* (district governor) to another. The text accuses a man named Achilleus of harbouring a runaway slave and notes that after several unsuccessful attempts to arrest him Achilleus himself had gone missing. *P. Harr*. I 62 also hints at the fact local officials were in communication with one another. The fragmentary letter, written by the *stratêgos* of Little Oasis to a colleague, details the disappearance of four runaway slaves belonging to a certain Arabion. One explanation for the correspondence between governors is that

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[182] *Digest*. 11.4.1.1.

[183] *Digest*. 11.4.1.2.

[184] Ibid.

[185] Ibid.

[186] Fuhrmann, 2012, 33.

[187] *Digest*. 11.4.3.

[188] Ibid.

[189] Fuhrmann, 2012, 36.

slaves sometimes managed to cross county lines and escape into the jurisdiction of neighbouring magistrates. In the case of *P. Harr*. I 62*,* Llewelyn has proposed that the letter could have been a copy of an arrest warrant to be put up in Little Oasis but originally displayed in nearby Busirite, where Arabion lived.[190] However, if the letter in question was an arrest warrant we would expect to find information concerning the runaway's appearance or suspected escape route. Perhaps these details were recorded elsewhere or, more likely, in those parts of the letter now lost. In his commentary on *P.Turner*. 41 (see chapter one), U. Hagedorn notes that papyri reporting the decampment of slaves seemingly adhered to a set formula, suggesting that such instances were not uncommon.[191] If Hagedorn is correct, then provincial officials may have had other procedures in place for transmitting the individual details of fugitive slaves and henceforth they need not have been recorded in *P. Harr*. I 62.

Book 11 of the *Digest* also stipulates that claimants were to report to the magistrate any distinguishing features of escaped slaves.[192] Distinguishing features, in this case, meant any aspects of the slave's appearance that could help positively identify them, including scars. Descriptions of runaways could be written up and posted on public notice boards and outside temples. Remarkably, several wanted posters from Roman Egypt survive, offering us an unprecedented insight into their composition and style. *P.Oxy*. 51.3616 is an exceptional example. The fragment records some of the distinctive characteristics of the escaped slave Philippus, noting his light complexion, broad nose and poor manner of speech. Martha Rose has raised the possibility that Philippus could have been suffering from a type of speech impediment. She cites the fact that the Greek work *psellon* (speaking badly) can be taken to mean "stammer", an effective identifier to be sure.[193] Although an attractive proposition, it must be said that *psellon* finds equal use in referring to those individuals who did not speak fluent Greek. *P.Oxy*. 51.3617 is another instance where slave speech is commented upon. Here, the slave is described as "beardless" and speaking with a shrill voice. Dominic Montserrat has called into question the reliability of such posters, arguing that they reflect elite attitudes towards runaways as much as they recount physical appearances. In regard to *P.Oxy*. 51.3617, Montserrat notes that the adjectives used to describe the slave's body acted to separate him from true masculinity and render him infantile.[194] Bradley has also picked up on the equation of inferior character and running away.[195] In the minds of Roman masters slaves were naturally devious and prone to misbehaviour. As Bradley demonstrates, the jurists Gaius was emphatic in his belief that slaves were "fickle, wanton, slothful, sluggish, idle [and] tardy".[196] While it is clear elite attitudes coloured how slaves were represented, wanted posters must have maintained some objectivity in order to have been effective.

Several literary works also refer to wanted posters, confirming their use outside of Egypt. A passage from Lucian's *The Runaways* is especially useful as, unlike fragmentary papyri, the poster can be read in full. The escaped slave is said to be "quick-tempered, uneducated, harsh-voiced, and abusive", a reward is also promised to anyone who could assist in his capture.[197] Likewise, in

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[190] Llewelyn, 1997, 249.

[191] Hagedorn, 1981, 168.

[192] *Digest*. 11.4.1.8a.

[193] Rose, 2003, 54.

[194] Montserrat, 2011, 56.

[195] Bradley, 1994, 123-124.

[196] *Digest*. 21.1.18.

[197] Lucian, *The Runaways*, 27.

Apuleius' *Metamorphoses*, Venus orders that a description of her runaway slave girl, Psyche, be written up and publicly displayed along with a reward.[198] A number of slave collars, notably *CIL* XV. 7194, also advertise rewards. In the case of the Zoninus Collar, 1 *solidus* was promised to whoever returned the fugitive, an estimated one twentieth of the slave's value.[199] As well as on wanted posters, runaway slaves were advertised by town criers. A municipal slave in Petronius' novel the *Satyricon*, is depicted proclaiming the flight of the slave boy Giton.[200] As with the previous examples, a reward is offered for his return or any information regarding his whereabouts. A comparable reference is again found in Lucian, where Hermes likens himself to a runaway slave being "advertised by the crier".[201] Beyond wanted posters and literature, we find descriptions of fugitive slaves in magisterial case files. *UPZ* 1.121, for instance, records the escape of the slave Hermon from his owner Aristogenes, an ambassador from Alabanda. Hermon is described as being of "medium height", having "no beard", "fine legs" and "a dimple" on his chin. The text also pays attention to a tattoo on Hermon's wrist written in "foreign letters". Besides improving the chances of catching fugitives, publicly advertising flight served to remind other slaves that escapees would be pursued.

As a point of comparison, wanted posters were also used extensively in the American South. Like the Roman examples, New World advertisements focused on the distinguishing features of runaways. Poor pronunciation or distinctive manners of speech, for example, were similarly considered helpful identifiers. One runaway advertisement, published in the Indiana State Sentinel, reported that an escaped slave had "a stoppage in his speech".[202] It is worth briefly looking at the effectiveness of American fugitive advertisements in order to estimate their utility in the Roman world. It is generally accepted among scholars of American slavery that runaway advertisements made up only a fraction of the total number of servile decampments.[203] Several reasons could be behind this phenomenon, perhaps it was often not worth the money – rewards, transport fees and legal costs all added up – or maybe advertisements were reserved only for the most valuable slaves.[204] Moreover, New World advertisements appear to have been used, at least in the nineteenth century, only when other recovery methods had failed. This can be seen in the stagnation of reward payouts despite the fact slave prices continued to rise.[205] From this we can draw two conclusions; (1) that wanted posters often came down to cost and (2) that other recovery strategies were typically preferred.

While it is true to say that the majority of Roman runaway advertisements would have been issued at the behest of the elite, wanted posters were not a last resort. Roman recovery tactics were less effective than their New World counterparts and henceforth posters were a proportionally more useful tool. As to how many slaves were actually recovered as a result of public advertisements is, of course, impossible to say. Nevertheless, the attestation of wanted posters in legal, literary and papyrological sources would suggest Roman authorities recognised their value. If we factor in the use of town criers to advertise fugitives then the chances of apprehension were perhaps even higher.

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198 Apuleius, *Metamorphoses*, 6.7.

199 Thurmond, 1994, 463.

200 Petronius, *Satyricon*, 97.

201 Lucian, *The Inspectors*, 2.

202 *Indiana State Sentinel*, July 24th, 1851, 3.

