



**Beiträge zur Alten Geschichte,
Papyrologie und Epigraphik**

T Y C H E

**Beiträge zur Alten Geschichte,
Papyrologie und Epigraphik**

Band 28

2013

H O L Z H A U S E N
D E R V E R L A G

Impressum

Gegründet von:

Gerhard Dobesch, Hermann Harrauer, Peter Siewert, Ekkehard Weber

Herausgegeben von:

TYCHE – Verein zur Förderung der Alten Geschichte in Österreich

Vertreten durch:

Thomas Corsten, Fritz Mitthof, Bernhard Palme, Hans Taeuber

Gemeinsam mit:

Franziska Beutler und Wolfgang Hameter

Wissenschaftlicher Beirat:

Angelos Chaniotis, Denis Feissel, Jörg Fündling,
Nikolaos Gonis, Klaus Hallof, Anne Kolb, Michael Peachin

Redaktion:

Olivier Gengler, Sandra Hodeček, Claudia Macho, Theresia Pantzer,
Georg Rehrenböck, Patrick Sängler, Kerstin Sängler-Böhm

Zuschriften und Manuskripte erbeten an:

Redaktion TYCHE, c/o Institut für Alte Geschichte und Altertumskunde, Papyrologie und
Epigraphik, Universität Wien, Universitätsring 1, 1010 Wien, Österreich.
e-mail: franziska.beutler@univie.ac.at

Richtlinien unter <http://www.univie.ac.at/alte-geschichte>.

Bei der Redaktion einlangende wissenschaftliche Werke werden angezeigt.

Auslieferung:

Verlag Holzhausen GmbH, Leberstraße 122, A-1110 Wien
office@verlagholzhausen.at, www.verlagholzhausen.at

Online Bestellungen:

<https://shop.verlagholzhausen.at/hhshop/buch.wissenschaft/Tyche/Jahresbaende.htm>

Umschlag: Militärdiplom aus Carnuntum (ZPE 172, 2010, 271–276; Photo: P. Böttcher),
Inscription aus Ephesos (ÖJh 55, 1984, 130 [Inv. Nr. 4297]; Photo: P. Sängler), P.Vindob. G 2097
(= P.Charite 8).

Bibliografische Informationen der Österreichischen Nationalbibliothek und der Deutschen Nationalbibliothek

Die ÖNB und die DNB verzeichnen diese Publikation in den Nationalbibliografien; detaillierte
bibliografische Daten sind im Internet abrufbar. Für die Österreichische Bibliothek:
<http://onb.ac.at>, für die Deutsche Bibliothek: <http://dnb.ddb.de>.

Eigentümer und Verleger: Verlag Holzhausen GmbH, Leberstraße 122, A-1110 Wien

Herausgeber: TYCHE – Verein zur Förderung der Alten Geschichte in Österreich
c/o Institut für Alte Geschichte und Altertumskunde, Papyrologie und Epigraphik,
Universität Wien, Universitätsring 1, A-1010 Wien.

e-mail: hans.taeuber@univie.ac.at oder bernhard.palme@univie.ac.at

Gedruckt auf holz- und säurefreiem Papier.

Verlagsort: Wien — Herstellungsort: Wien — Printed in Austria

ISBN: 978-3-902976-09-3 ISSN: 1010-9161

Copyright © 2014 Verlag Holzhausen GmbH — Alle Rechte vorbehalten

Stadt Wien
Wien ist anders.

Diese Publikation wurde durch die
freundliche Unterstützung der
Stadt Wien ermöglicht.

I N H A L T S V E R Z E I C H N I S

Nachruf Ralf S c h a r f (Thomas Kruse).....	1
Franziska B e u t l e r – Gabrielle K r e m e r: <i>Domo Iudaeus</i> — Zwei neue Grabinschriften aus Carnuntum (Taf. 1–2)	5
Lincoln H. B l u m e l l – Mostafa F. H e m i e d a: The Curious Case of Kom Aushim Inv. no. 45: The Rediscovery of a Fragment from a Lost Inscription?	21
Dan D a n a – Radu Z ä g r e a n u: Deux dédicaces latines inédites de Porolissum (Dacie romaine) (Taf. 3–4)	27
Robert D a n i e l: Testament of Solomon: Addendum to P.Rain.Cent. 39 (Taf. 5)	37
Ulrike E h m i g: Entwaffnete Götter: Überlegungen zur Interpretation anti- ker Waffenweihungen	41
Kaja H a r t e r - U i b o p u: Bestandsklauseln und Abänderungsverbote: Der Schutz zweckgebundener Gelder in der späthellenistischen und kaiser- zeitlichen Polis	51
Adam L a j t a r: A Newly Discovered Greek Inscription at Novae (Moesia Inferior) Associated with <i>pastus militum</i> (Taf. 6–7)	97
María L i m ó n B e l é n: Towards a New Interpretation of <i>CLE</i> 2288 through its <i>ordinatio</i> (Taf. 7–8)	113
Nikos L i t i n a s: Accounts Concerning Work of Weavers (Taf. 9)	119
Amphilochios P a p a t h o m a s – Aikaterini T s i o u s i a: Ein spätanti- ker Papyrusbrief an den <i>magnificentissimus comes</i> Menas (Taf. 10–11)	127
Tadeusz S a r n o w s k i: <i>Accepta parietoria</i> und <i>pastus militum</i> : Eine neue Statuenbasis mit zwei Inschriften aus Novae (Taf. 12–14)	135
Peter S i e w e r t: Archaische Bronzeplatte eines unteritalischen Proxenos der Eleer (Taf. 8)	147
Alexander T h e i n: Rewards to Slaves in the Proscriptions of 82 B.C.	163
John A. N. Z. T u l l y: Samos, Hegemony, and the Nicuria Decree	177
Sofie W a e b e n s: When Two Fragments Meet: A Funerary Stela for Two People from Roman Egypt (Nikopolis) (Taf. 15)	183
Igor W y p i j e w s k i – Wojciech P i e t r u s z k a: CIL XI 3254 (II.18) — C. Caristianus Fronto from Sutrium?	191
Bemerkungen zu Papyri XXVI (<Korr. Tyche> 735–753)	203
Adnotationes epigraphicae IV (<Adn. Tyche> 34–36)	213
Buchbesprechungen	219
Juan Manuel A b a s c a l, Géza A l f ö l d y, Rosario C e b r í a n (Hrsg.), <i>Segobriga V. In- scripciones romanas 1986–2010</i> , Madrid 2011 und Géza A l f ö l d y e.a., <i>CIL II²/14</i> , 2. Editio altera, pars XIV: Conventus Tarraconensis. Fasciculus secundus: <i>Colonia Iulia urbs trium- phalis Tarraco</i> , Berlin, New York 2011 (E. Weber: 219) — (Theo) A n d e r s e.a., <i>Katalog</i>	