203 Franklin and Schweninger, 1999, 170.

204 Rivers, 2012, 114-116.

205 Franklin and Schweninger, 1999, 176.

Advertising the disappearance of slaves may have even constituted a form of temporary work for the free poor. Dio Chrysostom deplored the recruitment of impoverished citizens for proclaiming the "rewards for the arrest of thieves or runaways".[206] The use of civic workers and private citizens to promulgate the disappearance of slaves no doubt bolstered recapture efforts further still.

Another way in which the Roman state combatted flight was the deployment soldiers and security officials along suspected escape routes. Outpost troops (*milites stationarii*) and harbourmasters (*limenarchae*), in particular, were instructed to keep an eye out for fugitive slaves.[207] Fuhrmann explains that *milites stationarii* acted as a kind of soldier-police force, charged with monitoring the movements of people in and out of areas of imperial importance.[208] We know rather less about harbourmasters, though they presumably performed a similar role, only by the sea. Indeed, runaway slaves are know to have made a break for ports in the hope of stowing away on outbound ships. The early Christian theologian, Hippolytus of Rome, recounts one such case. The story goes that Callistus, the domestic slave of Carpophorus, was entrusted with a sizeable amount of his master's money with orders to invest and grow the sum. However, Callistus managed to squander the funds and, fearing punishment, attempted to board a ship.[209] Unfortunately for Callistus, his plan was foiled and he was arrested on the harbourside. Soldiers are known to have seized runaways in comparable circumstances. As we saw in chapter one, troops stationed along the Empire's frontiers sometimes caught fugitives trying to escape into barbarian territory.

Soldiers and police personnel were also involved in directly hunting runaways. Petronius vividly portrays a local constable poking and prodding his cane into every nook and cranny of an inn bedroom hoping to discover a runaway.[210] Epigraphic evidence reveals soldiers and municipal magistrates pursuing runaway slaves with equal zeal. The Saepinum inscription (*CIL* IX. 2438), erected in southern Italy c.170 CE, preserves a subordinate's letter to an important imperial official regarding the arrest of the Emperor's shepherds. As far as we can tell, the magistrates of Saepinum and Bovianum, along with a cohort of outpost soldiers, had been repeatedly mistaking imperial shepherds for runaway slaves and detaining them. The inscription continues that many of the Emperor's sheep had gone missing – i.e. stolen – or been killed in the clashes between the shepherds and the *stationarii*. Whether the magistrates were earnestly trying to enforce the law or simply using slave hunting as cover for their embezzlement activities is unclear. Nevertheless, soldiers were clearly available to pursue runaways on foot. Further evidence for soldiers being utilised in the hunt for fugitives can be found in the *Digest*. The jurist Arrius Menander ruled that absence without leave would be exempted if soldiers were involved in the active pursuit of runaway slaves.[211]

By the late fourth century the Church had been fully incorporated into the state's war on runaways. Under Canon law, bishops and priests were required to return fugitive slaves to their master.[212] If a slave had fled to the Church seeking refuge, priests were expected to talk down the master's anger

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[206] Dio Chrysostom, *Discourses*, 7.123.

[207] *Digest*. 11.4.4.

[208] Fuhrmann, 2012, 208.

[209] Hippolytus, *Refutation of all Heresies*, 9.7.

[210] Petronius, *Satyricon*, 98.

[211] *Digest*. 49.16.4.15.

[212] Augustine, *In Iohannis Evangelium Tractatus*, 41.1.

before handing them over.[213] Roman authorities fully exploited the Church's connections. Ecclesiastical networks could be used to help locate and return fugitive slaves.[214] What is more, the state seemingly encouraged the Church's reputation as a place of asylum for runaways.[215] Safe spaces for slaves were, however, nothing new. Magistrates were obligated to hear the complaints of slaves who had taken refuge beneath a statue of the emperor.[216] Equally, a first century BCE inscription from Andania (*IG* V.1 1390) permitted slaves to shelter in the sanctuary of Demeter, provided they were under the supervision of a priest. The priest was then free to judge the runaway's case, before deciding whether to hand the slave back to his master. Presumably such measures were designed to prevent fugitive slaves from becoming a longer term nuisance. Places of asylum allowed for mediation between master and slave, circumnavigating the need for more costly pursuit strategies.

On a final note, it is worth considering the state response to escaped slaves from the imperial mines. Flight from the *metalla* was, in all probability, quite rare. In the unlikely event slaves were able to break free, rewards were offered for their capture and return. In fact, as the jurist Tryphoninus makes clear, funds were provided by the imperial treasury for this exact purpose.[217] Legally speaking, escapees from the mines were not treated as runaways and incurred no punishment other than to be returned to work.[218] As mining was already considered an extreme sentence, no further penalties were presumably thought necessary.

***Unofficial Response***

When asked whether a master should pursue his runaway slave, the cynic philosopher Diogenes, a man famed for his opposition to established custom, replied "it would be absurd".[219] In reality, numerous recovery strategies were mobilised against fugitives. "Non-institutional self-help", as Fuhrmann calls it, was for the majority of slaveholders the principle means of recapture.[220] If a slave's escape was noticed immediately, it was not uncommon for the master himself to lead the search.[221] Alternately, wealthy and well-connected slaveholders could rely on networks of friends and emissaries to help recover fugitives. Cicero, for example, was called upon by his friend Aesopus to assist in the capture of the runaway slave Licinus. Being unable to lend a hand himself, Cicero wrote to another mutual friend, Quintus, asking him to look for the slave instead.[222] The social reach of Roman aristocrats was remarkable and fully utilised in their hunt for runaways. In another letter, Vatinius assures Cicero of the lengths he will go to pursue his fugitive, issuing instructions for "land and sea" to be searched and promising to "winkle" the slave out of hiding "sooner or later".[223]

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[213] Basil of Caesarea, *The Asketikon of St Basil the Great*, 11.

[214] Firmus of Caesarea, *Epistulae*, 36.

[215] *Theodosian Code*. 9.45.3.

[216] Pliny the Younger, *Letters*, 10.74.

[217] *Digest*. 49.15.12.17.

[218] Ibid.

[219] Diogenes Laertius, *Lives of Eminent Philosophers*, 6.2.55.

[220] Fuhrmann, 2012, 43.

[221] John Chrysostom, *De Libello Repudii*, 2.1.

[222] Cicero, *Letters to Quintus*, 2.14.

[223] Cicero, *Letters to Friends*, 5.11.2.

For those who could afford it, private slave-catchers, or *fugitivari*, could be hired to track down and capture runaway slaves. The evidence for slave-catchers is sporadic, though literary references are numerous enough to suggest they were a real class of professionals.[224] *P.Oxy*. 14.1643 also mentions slave-catchers. Here, a *fugitivarius* was enlisted to pursue a slave he personally knew, apparently because he was thought to have had the best chance of recovering the fugitive. Bellen suggests that slave-catchers were especially favoured when runaways were suspected to have escaped into dangerous territory.[225] The absence of any standing police force ensured that rural hinterlands between towns and cities were often patrolled by bandits. Even in Italy, Juvenal complained that marshlands and woodlands were inhabited by highwaymen and brigands.[226] Equally, slaves themselves could have responded violently to the threat of capture. One man was murdered pursuing his runaway.[227] Fugitives also resisted seizure in the American South, where masters were occasionally shot by fleeing bondsmen.[228] Another benefit of hiring a slave-catcher was the element of surprise. Runaways were most likely on the lookout for their masters, perhaps even disguising themselves to avoid detection.[229] When slaves did catch wind of their pursuers, it was not uncommon for them to commit suicide. Seneca reports that one runaway jumped off a house roof, while another opted to stab himself.[230] In light of this, slave-catchers may well have been a safer and more discrete means of pursuing escaped slaves.

Yet, there is equal reason to suspect that slave-catchers were highly corrupt and generally ineffective. The only passage in the *Digest* to explicitly mention the *fugitivarius* comes in a discussion of fraud.[231] The specifics of the case are unclear, though it appears a depository fee had been paid to a slave-catcher in the expectation he would capture and return a runaway. Having failed to do so, the slave owner had demanded a refund, which the slave-catcher refused to give. Daube, citing the above passage, estimated that slave-catchers and runaways would occasionally work together to defraud the master.[232] This process, he wagered, involved several steps. First, on the eve of their escape, a slave would steal something valuable of his mater's. In response, the master would hire and pay a depository fee to a slave-catcher to hunt down and return the slave. The slave and slave-catcher would then rendezvous at a pre-agreed location and split the recovery fee, as well as the money made from selling the stolen item. Although Daube's hypothesis is conjectural, there is evidence to suggest Roman legislators took measures to stamp out corruption among slave-catchers. A rescript from the co-emperors Diocletian and Maximian makes clear that the selling of fugitive slaves was an actionable offence.[233] More explicitly, an except from the Theodosian Code singles out *fugitivarius* as a group notorious for selling captured slaves without

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[224] Florus, *Epitome of Roman History*. 2.7.7; Varro, *On Agriculture*, 3.14.2.

[225] Bellen, 1971, 7.

[226] Juvenal, *Satires*, 3.306.

[227] Libanius, *Progymnasmata*, 7.1.8.

[228] Rivers, 2012, 110.

[229] It should be noted that while there is no explicit evidence for disguises being used by runaway slaves, they were employed in other circumstances. See Petronius, *Satyricon*, 103; Plutarch, *Caesar*, 38; Tacitus, *Annals*, 13.25; Valerius Maximus, *Memorable Doings and Sayings*, 9.8.2.

[230] Seneca the Younger, *Letters*, 4.4.

[231] *Digest*. 19.5.18.

[232] Daube, 1952, 12-13.

[233] *Codex of Justinian*. 9.20.6.

the owners permission.[234] The fact the central state felt the need to reassert the law indicates it was frequently broken.

One surprising difference between slave catching in the Roman world and Antebellum South is the use of scent dogs. American slaveholders are well known to have used dogs in their pursuit of fugitives. An advert in the Pensacola Gazette for two bloodhound puppies declared that "these dogs are very valuable on the trail of runaway slaves".[235] Roman sources are, however, far less definite. It is widely accepted that ancient societies understood the concept of scent and recognised the tracking abilities of dogs. The Augustan-era poet Grattius, for instance, wrote extensively about the helpfulness of dogs on hunting trips.[236] Furthermore, Plutarch states that some protective deities were clad in canine skins to signify the ability of dogs to track down and attack "evil doers".[237] Despite this, the closest thing we find to dogs being used to pursue runaways in the ancient world are two dream interpretations recorded in the *Oneirocritica*. Dreaming of dogs was said to be a bad omen "for those in flight", while hunting paraphernalia was reportedly a good sign for those pursuing an escaped slave.[238] Columella, in his discussion of canines, states that one of the primary jobs for dogs was "to oppose the plots of human beings".[239] A few lines later, Columella recommends that black was the preferred colour for a guard dog, not only being more intimidating, but virtually invisible when pursuing or tracking someone at night.[240] Although no mention of runaway slaves is made, the benefits of a trained guard dog on the trail of a fugitive are self evident. Chariton also alludes to dogs but in the context of forestalling escape, where the guard dog's barking betrays the getaway of several slaves.[241] Based on the available evidence, it is hard to gauge whether dogs were utilised by Roman slave owners to hunt fugitives. If they were, either no record survives or the practice was not widespread enough to enter the extant sources.

When conventional methods failed, supernatural forces could be called upon to help masters find their slaves. The Neoplatonist philosopher Porphyry, in a letter to his friend Anebo, complained that oracles were all too often consulted for trivial reasons. In his list of the banal questions put to soothsayers, he included "the discovery of fugitive slaves".[242] In a similar fashion, Saint Augustine chastised those members of his congregation who disturbed "the divine for such purposes as finding a runaway".[243] In both instances, the hunt for fugitives is treated as an ordinary occurrence, as typical as marriage or the purchase of land. Despite Augustine's low opinion of those who sought divine help, some Christian shrines appear to have specialised in locating fugitives. The shrine of Theodore of Amasea in Pontus, for example, offered talismans to worshipers, apparently capable of

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234 *Theodosian Code*. 10.12.1.

235 *Pensacola Gazette*, January 23rd, 1841, 4.

236 Grattius, *The Chase*, 151.

237 Plutarch, *Roman Questions*, 51.

238 Artemidorus, *Oneirocritica*, 2.11.

239 Columella, *On Agriculture*, 7.12.2.

240 Ibid, 7.12.4.

241 Chariton, *Callirhoe*, 4.2.6.

242 Porphyry, *Letter to Anebo.*

243 Augustine, *City of God*, 10.11.

revealing the whereabouts of runaways.[244] One pilgrim even claimed to have been visited by Saint Theodore in a dream and shown the hiding place of his missing slave.[245]

Approaching the divine for help was, in all likelihood, the only recovery tactic universally available. Obtaining search warrants, contacting magistrates, distributing wanted posters and recruiting slave-catchers all necessitated time and money. Likewise, few masters could have relied on networks of friends and personal agents to track down runaways. Barriers to entry ensured that the majority of pursuit strategies were only accessible to the elite. This being said, flight from wealthy households was arguably more common, in which case elite slave owners would have been the principal beneficiaries regardless.[246] Magisterial and policing limitations further impeded search efforts, while local corruption and uncooperative landowners undermined the legislative support of the central state. Nevertheless, legal, gubernatorial and private pursuit strategies constituted a formidable threat to runaways. The very system of slavery relied on the clear distinction between servitude and freedom. The liminal existence of fugitive slaves acted to transgress established order, inspiring an unprecedented response at all levels of lawmaking and policing. It is unsurprising then that some slaves were caught. Once apprehended, runaways were subjected to a host of unique and torturous punishments. It is to the disciplining of recaptured slaves that we shall now turn.