der Inschriften der Österreichischen Nationalbibliothek. Ein Projekt des Wahlpflichtfaches Latein des BRG Wien 14 – Linzer Straße 146, Wien 2013 (E. Weber: 227) — Elisabeth B e g e - m a n n, *Schicksal als Argument. Ciceros Rede vom fatum in der späten Republik*, Stuttgart 2012 (K. Bringmann: 221) — Ralf B e h r w a l d, Christian W i t s c h e l (Hrsg.), *Rom in der Spätantike, Historische Erinnerung im städtischen Raum*, Stuttgart 2012 (J. M. Widauer: 223) — Helmut B e r n e d e r e. a., (Hrsg.), *Im Dialog mit der Antike. Die Innsbrucker Sammlung stadtrömischer Inschriften. Ein Sparkling-Science-Projekt*, Innsbruck [2012] (E. Weber: 227) — Wolfgang B l ö s e l, Karl-Joachim H ö l k e s k a m p (Hrsg.), *Von der militia equestris zur militia urbana. Prominenzrollen und Karrierefelder im antiken Rom. Beiträge einer internationaler Tagung vom 16. bis 18. Mai 2008 an der Universität zu Köln, Alte Geschichte*, Stuttgart 2011 (L. Cappelletti: 229) — Sergio B o s t i c c o, *I geroglifici egiziani nelle testimonianze degli autori classici. Tesi di laurea di a.a. 1946/1947*, Firenze 2012 (H. Satzinger, D. Stefanović: 233) — Scott B u c k i n g, *Practice Makes Perfect. P.Cotsen-Princeton 1 and the Training of Scribes in Byzantine Egypt*, Los Angeles 2011 (A. Boud'hors: 235) — Ελένη Χ ο υ λ ι α ρ ά - Ρ ά ι ο υ, *Ἰοβόλοι σκορπίοι. Μαγικοί πάπυροι και άλλες μαρτυρίες*. Mit einer Zusammenfassung auf Französisch: *Scorpions venimeux. Papyrus magiques et autres témoignages*, Ioannina 2008 (A. Papatomas: 238) — Boris D r e y e r, *Polybios*, Hildesheim, Zürich, New York 2011 (É. Foulon: 241) — Trevor V. E v a n s, Dirk D. O b b i n k (Hrsg.), *The Language of the Papyri*, New York 2010 (A. Papatomas, A. Koroli: 242) — Giorgio F e r r i, *Tutela urbis. Il significato e la concezione della divinità tutelare cittadina nella religione romana*, Stuttgart 2010 (F. Prescendi: 245) — Nancy G a u t h i e r, Emilio M a r i n, Françoise P r é v o t (Hrsg.), *Salona IV. Natpisi starokršćanske Salone, IV.-VII. st. – Inscriptions de Salone chrétienne, IV^e-VII^e siècles*. Niz "Salona" Arheološkog Muzeja, Split, Rom, Split 2010 (E. Weber: 247) — Maria Grazia G r a n i n o C e c e r e, *I miliari lungo le strade dell'impero. Atti del convegno Isola della scala 28 novembre 2009*, Verona 2011 (E. Weber: 248) — Heinz H e i n e n (Hrsg.), *Antike Sklaverei: Rückblick und Ausblick. Neue Beiträge zur Forschungsgeschichte und zur Erschließung der archäologischen Zeugnisse*, Stuttgart 2010 (A. Gonzales: 250) — Heinz H e i n e n (Hrsg.), *Kindersklaven – Sklavenkinder. Schicksale zwischen Zuneigung und Ausbeutung in der Antike und im interkulturellen Vergleich*, Stuttgart 2012 (A. Gonzales: 256) — Werner H u ß, *Die Verwaltung des ptolemäischen Reiches*, München 2011 (P. Sängler: 258) — Benjamin K e l l y, *Petitions, Litigation, and Social Control in Roman Egypt*, Oxford 2011 (A. Jördens: 260) — Christina K u h n (Hrsg.), *Politische Kommunikation und öffentliche Meinung in der antiken Welt*, Stuttgart 2012 (U. Ehmig: 263) — Martti L e i w o, Hilla H a l l a - A h o, Marja V i e r r o s (Hrsg.), *Variation and change in Greek and Latin*, Helsinki 2012 (B. Rochette: 266) — Carlos N o r e ñ a, *Imperial ideals in the Roman West. Representation, Circulation, Power*, Cambridge 2011 (M. Moser: 269) — Klaus T a u s e n d, *Im Inneren Germaniens. Beziehungen zwischen den germanischen Stämmen vom 1. Jh. v. Chr. bis zum 2. Jh. n. Chr. Mit Beiträgen von Günter Stangl und Sabine Tausend*, Stuttgart 2009 (R. Wolters: 272) — Marja V i e r r o s, *Bilingual Notaries in Hellenistic Egypt. A Study of Greek as a Second Language*, Brussel 2012 (B. Rochette: 275).

Indices 279

Eingelangte Bücher 283

Tafeln 1–15

Die *Annona Epigraphica Austriaca 2011–2012* erscheint unter <http://altegeschichte.univie.ac.at/forschung/aea/> und wie bisher auch in der Zeitschrift *Römisches Österreich*.

Rewards to Slaves in the Proscriptions of 82 B.C.