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[244] Chrysippus, *Encomium in Sanctum Theodorum*, 73.

[245] Ibid, 98.

[246] Our sources certainly suggest that proportionally more slaves escaped from rich households, though this could well be a natural consequence of the material's elite bias.

# IV

# Punishment

For the slave, capture had dire consequences. The price for absconding was typically paid with the body. While physical punishment was not exclusively reserved for escapees, corporal penalties for fugitives were especially harsh. In addition to physical punishment, ex-runaways experienced differential treatment in and outside the household. Masters went to great lengths to ensure flight attempts were never forgotten and that slaves lived with the consequences of their decampment. Legislators were equally keen to preserve the flight history of slaves and to make examples of fugitives. However, Roman law expected slaveholders to deal with privately recovered runaways themselves and only set limits on the level of physical harm that could be inflicted. As a result, the punishment of runaways was non-binary. Penalties for flight came on a sliding scale with some fugitives suffering harsher punishments than others.

As Harper points out, in order to understand the punishment of bondspeople, it is first necessary to grasp the essential dichotomy governing slave behaviour. In short, 'good' or loyal slaves were to be rewarded, while 'bad' or recalcitrant slaves were to be punished.[247] It is also helpful to detach ourselves from the modern idea of justice. The punishment of Roman slaves was not concerned with rectifying wrongs but re-establishing domination. Following Leo Zaibert's excellent reassessment of the typologies of punishment, it is possible to describe Rome as taking a retributivists approach to discipline.[248] That is to say, individual suffering arising as a result of punishment was considered to have some requisite 'value' or benefit for (elite) society at large. In the case of runaways, punishment acted to restore traditional hierarchies and enforce the sanctioned routes to freedom i.e. legal manumission. Crucially, the act of running away was forcibly incorporated into the slave's identity, acting to further marginalise his already remote social positioning.

My discussion of the range of punishments levied against runaways shall be divided into two. First, we shall explore the physical penalties escape incurred and the reasons why it was thought necessary to mutilate slave bodies. Secondly, we shall look at non-corporal punishments and the repercussion flight had on the treatment of slaves long after their decampment. The logic behind separating the two is that different styles of punishment were intended to accomplish different things. Physical punishment, I argue, aimed to publicly re-subjugate slaves, while non-corporal penalties served to ostracise runaways in more subtle and lasting ways. This chapter attempts to uncover the mechanics of punishment and show how flight came to define runaways in the eyes of their masters and peers.

### *Physical Punishment*

Once a runaway slave had been caught, the *Digest* makes clear that they were to be "produced in public".[249] This required fugitives to appear in front of a magistrate or other public official before being imprisoned and put under the watch of guards. Ironically, it seems that runaways were often policed by public slaves (*servi publici*), though soldiers were also used, leading to tensions between

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[247] Harper, 2011, 222.

[248] Zaibert, 2018, 12-14.

[249] *Digest*. 11.4.1.6.

the two groups. In a letter to the younger Pliny, Trajan recommended that soldiers and public slaves occupy separate guard duties in order to avoid negligence arising from both parties relying on the other to do the job properly.[250] Public slaves may have, on occasion, pitied their jailed peers, a sense of camaraderie arising from their shared oppression. A sermon given by John Chrysostom to the Antiochene community alludes to runaways forming partnerships with their servile overseers, stating "he [the runaway] has over-persuaded these very servants and has fled away together with his guards; dragging his keepers after him like a chain".[251] Secondary escape attempts from prison almost certainly occurred, though no concrete record of their relative success or failure survives.

Ulpian also approved the use of chains to ease the guarding of runaways.[252] As previously discussed (see chapter two), chains were employed by masters to restrict the movements of those slaves considered prone to resistance. Judging by the archaeological evidence, most slaves, including runaways, would have been put in iron foot shackles.[253] Fetters also constituted a long term punishment for fugitives. Literary sources allude to several different types of shackle for slaves. Heavier chains, or *catenae*, were seemingly utilised for the transportation and imprisonment of fugitives, while a lighter set were fitted for day-to-day use.[254] As with imprisonment, runaways placed in bonds periodically made a secondary break for freedom. John Chrysostom again records an interesting example. Reportedly, it was not unheard of for chained slaves fleeing their master to soak their fetters in a nearby stream, thereby softening the iron and allowing them to break the manacles by striking them with a stone.[255] Lucilius refers to a third kind of shackle, the *collare*, described as "a kind of fetter for fastening the neck tightly".[256] Writing in the second century CE, Lucilius is presumably speaking of a different type of collar to the ones used in late antiquity. Nevertheless, his description infers some form of metal choker was also fixed around slave necks in the high Empire.

The slave collars of the later Roman world are by far the most well known punishment meted out to runaways. Around forty five collars have been recorded all, bar three North African examples, being found in Rome and central Italy.[257] The origin of slave collars is thought to tie in closely with Constantine's edict outlawing the tattooing (see below) of prisoners and slaves.[258] Lorenzo Pignorio first proposed in the early seventeenth century that Constantine's law may have extended to include fugitives.[259] The high concentration of collars found in and around Rome may well reflect this, as proximity to the emperor often ensured stricter adherence to the law.[260] Collars were typically made of bronze or iron and consisted of two parts; the band fastened around the neck and an inscribed tag

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[250] Pliny the Younger, *Letters*, 20.2.

[251] John Chrysostom, *On the Statutes*, 2.13.

[252] *Digest*. 11.4.1.8.

[253] Hillner, 2015, 166.

[254] Plautus, *The Captives*, 1.111.

[255] John Chrysostom, *On the Statutes*, 9.7.

[256] Lucilius, *Satires*, 29.917.

[257] Trimble, 2016, 447-448.

[258] *Theodosian Code*. 9.40.2.

[259] Pignorio, 1613, 23; Thurmond, 1994, 460; Harper, 2011, 258.

[260] Trimble, 2016, 454.

(*lamina*).[261] Inscriptions help clarify the purpose of collars, with almost all texts imploring the reader to stop the wearer from running away. Broadly speaking, three theories surround the application of slave collars; (1) to deter future escape attempts, (2) to punish past escape attempts and (3) to protect the property rights of the master.[262] These aims should not necessarily be considered mutually exclusive, some collars were no doubt intended to perform all three tasks. Nevertheless, here I would like to focus exclusively on collars as a form of punishment for runaways.

In order to begin to understand collars as a penal tool, we must first consider who saw them and what reaction they were intended to elicit. Visually, metal collars would have drawn attention to the wearer's servile status and signified the master's control over the slave's body. It is highly imaginable that some groups in society, including slave owners, slave-catchers and other bondsmen, would have recognised collars and understood their punitive significance. A formula common to many inscribed tags – *fugi tene me* or "I have run away, hold me." – certainly suggests that private individuals were encouraged to believe that the slave was either in flight or had recently attempted escape.[263] This no doubt affected their treatment in and outside of prescribed work environments. As Jennifer Trimble points out, slaves themselves would have, for the most part, been unable to see their own collar, let alone read the inscribed tag.[264] Consequently, the servile experience of wearing a collar was highly reflective, in the sense that onlookers judged and treated the slave with respect to something they themselves could not control. Collars allowed for flight to be visualised and acted to incorporate past transgressions into the slave's physical appearance, publicly affirming their re-subjugation.

Some collars seem to have gone a step further, not only advertising a slave's past decampment but acting to help future recovery efforts. *CIL* XV. 7190a, for instance, asks the slave to be returned to his owner in the forum of Mars, while *CIL* XV. 7191 instructs that the fugitive be presented beneath the porphyry columns in the forum of Trajan. Landmarks frequently served as drop off points for captured runaways, owing to the fact they would have been well known among the local community. A small number of collars instruct onlookers not to interfere with the wearer. *CIL* XV. 7199a and 7199b warn the reader not to seize the slave and ask that he be left to go about his business. This at first seems contradictory, especially since the majority of inscriptions call for the slave to be apprehended. Perhaps such messages were intended for the benefit of individuals who did not know the slave or his master. Alternately, such tags could suggest that slave collars were incredibly effective and that the wearer's work was sometimes intruded upon by people mistaking them for runaways. However, if we assume collars were not so much fitted to prevent flight but to punish past escape attempts then these contradictions appear less sharp. It could well have been the case that collars were fitted to ex-runaways without the inscription advertising them as such.

As well as affecting the treatment of slaves, collars would have caused considerable pain. Fitting the collar was a trial in itself, requiring the slave to lie down while the metal ring was stretched

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[261] There are of course exceptions. *CIL* XV. 7185 – a brass collar found in Rome – and *ILS* 4955 – a lead collar found in the temple of Apollo at Bulla Regia – both consist of circular bands with no *lamina*.

[262] For a full overview of the possible uses for slave collars see Trimble, 2016.

[263] *CIL* XV. 7172; *CIL* XV. 7173; *CIL* XV. 7176; *CIL* XV. 7179; *CIL* XV. 7180; *CIL*.XV 7182; *CIL* XV. 7183; *CIL* XV. 7184; *CIL* XV. 7185; *CIL* XV. 7186; *CIL* XV. 7187; *CIL* XV. 7189; *CIL* XV. 7190a; *CIL* XV. 7190b; *CIL* XV. 7191; *CIL* XV. 7192; *CIL* XV. 7192; *CIL* XV. 7194; *CIL* XV. 7195; *CIL* XV. 7196; *CIL* XV. 7197; *ILS* 8732.

[264] Trimble, 2016, 467.

around his neck, a rivet fitted and hammered shut. Bradley has suggested that other slaves in the household may have been forced to watch this procedure.[265] Harper also notes that servile punishments were as much designed to coerce loyal behaviour as discipline individual offenders.[266] Once fitted, the metal band hanging around the neck would have perpetually chaffed the wearer, leading to the development of sores or open wounds over time. Equally, extreme heat or cold would have been conducted by the metal causing further discomfort in the summer and winter months. The pain arising from collars ties in closely with the Roman need to have offenders suffer. Pain was the sensory reminder ensuring that slaves never lost sight of their past transgressions and social inferiority. A number of collars have been found in funerary contexts, implying some slaves wore them their whole lives. *CIL* XV. 7182 and *ILS* 4955 were both found still attached to the wearer's skeleton, while at least one of the three collars held in the Vatican Museum was recovered from the catacombs beneath Rome.[267] Collars were potentially even reused after their initial wearer died or was released. One tag, *CIL* XV. 7190, is especially interesting in that it is inscribed on both sides, with one inscription dating from the reign of Constantine and the other from the late fourth or early fifth century.[268] To my mind, the decades-long gap between the two inscriptions is further evidence that collars were worn for life. When a slave did die, the collar could be easily removed and saved for later use.

Singling out fugitives was carried off in other ways besides the fitting of collars. Tattoos and brands achieved similar, albeit more permanent, results. The Latin word s*tigma* was traditionally understood to refer only to brands or branding. However, as Charles Jones's influential article on the usage of *stigma* has shown, the term could equally apply to tattoos.[269] One of the most memorable moments of Petronius' *Satyricon* involves Encolpius and Giton's attempt to disguise themselves by painting "enormous letters" on their foreheads to mimic the "usual mark of runaway slaves".[270] As Jones indicates, the phrase *litteras biberint* or "absorb letters" leaves little doubt that the marks applied to Encolpius and Giton were direct imitations of the tattoos given to fugitive slaves.[271] For the Romans, tattoos were demeaning, a sign of humiliation and a treatment reserved only for the most wretched in society.[272] References across Latin literature make clear that tattoos were typically applied to a slave's forehead or face.[273] The design of punitive tattoos is largely thought to have been based on the nature of the crime committed. Cicero, for instance, reports that the letter "K" was tattooed on to the face of anyone convicted of *calumnia* (making false accusations).[274] On this basis, it is imaginable that runaway slaves may have been marked with formulas similar to those found on slave collars.[275] "F" or "FVG" for *fugitivus* could well have been the letters referred to by Petronius in the *Satyricon*.

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[265] Bradley, 1987, 119-122.

[266] Harper, 2011, 230.

[267] For the possible find spots in the Roman catacombs see Morey, 1936, 55.

[268] Thurmond, 1994, 479.

[269] Jones, 1987, 140.

[270] Petronius, *Satyricon*, 103.

[271] Ibid, 106.

[272] Gustafson, 1997, 86.

[273] Aristophanes, *Birds*, 755; Lucian, *The Misanthrope*, 17; Macrobius, *Saturnalia*, 1.19.

[274] Cicero, *Pro Sexto Roscio Amerino*, 20.57.

[275] Gustafson, 1997, 94.

But what was the reason for tattooing runaways? Like collars, tattoos sought to mould servile identities with respect to the slave's past transgressions, negatively influencing their future treatment. Forcibly marking the body with non-erasable signs was akin to what Michel Foucault has called the "micro-physics of power".[276] That is to say, acts of control exercised over the body which contributed to a wider strategy of domination. Both collars and tattoos acted to limit the individual agency of slaves. Visibly marking ex-runaways can, in some sense, be seen as a mobile geography of containment, ensuring troublesome slaves were exposed to heightened scrutiny in and outside the household. Subjecting fugitives to tattoos and collars was yet another way masters could define slaves in relation to spatial control. Moreover, tattoos acted to supplant individual slave identities with symbols universally associated with criminality. The Greek philosopher Bion of Borysthenes described his freed father, a victim of punitive tattooing, as having "no face", but rather a narrative of scares and crude lettering embodying "his master's severity".[277] Drawing attention to a slave's past misbehaviour further enforced their inhumanity – or facelessness – and subtly instructed onlookers to treat them with contempt. By the same token, tattoos signified the total authority of the master over his slave, a glaring and irremovable reminder of their dominated condition. Slaves had virtually no way of covering the symbols designed to shame them, tattoos, even more so than collars, were for life. Some master's perhaps rewarded good behaviour by allowing fugitive slaves to grow their hair long enough to cover face tattoos.[278] Alternately, if they ever achieved manumission, a slave might have been able to have the tattoo removed by a local doctor. A sixth century CE medical text claimed mixing lime or gypsum with sodium carbonate would remove any mark on the body without leaving a scar.[279] Perhaps similar remedies were available in earlier times as well.