In his account of the genesis of the Sullan proscriptions, Plutarch states that the bounty of two talents on the heads of the proscribed was paid out to ‘anyone who killed a proscribed person as a reward for his murderous deed, even if a slave should kill his master’. Lucan describes how ‘servants drove the accursed sword through the flesh of their masters’ and the Bern scholiast, commenting on this line, explains that Sulla ‘promised a bounty to slaves if they killed their proscribed master’.¹ The sources provide no further testimony on the rewards offered to slave accomplices in the Sullan proscriptions,² and the Bern scholiast on Lucan was unable to find even one example of a slave who killed his master in return for the bounty.³ The evidence for the rewards to offered slaves in return for collaboration in the triumviral proscriptions is much more explicit. According to Appian, any slave who killed one of the proscribed or who acted as informer and killed by proxy was promised ‘his freedom, 10,000 Attic drachmas, and the citizenship of his master’ (the bounty for slaves was just under half the 25,000 Attic drachmas promised to free persons for the heads of the proscribed).⁴ This testimony highlights what is not attested for the Sullan proscrip-

¹ Plut. Sull. 31,7 (τῷ δὲ ἀποκτείναντι γέρας δύο τάλαντα τῆς ἀνδροφονίας, κἂν δοῦλος δεσπότην ... ἀνέλη); Lucan. 2,148–149 (*infandum domini per viscera ferrum exegit famulus*) with Bern scholiast ad loc. (*quoniam praemium servis promiserat, si proscriptum dominum occidissent*). Lucan’s use of the word *famulus* points to the killing of the proscribed by their household slaves.

² Unless we assume that the 10,000 Cornelii — former slaves of the proscribed manumitted and given citizenship by Sulla — received their freedom as a *quid pro quo* for collaboration in the deaths of their masters: see App. civ. 1,100; 1,104. It is beyond the scope of this article to address the problems posed by this testimony in detail (see n. 8, below for a partial discussion).

³ The Bern scholiast (ad Lucan. 2,148) offers only the unconvincing suggestion that the text refers to Marius the Younger (likewise: Adnot. ad Lucan. 2,148). It is clear from other sources that Marius was killed by a loyal slave in an assisted suicide (Diod. 38/39,15) after he survived a mutual suicide pact with Telesinus with only light wounds (Liv. per. 88; Oros. 5,21,8–9; Val. Max. 6,8,2). According to Valerius Maximus, the slave performed this last duty for his master even though he knew he would receive *magna praemia* if he handed him over to Sulla, presumably for public execution and torture.

⁴ App. civ. 4,11; cf. 4,7. The neo-Attic drachma was equal to one denarius: see L. Schumacher, *Servus Index. Sklavenverhör und Sklavenanzeige im republikanischen und kaiserzeitlichen Rom* (Forschungen zur antiken Sklaverei 15), Wiesbaden 1982, 97 n. 33. The Sullan bounty was two talents (Plut. Sull. 31,7) or 12,000 drachmas (Plut. Cat. min. 17,5). I argue below that slaves received half this amount.

tions. There is no reference to slave informers in 82, nor is there any record that Sulla offered freedom to slaves. But it makes sense to assume that Sulla did offer rewards to slaves who acted as informers (and not just to those who killed the proscribed).⁵ It should also be assumed that Sulla's slave accomplices received their freedom (and not just money). Indeed, several scholars treat this assumption as a certainty.⁶ Hinard, in his monograph on the proscriptions, takes a different view. He points out that no promise of freedom is attested for the proscriptions of 82. He also claims that it is only by analogy with the terms of the proscriptions of 43 that promises of freedom to slave accomplices can be assumed for Sulla.⁷ His conclusion is that money was the only incentive offered to slaves in 82: in his reconstruction of a clause in the edict and law which promised immunity and rewards to anyone who killed one of the proscribed he gives his opinion that bounty hunters who were slaves do not appear to have been promised freedom.⁸ Hinard adopts a position of cautious scepticism which might seem to be the best response to the absence of any direct testimony in the sources. In fact, it leads him to a conclusion which cannot be correct. As this article will show, Sulla cannot possibly have appealed for collaboration from slaves without also promising them their freedom. The first step is to move from Hinard's exclusive focus on the proscriptions of 82 and 43 to a broader chronological survey: this will demonstrate that the promise of manumission was a *sine qua non* in the recruitment of slave accomplices during the Roman Republic.⁹ The next step is to pose the simple

⁵ J. Fündling, *Sulla*, Darmstadt 2010, 117. Appian attests rewards to Sullan informers at civ. 1,95, but without highlighting differences in the rewards offered to slaves and free persons (unlike civ. 4,11, on the proscriptions of 43). No other source attests the payment of rewards to Sullan informers; this is noted by F. Hinard, *Les proscriptions de la Rome républicaine* (CEFR 83), Rome 1985, 39.

⁶ Schumacher, *Servus Index* (above, n. 4) 97; K. Christ, *Sulla. Eine römische Karriere*, Munich 2002, 116; H. Heftner, *Von den Gracchen bis Sulla. Die römische Republik am Scheideweg 133–78 v. Chr.*, Regensburg 2006, 202; Fündling, *Sulla* (above, n. 5) 117. Some scholars seem to claim that slaves were promised freedom instead of money; this contradicts Plut. Sull. 31,7. Thus: G. Brizzi, *Silla*, Rome 2004, 159; O. Robinson, *Penal Practice and Penal Policy in Ancient Rome*, London 2007, 37–38.

⁷ Hinard, *Proscriptions* (above, n. 5) 40, citing only Plut. Sull. 31,7. The clear analogy of the Sullan *hostis*-declaration of 88, discussed in detail below, is ignored.

⁸ Hinard, *Proscriptions* (above, n. 5) 84: 'Cet article, qui devait reprendre purement et simplement les prescriptions de l'édit, ne semble pas avoir prévu d'accorder la liberté aux *percussores* d'origine servile'. Hinard (op. cit., 40, 84) takes the view that slaves were not offered their freedom in return for collaboration in the violence of the proscriptions but he accepts Appian's testimony (civ. 1,100; 1,104) that Sulla granted freedom and citizenship to 10,000 former slaves of the proscribed (cf. n. 2, above). For Hinard, this was purely a constitutional measure, unrelated to the rewards offered to slave bounty hunters in the proscriptions. His reconstruction thus results in a paradox: that Sulla manumitted the 10,000 Cornelii but withheld the grant of freedom from those slaves who had responded to his call to kill or betray their masters (and who had thus made themselves especially dependent on his gratitude and favour).