Finally, we come to the most ubiquitous physical punishment for slaves – whipping. The act of whipping slaves was so common that the pejorative term *mastigia* or *verbero* (whipping post) was often used to refer to bondspeople.[280] The back was the part of the body typically favoured for lashing, though the stomach was sometimes used when the back had been exhausted.[281] Prolonged exposure to the whip left terrible scarring. Lucius, the narrator of Apuleius' *Metamorphoses*, observes the "livid welts" and "whip-scarred backs" of slaves during his visit to a flour mill.[282] Masters could administer lashings themselves or higher a torture specialist to punish slaves on their behalf. The infamous Law of Puteoli inscription (*AE* 1971.88) advertised the prices of various violent punishments for slaves. For four sesterces a master could have his slave crucified by a professional "whipman".[283] Like other forms of punishment, whipping served to publicly reassert the master's authority over the corporeal existence of the slave. Deborah Kamen has put forward the idea that the visibility of scars left by the whip communicated the dominating power of the

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[276] Foucault, 1995, 26.

[277] Diogenes Laertius, *Lives of Eminent Philosophers*, 4.7.46.

[278] Libanius, *Orations*, 25.21; Petronius, *Satyricon*, 105.

[279] Aetius of Amida, *Libri Medicinales*, 8.12.

[280] For *mastigia* see Plautus, *The Captives*, 3.600; Terence, *The Brothers*, 5.781. For *verbero* see Apuleius, *Metamorphoses*, 3.14, 10.10; Plautus, *Casina*, 2.380.

[281] Aristophanes, *Frogs*, 663; Herodas, *Mimes*, 5.34.

[282] Apuleius, *Metamorphoses*, 9.12.

[283] Here I follow Parkin and Pomeroy's (2007, 174) translation of *carnifice*. However, the term could equally mean "executioner". Regardless, the men offering torture services were primarily undertakers charged with removing the dead from the city and conducting public funerals. Due to their frequent contact with dead bodies, the workers were thought ideal candidates for carrying out torture and inflicting capital punishment.

master.[284] These scars appear to have been a source of shame for ex-slaves, irremovable hallmarks of their past subjugation. Athenaeus tells a story, based on the earlier writings of the Greek poet Machon, encapsulating the shame associated with scars. Some years after being freed, the slave in question was said to have slept with a woman and while having sex, her arms wrapped around him, exposed "his extremely rough back".[285] Rather than admitting he was whipped as a slave, the man claimed to have fallen into a fire while still a child. The freedman's decision to lie about his punishment underscores the continued influence it exerted over his self-identity.

As a further point of detail, it is worth reflecting on the inability of slaves to protect themselves against physical punishment. Jonathan Walters has argued that by the mid-second century CE distinctions between slave and free, within the criminal justice system, had been replaced by the concept of *honestiores* (respectable classes) and *humiliores* (lower classes).[286] Despite shifts in the legal classification of the upper and lower classes, physical punishments continued to be reserved only for non-citizens and slaves. Ulpian says that "not all persons" could be issued the same punishment, members of the *curiales* class (upper-middle class) could not be condemned to the mines, gallows or subjected to physical beatings.[287] Crucially, being of high status afforded protection from bodily assault. Consequently, as Walters points out, such legal arrangements ensured that physical punishments were markers of low status and constituted yet another way by which slave bodies could be intruded upon.[288]

If it is accepted that slaves had little to no way of avoiding physical penalties, we must ask ourselves to what extent punishment was part of the servile mentality. Kudlien has put forward the idea that fear and the possible aftermath of punishment was not always a dominating force in the day-to-day lives of slaves.[289] He references several instances of positive master-slave relationships and goes so far as to say that a minority of slaves surpassed the influence of their master altogether. A number of oracular sayings, cited by Kudlien, do indeed suggest that some slaves held sway in the household. Artemidorus records that if a slave dreamt of walking on the sea he could expect to dominate his master.[290] While I do not doubt that a slave's self-confidence could be bolstered by such words, I suspect that for the vast majority of servants the fear of punishment was a persistent worry. As Bradley points out, there is, of course, the possibility that some slaves enjoyed relationships of "genuine sentiment" with their master and were henceforth more unlikely to have endured harsh punishments.[291] However, in the case of fugitive slaves, I do not think there is scope to argue that runaways could be caught and come out scot-free. Running away, from the perspective of the master, was a betrayal of trust and unlikely to be overlooked. The nature of Roman slavery left little room for forgiveness, an offence as serious as flight would almost always be violently punished.

Evidently, punishments for runaway slaves were incredibly brutal. However, Roman law stipulated that under certain circumstances penalties could be mitigated or aggravated depending on how the

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[284] Kamen, 2010, 97.

[285] Athenaeus, *The Learned Banqueters*, 580b.

[286] Walters, 1997, 38.

[287] *Digest*. 48.19.9.11.

[288] Walters, 1997, 38-39.

[289] Kudlien, 1991, 45.

[290] Artemidorus, *Oneirocritica*, 3.16.

[291] Bradley, 1987, 118.

slave absconded and their behaviour while on the run. The jurist Callistratus states that "straightforward" runaways were to be handed back to their masters, while those who had "pretended to be free men" were to be punished more severely.[292] Status usurpation was of the upmost concern to the Roman elite. Following the Augustan development of Roman social stratification, the privileges and external symbols of the upper classes became increasingly important.[293] Some slaves certainly appear to have posed as free citizens. The aforementioned slave of Cicero's friend, Licinus, professed to be free as he fled through Athens.[294] Likewise, the *Digest* records a case where one runaway slave lent stolen money under the pretext he was free.[295] If a slave escaped to another province and assumed a fake identity but, at a later date, was found to be lying, his former master could be called to court in order to confirm his servile status.[296] Posing as a freeman aggravated truancy, serving to destabilise established boundaries between freedom and bondage. Henceforth, punishments for fugitives who obscured their true identity were intensified. Unfortunately, the law does not explicitly state the precise punishment for identity fraud. Nonetheless, we can hazard a guess as to what such punishments entailed. Pliny, in a letter to Emperor Trajan, notes that a certain Archippus had been condemned to the mines for forgery.[297] Runaways who faked freedom were, in all probability, subjected to similarly harsh punishments.

On the other hand, runaway slaves may have hoped to mitigate their punishment by handing themselves in. The fugitive slave girl Psyche certainly debates surrendering herself to her mistress in Apuleius' novel: "…hand yourself over voluntarily to your mistress and soften her furious attacks by submission, late though it be."[298] In a similar fashion, Saint Paul advised the runaway slave Onesimus to return to his master willingly.[299] Paul further encouraged the slave's owner, Philemon, to receive him as a "brother" or as if he was welcoming Paul himself back into his house. It is quite possible that Paul's advice to Onesimus was given in the knowledge that runaways who voluntary submitted to their master faced significantly lighter penalties. This is, of course, conjectural and no doubt depended on the relative magnanimity of the master.

***Beyond the Body***

For masters, flight was closely associated with character defects. Slaves who decided to abscond were perceived to be inherently flawed, suffering from the mental equivalent of a physical disability. In order to protect the rights of buyers, Roman law required that any deficiencies of slaves were to be advertised by the vendor. The *Curule Aediles* edict dictated that "those who sale slaves are to apprise purchasers of any disease or defect in their wares and whether a given slave is a runaway".[300] The sale tickets hanging around the neck of each slave were to be "written that it can be known exactly what disease or defect" each slave possessed.[301] Vendors were held fully

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[292] *Digest*. 11.4.2.

[293] Reinhold, 1971, 275.

[294] Cicero, *Letters to Quintus*, 2.14.

[295] *Digest*. 46.3.19.

[296] *Theodosian Code.* 14.7.1.

[297] Pliny the Younger, *Letters*, 10.58.

[298] Apuleius, *Metamorphoses*, 6.5.

[299] Paul, *Philemon*, 1.8-14.

[300] *Digest*. 21.1.1.1.

[301] Gellius, *Attic Nights*, 4.2.1.

responsible for any slave they sold and expected to know if their product was "sound" or a "runaway or a thief".[302] Bills of sale were issued to buyers clearly recording the condition of the slave upon purchase. Seneca the Elder's *Controversiae* preserves what may have been the typical wording of such documents, describing the slave as "free from thefts and guilt" (*furtis noxaque solutum*).[303] Another sale contract from Dacia (*CIL* III. 3937) describes a six year old girl in similar terms. Failure to fully disclose the flight history of slaves incurred serious repercussions for the seller. Buyers were entitled to a full refund with interest if the purchased slave was found out to be an ex-runaway.[304] Even if the seller had given the necessary information, a buyer could still request reimbursement for part of the purchase cost if the slave proved to be defective within six months.[305] A slave who was not known to have a history of flight but escaped soon after being purchased could be returned and refunded by the vendor once the buyer had successfully apprehended them.[306] In short, the *Curule Aediles* sought to guarantee the quality of slaves, even in instances where the seller was not aware of past defects.

Laws requiring the publication of flight histories could bring about life-altering changes for ex-runaways. In the first place, slaves who were thought to be defective fetched lower prices at auction. Constantine decreed that the penalty for harbouring a fugitive slave was twenty *solidi*.[307] We can presume that the punitive fine for sheltering runaways would have been somewhat in line with the value of such slaves. Following Harper's assessment of slave prices in late antiquity, twenty *solidi* was around the price of an unskilled slave, but significantly lower than the thirty to fifty *solidi* for a skilled servant.[308] The lower value of fugitive slaves has led Trimble to propose that slave collars were perhaps an economic obligation, allowing masters to remove the visible signs of flight and covertly sale the slave at a higher price.[309] If, however, a slave was permanently advertised as a former fugitive – be it by tattooing or branding – they were most likely purchased to perform very menial jobs. For reasons already discussed, Roman masters would have favoured slaves with no known flight history, ensuring ex-runaways were among the least desired classification of servant. A combination of low purchase cost and general undesirability ensured fugitive slaves ended up in those jobs no one else in society (not even other slaves) wanted to perform. The chain-gangs discussed in chapter two may well have been one destination for re-sold runaways. As Frontinus makes clear, public slaves were employed in the cleaning of Rome's sewers and aqueducts.[310] Runaway slaves marked with tattoos or brands, even after being freed, were often recruited as state slaves (see below) and perhaps worked in gangs similar to those described by Frontinus.

Being know as a runaway had lasting effects beyond the auction block. The scaring left by tattoos or brands affected the legal status of slaves even after they had been freed. The *Lex Aelia Sentia* of 4 BCE assigned a lesser status to freedmen who had been physically marked while they were still

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[302] Cicero, *On Duties*, 3.17.

[303] Seneca the Elder, *Controversiae*, 7.23.

[304] *Digest*. 21.1.28.

[305] Ibid.

[306] *Digest*. 21.1.21.3.

[307] *Codex of Justinian*. 6.1.4.

[308] Harper, 2010, 228.

[309] Trimble, 2016, 461.

[310] Frontinus, *Aqueducts of Rome*, 2.118.

slaves.[311] Manumitted bondspeople who had been stigmatised by tattoos or brands were assigned the status of *peregrini dediticii*, ensuring their were neither slave or free.[312] Shockingly, slaves classified as such were not allowed to come within 100 miles of Rome and doing so could result in them being sold to the state or having their property confiscated.[313] Unsurprisingly, many slaves tried to hide the tattoos or brands they had received earlier in life. Martial records one case of a freedman who went to great lengths to obscure his servile origins. Decked in expensive clothing, adorned with jewellery and heavily perfumed, Martial asks his friend Rufus to estimate the freedman's identity, before informing him that beneath his clothes and bandaged arms were the marks of his true character i.e. punitive brands or tattoos.[314] As with collars, tattoos and bands forced slaves to forever live with the spectre of their past transgressions.

Even after physical punishments had been administered, being marked out as a runaway continued to influence a slave's lived experience. The careful recording of flight histories ensured vendors and masters were often aware of a fugitive's previous escape attempts. Once considered defective, slaves suffered harsher treatment and endured poorer working conditions. Punishments leaving permanent marks further contributed to the ostracisation of runaways. Having a tattoo or brand on the forehead or other exposed part of the body ensured ex-runaways could never attain free status. Equally, the shame associated with penal markings acted to socially limit slaves, an enduring reminder of their 'lesser' character. Even in the private sphere, former slaves seem to have worked hard to obscure their past mistreatment, hiding the marks universally associated with malefaction and dishonesty. Growing hair, bandaging arms or seeking treatment to have marks removed, confirms the ardent desire among many former slaves to detach themselves from the identity physical markings imposed. The retributive approach to discipline favoured by masters and the Roman state recognised the value in harsh penalties, not only in physically harming slaves but ensuring their life long differential treatment. Ultimately, the punishment of runaway slaves was designed to permeate every stratum of their social existence, forever defining them in relation to their resistance against the status-quo.

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311 Gaius, *Institutes*, 1.13.

312 Ibid, 1.15.

313 Ibid, 1.27.

314 Martial, *Epigrams*, 2.29.

# Conclusion

Escaping slavery was no mean feat. For the majority of slaves in the Roman Empire life was lived out in a social cage under the watchful eye of the master. As has been repeatedly stressed, bondspeople were coerced, contained and supervised at every turn. Ultimately, slaves found themselves caught in a sophisticated web designed to limit their autonomy and enforce their master's authority. Undeterred, some bondservants made a break for freedom and a select few, we can presume, successfully evaded capture and managed to carve out a new life. Allow us now to re-familiarise ourselves with the findings of this paper and reflect on their value, both in terms of ancient slavery and slavery as a global phenomenon.