⁹ The following analysis is indebted to W. W. Buckland, *The Roman Law of Slavery. The Condition of the Slave in Private Law from Augustus to Justinian*, Cambridge 1908, 589–90;

question: what slave will have betrayed his master for money if he had not also been promised his freedom?

In times of crisis it was a common practice, established long before Sulla, for the Roman state to reward slave informers with manumission. Indeed, it was believed that this practice had its origins in Rome's earliest history. Livy and Dionysius of Halicarnassus recorded the story of a slave rewarded with money, freedom, and citizenship for volunteering information to the consuls of a conspiracy to restore the exiled Tarquin the Proud (the story is told by Plutarch with minor variations).¹⁰ The slave was called Vindicus and his reward is cited by Livy and Plutarch as the first example of *manumissio vindicta*.¹¹ This episode is dated to the first year of the Republic, and it is the archetype for a series of further examples in which manumission is the incentive for slaves to turn informer in the interests of the state.¹² In 500, the consuls are said to have crushed a conspiracy against the state involving slaves and others who had joined them. The plot was betrayed from within, and the informers were granted citizenship and other rewards.¹³ In 419, there is said to have been another slave conspiracy: this time there was a plot to set fire to the city and occupy the Capitol as the prelude to a mass uprising in which slaves would kill their masters and take control of their wives and possessions. The plot was again betrayed from within, and the two informers received their freedom along with a large sum of money (10,000 asses,

J.-M. David, *La faute et l'abandon*, in: École française de Rome (ed.), *L'aveu. Antiquité et Moyen Âge. Actes de la table ronde de Rome (28–30 mars 1984)* (CEFR 88), Rome 1986, 69–87, esp. 77–86; W. Nippel, *Public Order in Ancient Rome*, Cambridge 1995, 27–30; S. H. Rutledge, *Imperial Inquisitions. Prosecutors and Informants from Tiberius to Domitian*, London 2001, 307–313, and above all to Schumacher, *Servus Index* (above, n. 4) 11–109. The history of state manumission is not discussed by Hinard, who makes only a brief allusion (*Proscriptions* [above, n. 5] 39) to the manumission of slaves who supplied denunciations in criminal prosecutions, citing T. Mommsen, *Römisches Strafrecht*, Leipzig 1899, 504–506. Mommsen argues that rewards of money to slaves are logically dependent on manumission (op. cit., 505 n. 5).

¹⁰ Denunciation to the consuls: Liv. 2,4,7; Dion. Hal. ant. 5,7,2; or to P. Valerius Publicola: Plut. Publ. 4,5; reward of freedom, citizenship, and money: Liv. 2,5,9; Dion. Hal. ant. 5,13,1; or freedom and citizenship: Plut. Publ. 7,7.

¹¹ Liv. 2,5,9–10; Plut. Publ. 7,7; discussed by S. Treggiari, *Roman Freedmen during the Late Republic*, Oxford 1969, 20–25; Schumacher, *Servus Index* (above, n. 4) 50; David, *La faute et l'abandon* (above, n. 9) 84; noted by Mommsen, *Strafrecht* (above, n. 9) 506 n. 3; Buckland, *Slavery* (above, n. 9) 589 n. 16.

¹² The name Vindicus is clearly derivative and the episode as a whole is legendary. Interestingly, it features embellishments drawn from the narrative of the Catilinarian conspiracy. See R. M. Ogilvie, *A Commentary on Livy Books 1–5*, Oxford 1965, 241–243; Rutledge, *Imperial Inquisitions* (above, n. 9) 307–308.

¹³ Zon. 7,13; cf. Dion. Hal. ant. 5,53. The episode is dated to the consulship of Ser. Sulpicius Camerinus Cornutus and M^o. Tullius Longus. Another slave conspiracy, also betrayed from within, is said to have been crushed by the consuls of 501: Dion. Hal. ant. 5,51,3; cf. Zon. 7,13. The historicity of these episodes is highly uncertain. See W. Nippel, *Aufbruch und 'Polizei' in der römischen Republik*, Stuttgart 1988, 48–49.

according to Livy) paid out from the public treasury.¹⁴ A slave girl is said to have been promised immunity after she claimed to know the cause of a fatal malady which struck Rome in 331. A conspiracy was discovered, and a number of noble matrons arrested in the act of making poisons were forced to drink what they had brewed. It is not recorded if the slave-girl informer was rewarded.¹⁵ The period of the Second Punic War provides further examples. In 217, twenty-five slaves found guilty of conspiracy were crucified; the informant was rewarded with his freedom and 20,000 asses.¹⁶ In 210, fires broke out simultaneously at several locations around the Forum. Arson was suspected, and the Senate authorized a proclamation calling for the denunciation of the culprits in return for money if the informer was a free person and freedom if he was a slave. A slave called Manus informed against his masters, a noble family from Capua; the truth of his claims was confirmed, and he was rewarded with his freedom and 20,000 asses.¹⁷ Later in the same year there was a plot against the Roman army of occupation at Capua: a plan to set fire to the Roman billets during the night was betrayed by slaves in the household of the ringleaders, all those involved in the conspiracy were arrested, found guilty, and executed, and the slave informants were each rewarded with their freedom and 10,000 asses.¹⁸ In 198, there was serious unrest at Setia. Carthaginian hostages held captive in the town along with their slave retainers conspired with slaves of African origin purchased by Italians in the local area, but their plan to seize Setia, Norba, and Circeii was revealed to the urban praetor by two slaves. The conspiracy was crushed by military force, the slave informers each received their freedom and 25,000 asses, and their owners were compensated from the treasury.¹⁹ The Late Republic offers further instances of rewards offered to slave

¹⁴ Liv. 4,45,1–2; Dion. Hal. ant. 12,6,5–7. Discussion: Rutledge, *Imperial Inquisitions* (above, n. 9) 308; cf. Mommsen, *Strafrecht* (above, n. 9) 506 n. 3; Buckland, *Slavery* (above, n. 9) 589 n. 16; Schumacher, *Servus Index* (above, n. 4) 54 n. 52; David, *La faute et l'abandon* (above, n. 9) 81 n. 38.

¹⁵ Liv. 8,18,1–11; Val. Max. 2,5,3; Oros. 3,10,2; Aug. civ. 3,17. Discussion: Schumacher, *Servus Index* (above, n. 4) 39–42; Rutledge, *Imperial Inquisitions* (above, n. 9) 308–309; cf. David, *La faute et l'abandon* (above, n. 9) 83 n. 44.

¹⁶ Liv. 22,33,2, cf. Zon. 9,1; noted by Mommsen, *Strafrecht* (above, n. 9) 506 n. 3; Buckland, *Slavery* (above, n. 9) 589 n. 16; Schumacher, *Servus Index* (above, n. 4) 54 n. 52; David, *La faute et l'abandon* (above, n. 9) 81 n. 38, 83 n. 44; Nippel, *Public Order* (above, n. 9) 27 n. 26.

¹⁷ Liv. 26,27,1–9. Discussion: Schumacher, *Servus Index* (above, n. 4) 59; Rutledge, *Imperial Inquisitions* (above, n. 9) 309; cf. Mommsen, *Strafrecht* (above, n. 9) 506 n. 3; Buckland, *Slavery* (above, n. 9) 589 n. 16; David, *La faute et l'abandon* (above, n. 9) 81 n. 38; Nippel, *Public Order* (above, n. 9) 27 n. 26. Denunciations are not always false, but they are almost always malicious and petty. See S. N. Kalyvas, *The Logic of Violence in Civil War*, Cambridge 2006, 336, 346–50. In Livy's narrative of the above episode the accused offered the invalid argument that the slave's denunciation was malicious and therefore untrue (Liv. 26,27,8).

¹⁸ Liv. 27,3,1–5; with Schumacher, *Servus Index* (above, n. 4) 56; Rutledge, *Imperial Inquisitions* (above, n. 9) 309; cf. Mommsen, *Strafrecht* (above, n. 9) 506 n. 3; Buckland, *Slavery* (above, n. 9) 589 n. 16; David, *La faute et l'abandon* (above, n. 9) 81 n. 38, 83 n. 44; Nippel, *Public Order* (above, n. 9) 27 n. 26.

¹⁹ Liv. 32,26,5–14; cf. per. 32; Zon. 9,16. Discussion: Schumacher, *Servus Index* (above,

informers.²⁰ In 89, the praetor A. Sempronius Asellio was attacked and killed in the Forum in broad daylight and the Senate proclaimed rewards of money to free persons, freedom to slaves, and immunity to any accomplices in the crime in return for information leading to the arrest of the culprits.²¹ In 63, slave informers who denounced members of the Catilinarian conspiracy were promised their freedom and 100,000 sesterces, while free persons who supplied denunciations were offered immunity from prosecution and 200,000 sesterces.²² Unspecified rewards were promised by the triumvirs to slaves or free persons who denounced non-compliance with their levy on the property of the richest Roman matrons.²³ In the same period, freedom and money were promised to slaves who denounced non-compliance by their masters in the requisition of money and weapons imposed by Asinius Pollio on the citizens of Padua.²⁴ At Rhodes, Cassius ordered all coined silver and gold in private hands to be surrendered to him on a specified day: the penalty for concealment was death, and the reward for denunciations was set at one tenth of the confiscated money; slave informers were also manumitted. Brutus proclaimed the same penalties and rewards when he demanded all the gold and silver in the private possession of the citizens of Patara in Lycia.²⁵ It is clear from this survey that informers who betrayed their masters or their fellow slaves were never promised or paid money except in addition to their freedom.

n. 4) 54 n. 52; Rutledge, *Imperial Inquisitions* (above, n. 9) 309; cf. J. Briscoe, *A Commentary on Livy Books XXXI–XXXIII*, Oxford 1973, 216–218; Buckland, *Slavery* (above, n. 9) 589 n. 16; David, *La faute et l'abandon* (above, n. 9) 79 n. 30, 81 n. 38. The payment of compensation highlights the fact that the state manumission of informers interfered with the private property rights of slave owners; see Nippel, *Aufbruch und 'Polizei'* (above, n. 13) 51; *Public Order* (above, n. 9) 28; cf. Mommsen, *Strafrecht* (above, n. 9) 506 n. 3.

²⁰ There is no record of slave informers in the period 198–89 B.C. The Senate proclaimed rewards to any person who brought suspects before the consuls or supplied the names of those who had fled during the suppression of the Bacchanalians in 186 (Liv. 39,17,1; cf. 39,14,6; 39,19,1–3). But no slave informers are mentioned. See Schumacher, *Servus Index* (above, n. 4) 42–43.

²¹ App. civ. 1,54; cf. Liv. per. 74; Val. Max. 9,7,4. Discussion: Schumacher, *Servus Index* (above, n. 4) 44–45; cf. Mommsen, *Strafrecht* (above, n. 9) 506 n. 3; David, *La faute et l'abandon* (above, n. 9) 81 n. 38. Appian makes the point that no informers came forward. It is a reminder that rewards do not guarantee compliance.

²² Sall. Catil. 30,6; cf. Schumacher, *Servus Index* (above, n. 4) 65–66; Rutledge, *Imperial Inquisitions* (above, n. 9) 310–313; with Buckland, *Slavery* (above, n. 9) 589 n. 16; David, *La faute et l'abandon* (above, n. 9) 81 n. 38. The reward promised to slave informers was more than twice the Sullan bounty of 48,000 sesterces (two talents or 12,000 denarii).

²³ App. civ. 4,32; cf. 4,34; with Schumacher, *Servus Index* (above, n. 4) 102–104. In 49, Caesar intervened in a dispute between debtors and moneylenders and decreed that no-one could hold more than 60,000 sesterces in silver or gold, but he resisted popular demands that rewards should be offered to slaves who informed against their masters. See Cass. Dio 41,38,3; this episode is noted by H. Kühne, *Zur Teilnahme von Sklaven und Freigelassenen an den Bürgerkriegen der Freien im 1. Jahrhundert v.u.Z. in Rom*, StudClas 4 (1962) 189–209, at 203 n. 7.