This thesis set out to answer five key questions; (1) what motivated slaves to escape? (2) how were flight attempts forestalled? (3) who was involved in the pursuit of runaways? (4) what level of cooperation existed between local and state authorities? and finally (5) how were captured slaves punished? Linking these questions has been the idea of flight as a form of resistance and its effectiveness in challenging the powers that be. Running away actively rendered the master's prerogative to demand labour ineffective. Simply put, slaves on the run could not work and were henceforth considered a loss in capital. Moreover, fugitives served to undermine the essential distinction between slave and free, occupying a liminal place in society. While still at large, runaways were a threat, not only embodying the possibility of escape but subverting the sanctioned routes to manumission. Fugitive slaves, in their own small way, tore the social fabric of Roman society exposing the inability for the elite to always enforce their authority.

Let us begin with the question of motivation. Slaves ran away for a variety of complex and circumstantial reasons, though all escape attempts can be loosely understood as a reaction to the limitations – social and material – slavery imposed on the individual. Fear of punishment or the threat of violence spurred many slaves to take flight. Bondspeople were frequently subjected to excessively harsh treatment and could be punished in any way their master saw fit. Some slaves fled fearing their master's retribution, while others seemingly absconded as a result of repeated abuse. Deeply personal reasons could also be behind a slave's escape. Among the ancient sources we find slaves fleeing on religious, social and legal grounds. Other slaves may well have collectively opted to flee with friends or family in search of a better life. The death of the master seems to have been another cause for flight, with slaves seeking to preserve the community they had built up under their former owner. Some slaves were simply opportunist, taking advantage of a lapse in security or utilising a change in ownership to make a break for freedom. Supernatural consultancy and a slave's ability to procure supplies for the road were no doubt other factors influencing their decision to abscond. While some bondspeople did attempt to find a way back to their homeland, there is no hard evidence to suggest that slaves ran away to reunite themselves with family members or friends.

The adage 'prevention is better than cure' certainly holds true for the Roman attitude towards forestalling escape. Masters worked hard to erect geographies of containment around their slaves in both rural and urban settings. Chains, hostile architecture and constant supervision helped slave owners keep checks on their servants. Ultimately, by controlling the time and movements of bondspeople it was thought possible to prevent any opportunities for escape from arising in the first place. Positive containment strategies were also utilised to anchor slaves within the household. The right to manage property, raise a family and the hope of manumission all contributed to the idea that the slave was better off staying put. Roman strategies of containment acted to eradicate any alternative to slavery, ensuring the virtual impossibility for slaves to eke out an existence beyond

their master's benefaction. A combination of close supervision and labour incentives locked slaves in place and made escape a highly difficult and less attractive option.

When slaves did manage to break free numerous systems were mobilised to aid in their capture and return. It is clear from the surviving evidence that at all levels of central and provincial government runaways slaves were of the utmost concern. Recapture efforts can be roughly divided into official and unofficial pursuit strategies, with the former involving the state and the later masterminded at the individual level. Imperial legislators developed an advanced procedural framework for dealing with fugitives. Magistrates and public officials were legally obliged to help slave owners recover escapees, providing search warrants and letters of dispensation to allow pursuers to track slaves over private land. Soldiers and local police personnel were also conscripted in the hunt for fugitives. Harbourmasters and outpost soldiers are both known to have been involved in the arrest and pursuit of runaway slaves on the fringes of the empire and in areas of imperial importance. Wanted posters were put up and descriptions of fugitive slaves transmitted between local officials in order to maximise the chances of arrest. In the private sphere wealthy slave owners looked to their networks of friends and representatives to track down and return escaped slaves. Slave-catchers could also be hired, though their relative effectiveness is highly questionable. Supernatural powers were also consulted when other avenues of pursuit yielded no results. Some Christian shrines even claimed to specialise in locating fugitives and gave out amulets to help masters recover their slaves.

Finally, we come to punishment. Fugitive slaves were severely punished for their transgressions, being physically mutilated and socially ostracised. Both legislators and slaveholders made sure servile flight attempts were never forgotten. Ex-runaways could be permanently chained, forcibly tattooed, fitted with metal slave collars or flogged. All forms of bodily punishment were intended to re-subjugate slaves and redefine their personal identity in relation to their past misdeeds. Punishments were frequently public affairs, with some masters perhaps even forcing other bondservants to watch their peers being whipped or having collars fitted. This not only expressed the master's total authority but ensured runaways were living deterrents, highlighting the severe penalties escape incurred. Running away was, for Roman masters, synonymous with inferior character. Vendors were required to advertise the flight history of slaves and ex-runaways typically fetched lower prices than servants who had never attempted escape. The scarring left by bodily punishments had lasting effects. Slaves who had been permanently marked could not achieve free status and were liable to be re-enslaved if they breached the terms of their partial manumission. What is more, the marks left by physical punishments served to socially effect slaves. Scaring and tattoos were a source of shame and ex-runaways tried hard to cover the marks universally associated with criminality and degradation. Mental and physical suffering was integral to the Roman idea of punishment. Through brutally punishing those who opposed the status-quo lawmakers and slaveholders enforced traditional hierarchies and maintained their social privilege.

Although I have taken a fairly exhaustive look at the evidence for runaway slaves in the Roman world, several questions remain unanswered. Estimating the prevalence and frequency with which slaves absconded, for instance, would be a worthwhile area for future study. Equally, a detailed comparative look at the motivations for servile escape across world history, or between two slave societies, would elucidate patterns of behaviour not immediately obvious from the Roman sources. The comparative approach could also be extended to explore how recapture efforts differed between countries and epochs. Demonstrably, my low level engagement with the evidence for runaway slaves in the Antebellum South was useful in uncovering similarities and variances between the ancient and modern slave experience. Additionally, more attention could be given to how the state's

response to runaway slaves changed over time, particularly in regard to whether we can detect a shift in strategy between the early and late Empire. However, in many cases we are limited by the available sources and recovering some aspects of the fugitive experience is simply impossible.

All in all, one thing is clear. Slaves, despite their social and material oppression, were able to exercise agency through running away. Flight was a direct assault on the authoritative bedrock of the master and enabled slaves to resist their subservient status. Slaveholders and state authorities recognised the symbolic power of escape and marshalled numerous prevention, pursuit and penal strategies to combat flight. Understanding why slaves ran away and how they were recovered offers more than simple insights into the master-slave relationship. Fugitive slaves are a lens through which we can witness the mechanics of social management, developments in the legal system and the various levels of cooperation between provincial and central authorities. The value in studying slavery is that the presence of slaves in Roman society touched all inhabitants of the Empire. Henceforth, it is highly possible that many Roman men and women would have, directly or vicariously, come into contact with runaway slaves. Fugitive slave narratives criss-cross the history of the ancient world and almost amount to an epitome of Roman society. To engage with the evidence for runaway slaves is to engage with the history of power dynamics and, on a more general level, the social history of Rome itself.

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