²⁴ Macr. Sat. 1,11,22; with Schumacher, *Servus Index* (above, n. 4) 109. The episode dates to around 40 B.C.

²⁵ App. civ. 4,73; 4,81; with Schumacher, *Servus Index* (above, n. 4) 107–108. In 44, a tithe had been promised to informers, after the Ides of March, in return for proof of embezzlement of

State manumission was not restricted to cases in which slaves acted as informers and offered denunciations. Both money and freedom are said to have been given to a local slave whose assistance enabled the Romans to capture Artena in 404.²⁶ According to one of the foundation myths of the rites of Juno Caprotina on the Nones of July, slave women were granted their freedom along with dowries from the public purse for helping the Romans to a victory over the Latins in the aftermath of the Gallic sack: the slave women had volunteered to surrender themselves to the enemy, suitably disguised, after the Latins had demanded Roman noblewomen as wives-cum-hostages; the ruse worked, and the slave women revelled with the Latins into the night before stealing their swords and giving the Romans the signal to attack.²⁷ The period of the Second Punic War offers rather more reliable instances of public grants of freedom in return for services to the state. In 210, the state paid for the manumission of the thirteen slaves whose efforts had saved the Temple of Vesta from the fires allegedly started by Capuan arsonists.²⁸ Manumission en masse was the reward for the slave soldiers who served with distinction under Ti. Sempronius Gracchus in 214. This episode, if Livy's account can be trusted, also provides us with the earliest instance of bounty hunting in Roman history: the soldiers were initially told that they would receive their freedom only if they returned from the battle with the head of an enemy; the result was a frenzy of head-hunting followed by inertia as the best soldiers, holding severed heads in their right hands, withdrew from the fighting. Assurances were given that the brave would all receive their freedom, and orders were given for all soldiers to drop their trophies and re-engage with the enemy.²⁹ Manumission was also promised by state actors, in the half-century of civil strife following the death of Ti.

public funds by Caesar; a double tithe was promised in 43 for proof of Antony's involvement; slave informers are not mentioned. See App. civ. 3,54; noted by Mommsen, *Strafrecht* (above, n. 9) 505 n. 3; David, *La faute et l'abandon* (above, n. 9) 81 n. 38.

²⁶ Liv. 4,61,6–10; noted by Buckland, *Slavery* (above, n. 9) 589 n. 16; Schumacher, *Servus Index* (above, n. 4) 54 n. 52.

²⁷ Macr. Sat. 1,11,35–40; cf. Plut. Cam. 33,3–6; Rom. 29,4–9; noted by Schumacher, *Servus Index* (above, n. 4) 54 n. 52; Buckland, *Slavery* (above, n. 9) 589 n. 16. The leader of the slave women climbed a wild fig tree (*caprificus*) holding a torch to signal to the Romans to attack. Only Macrobius mentions the public manumission.

²⁸ Liv. 26,27,4.

²⁹ Liv. 24,14–15; cf. 25,6; Val. Max. 5,6,8; Flor. epit. 1,22,30; Frontin. strat. 4,7,24; the manumission is noted by Schumacher, *Servus Index* (above, n. 4) 54 n. 52; cf. Buckland, *Slavery* (above, n. 9) 589 n. 16, 590 n. 1; N. Rouland, *Les esclaves romains en temps de guerre* (Collection Latomus 151), Brussels 1977, 51–54. The head-hunting is noted — along with an earlier episode in which 'the physician who offered the head of Pyrrhus for sale' was sent packing by the virtuous M'. Curius Dentatus in 275 (Flor. epit. 1,13,21) — by J.-L. Voisin, *Les romains, chasseurs de têtes*, in: École française de Rome (ed.), *Du châtement dans la cité. Supplices corporels et peine de mort dans le monde antique. Table ronde de Rome (9–11 novembre 1982)* (CEFR 79), Rome 1984, 241–293, at 263–266, 282–283. The battlefield head-hunting of 214 is not classified by Voisin as an example of bounty hunting. It should be, in my view, because a reward of freedom, for a slave, is equivalent to a monetary reward for a free person. The historicity of the episode is a separate problem.

Gracchus in 133, in return for collaboration in acts of political violence. The clearest example is the Sullan *hostis*-declaration of 88. Its terms are not attested in full, but it is certain that slaves who betrayed their masters were promised their freedom and it may be that money was also promised.³⁰ In the East, Mithridates recruited slaves as killers or informers with promises of freedom in the Asian Vespers of 88, and in this he followed an established Hellenistic practice.³¹ At Rome, the first attested example of bounty hunting in civil strife is the proclamation of a reward by the consul Opimius for the heads of Fulvius Flaccus and C. Gracchus in 121. It is known that the reward promised for each head was its weight in gold.³² But the proclamation is recorded only in brief, and it is not known if a reward was promised to slaves.³³ The first example of a slave assassin granted his freedom in connection with a political killing is a slave of Q. Croton called Scaeva who was manumitted for his role in the death of Saturninus in 100.³⁴ But it is not known if he also received money, if he acted in re-

³⁰ Promise of freedom: Val. Max. 6,5,7; Liv. per. 77; Oros. 5,19,6; price on the head of Marius: Plut. Sull. 10,2. Schumacher (*Servus Index* [above, n. 4] 94) assumes that money was promised to slaves in addition to freedom; cf. A. Allély, *La déclaration d'hostis de 88 et les douze hostes*, REA 109 (2007) 175–206, at 194, for the excessively cautious assumption that only Marius and Sulpicius had a price on their heads. The fate of the slave who betrayed Sulpicius is discussed below, n. 46.

³¹ Asian Vespers: App. Mithr. 22. In Chios, a bounty was placed on the head of the rebel slave leader Drimakos, and slave bounty hunters were promised both money and freedom: Athen. 6,265d–266e; esp. 6,266b–c; noted by G. Glotz, *Têtes mises à prix dans les cités grecques*, REA 9 (1907) 1–5, at 4; the episode is dated to the first half of the 3rd century by A. Fuks, *Slave War and Slave Troubles in Chios in the Third Century B.C.*, Athenaeum 46 (1968) 102–111, at 105–107. In the early 3rd century, Ilium passed a law to protect its democracy against tyranny and oligarchy. Conspirators were declared outlaws, and slave assassins were promised full civic rights and citizenship, a lifetime income of one drachma per day, and an immediate bounty of 30 minas (3,000 drachmas, or half a talent). See IK Ilium no. 25, ll. 29–36; cf. ll. 37–39; with Glotz, *Têtes mises à prix* (above, this note) 4; P. Frisch, *Die Inschriften von Ilium* (Inschriften Griechischer Städte aus Kleinasien 3), Bonn 1975, 72–73.

³² Payment in gold: Vell. 2,6,5; App. civ. 1,26; Flor. epit. 2,3,6; Aug. civ. 3,24; to Septimuleius of Anagnina: Cic. de orat. 2,269; Val. Max. 9,4,3; Plut. CG 17,4–5; Vir. ill. 65,6. The bounty is an obvious precedent for the Sullan proscriptions, noted for example by Hinard, *Proscriptions* (above, n. 5) 38. But one must also note that the targets of an SCU are not identified by name: see R. A. Bauman, *The hostis declarations of 88 and 87 B.C.*, Athenaeum 51 (1973) 270–292, at 274; Allély, *La déclaration d'hostis* (above, n. 30) 180–181. This means it is unlikely that the Opimian proclamation of a reward for the heads of Gracchus and Fulvius Flaccus was officially sanctioned.

³³ Proclamation: Val. Max. 9,4,3; Vell. 2,6,5; Plut. CG 17,4; cf. Aug. civ. 3,24. The stories of Gracchus' death highlight the motif of the faithful slave who remained with him to the end: Vell. 2,6,6; App. civ. 1,26; Plut. CG 17,2–3; Oros. 5,12,8; Macr. Sat. 1,11,24; Vir. ill. 65,6.

³⁴ Cic. Rab. perd. 31. Saturninus was killed in the Forum (Plut. Mar. 30,5), specifically in the Senate House (Vell. 2,12,6; Vir. ill. 73,11), by a mob (App. civ. 1,32; Flor. epit. 2,4,6) of Roman knights (Oros. 5,17,9). One named individual is C. Rabirius, who is said to have taken possession of the tribune's severed head (Vir. ill. 73,12; cf. Cic. Rab. perd. 26–31). I would suggest that Q. Croton was also part of the lynch mob and that it was a slave in his retinue who struck the fatal blow or perhaps the coup de grâce.

sponse to an official proclamation, or if he was the recipient of a state manumission. On the latter point, one must consider the possibility that he was freed by his own master in a private act of manumission.³⁵ The evidence is limited, but there are several cases in the civil war violence of the Late Republic in which slaves were promised manumission by their masters or by leaders acting without the full authority of the state. In 87, Crassus was harboured by a friend in Spain who enlisted the assistance of one of his slaves with the twin promise of death or freedom. In 85, money and freedom were promised to a slave assassin sent by Fimbria on a failed mission to kill Sulla in Asia.³⁶ In 43, the proscribed Virginius promised his slaves rewards greater than those offered for his death, and he was able to persuade them that he was more likely than the triumvirs to reward them and keep his word, while Sex. Pompey offered double the official bounty to anyone, slave or free, who saved one of the proscribed. In both cases it is known that slaves were offered more than the triumviral package of rewards, thus a promise of manumission can be taken for granted.³⁷ Finally, one must note that freedom could also be promised and granted to slaves in return for armed support in times of civil strife. There are important examples in the half-century before the Sullan civil war, notably the open appeals to slaves attributed to C. Gracchus in 121, Saturninus in 100, and Marius in 88, and above all the mass mobilization of slave soldiers recruited into the Marian ranks with promises of freedom in the civil war of 87.³⁸ Parallels may be found in the final decades of the Republic.³⁹ There are also legendary examples in the historiography of the Early Republic. In 494, Ap. Claudius is said to have proposed the manumission and mobilization of

³⁵ The authorities chose to adopt the anonymous procedure of the SCU (cf. above, n. 32). In my view it is therefore best not to assume an official proclamation or a state manumission. A monetary reward is assumed by Schumacher, *Servus Index* (above, n. 4) 54 n. 52.

³⁶ Plut. Crass. 4,4; App. Mithr. 59. Parallels may be found in Cicero's pro Milone: Clodius is alleged to have placed a price on Milo's head (Mil. 56) and Cato is said to have endorsed the principle that slaves who defend and save their master's life deserve not just liberty but also generous rewards (Mil. 58).

³⁷ Virginius: App. civ. 4,48; Sextus Pompey: App. civ. 4,36; cf. Cass. Dio 47,12,3. Virginius alluded to the punishments sometimes inflicted on slaves who responded to official promises of rewards; further discussion below, n. 46.

³⁸ C. Gracchus in 121: App. civ. 1,26; Saturninus in 100: Val. Max. 8,6,2; Marius in 88: Val. Max. 8,6,2; App. civ. 1,58; 1,60; Plut. Sull. 9,14; Mar. 35,7; Marius in Etruria in 87: Plut. Mar. 41,3–4; Flor. epit. 2,21,11; cf. Oros. 5,19,19; 5,19,24; Plut. Mar. 43,4–5; 44,9–10; Sert. 5,7; Cinna at Rome in 87: App. civ. 1,69; 1,74; Octavius, cos. 87, is said to have rejected advice to follow suit: Plut. Mar. 42,4.

³⁹ See Kühne, *Teilnahme von Sklaven* (above, n. 23); Rouland, *Esclaves* (above, n. 29) 76–88; K.-W. Welwei, *Unfreie im antiken Kriegsdienst III* (Forschungen zur antiken Sklaverei 21), Wiesbaden 1988, 115–159. In particular, see K. Welch, *Sextus Pompeius and the Res Publica in 42–39 BC*, in: A. Powell and K. Welch (eds.), *Sextus Pompeius*, London 2002, 31–63, at 42–43, for discussion of the enlistment of slave rowers by Sextus Pompey and Octavian in the Sicilian War (Cass. Dio 48,49,1; Vell. 2,73,3); freedom was promised by Sextus (App. civ. 5,72; Cass. Dio 49,12,4) and granted by Octavian on two occasions (Suet. Aug. 16; Cass. Dio 49,1,5).

personal slave retainues by the senatorial elite to crush the First Secession of the Plebs.⁴⁰ In 500 and 460, freedom is said to have been promised to Rome's urban slave population in the attempted coups of Tarquin the Proud and Ap. Herdonius.⁴¹

Let us now return to the problem of the incentives offered to slaves in the edict and law of the Sullan proscriptions. It is the case that the sources make no mention of promises of freedom to slaves but it is not plausible to assume that none were made. There are numerous examples, examined in the previous sections, of manumission promised to slaves with or without money, but there are none in which money was promised without the prospect of freedom, nor are there instances in which it must be inferred that this was the case. There are no parallels, in other words, to support Hinard's view that Sulla's slave accomplices were promised money but not manumission. There is also a logical flaw in Hinard's reconstruction which is revealed if one reflects on the relationship between the terms and the mechanics of the proscriptions. The proscribed were outlaws, and thus they were liable to be killed out of hand, with impunity and by anyone. As an added incentive there was a bounty on the heads of the proscribed, and this was reinforced by an explicit promise of immunity from prosecution for anyone who killed one of the proscribed.⁴² The bounty was an obvious incentive: it was a large sum and it was an official reward paid out from the state treasury.⁴³ But equal if not greater emphasis must be given to the promise of immunity implied in the declaration of outlawry and made explicit in the terms of the proscription edict and law: without this promise, no-one tempted by the bounty could entertain the illusion that he would be able to enjoy his ill-gotten profits in peace. The bounty was not a viable incentive without the promise of immunity, and without an official promise of manumission there was no guarantee of personal security for any slave who collaborated in the violence of the proscriptions. As confiscated property, slaves of the proscribed were released from all obligations to their masters.⁴⁴ But they remained slaves and they were liable to be sold as state assets in the auctions of the property of the proscribed. So if there was no promise of manumission, the fate of a slave who ventured to kill his proscribed master was simply a renewal of the life of slavery under a new master.⁴⁵ This was not an attractive outcome for a slave contemplating the ultimate gamble: first to turn against his master to face the short-term risk

⁴⁰ Dion. Hal. ant. 6,63; with Rouland, *Esclaves* (above, n. 29) 53, 76.

⁴¹ Tarquin: Dion. Hal. ant. 5,53; cf. Zon. 7,13 (with n. 13 above); Herdonius: Liv. 3,15–19; esp. 3,15,9; 3,16,3; 3,17,2; Dion. Hal. ant. 10,14–16; esp. 10,14,3; 10,15,1; 10,15,5; cf. Flor. epit. 2,7,2; Oros. 2,12,5; Aug. civ. 3,17; Zon. 7,18.

⁴² Proscription as outlawry: inferred by Mommsen, *Strafrecht* (above, n. 9) 938; immunity: Sen. benef. 5,16,3; Suet. Iul. 11,2; Cass. Dio 30–35,109,13.

⁴³ Plut. Sull. 31,7; Cat. min. 17,5; Sen. dial. 1,3,8; cf. benef. 5,16,3; Vell. 2,28,3; Suet. Iul. 11,2.

⁴⁴ Schumacher, *Servus Index* (above, n. 4) 94.

⁴⁵ Manumission provided an official release from servitude, hence it was preferable to flight or revolt: see Schumacher, *Servus Index* (above, n. 4) 104–105. But if manumission was not on offer, flight was no doubt the best option for a disaffected slave seeking to exploit the upheavals of civil war to improve his lot and gain his freedom.

of failure and certain death, then to place himself at the mercy of a civil war leader who was also a member of Rome's slave-owning elite and who, six years earlier, had carried out the exemplary execution of the one individual known to have responded to his appeal to slaves to kill or betray the twelve men he declared *hostes* after his march on Rome in 88.⁴⁶ In 82, Sulla found that he needed to appeal to slaves to collaborate in acts of political violence for a second time. His promises had to seem credible, and logic dictates that the recruitment of slaves as bounty hunters, if it was to be effective, was dependent on a promise of manumission: without release from the institution of slavery they had no control over their futures, nor did they enjoy the right to possess wealth of their own. The bounty promised to slaves was a large sum but without a promise of freedom it was an empty gesture. Finally, one may note that the bounty could only be paid to the slave's new master if he was not freed: a confiscated slave vested in the state until he received his freedom or a new master; in the interim he was a 'slave without a master' (*res nullius* or *servus sine domino*) to whom the payment of money was a legal impossibility.⁴⁷ In conclusion, there can be no doubt that Sulla promised freedom to slaves in the proscriptions of 82, just as he did in the *hostis*-declaration of 88. Manumission was a *sine qua non*.⁴⁸

Slave bounty hunters in the Sullan proscriptions received money in addition to their freedom. Plutarch tells us that the price on the heads of the proscribed was two talents and that it was paid out to anyone, 'even if a slave should kill his master or a son his father'. This passage seems to suggest that all bounty hunters received the same amount, and several scholars are willing to accept that there was no differentiation in the sums offered to slaves and citizens.⁴⁹ In other periods manumission was

⁴⁶ A slave of the tribune Sulpicius revealed his master's hiding place in response to the Sullan *hostis*-declaration of 88: he received his freedom as his reward for acting as an informer but then he was precipitated from the Tarpeian Rock for the crime of betraying his master (Plut. Sull. 10,2; Val. Max. 6,5,7; Liv. per. 77; Oros. 5,19,6). It was an exemplary punishment and an attempt to calm the fears of Rome's slave-holding elite by reasserting the principle that a master's life was inviolable. The arbitrary punishment of slave accomplices is also attested in the proscriptions of 43 (App. civ. 4,29; allusion by Virginius at civ. 4,48; cf. Cass. Dio 47,7,3; 47,9,1). See Schumacher, *Servus Index* (above, n. 4) 92–100; Nippel, *Aufbruch und 'Polizei'* (above, n. 13) 91.

⁴⁷ A slave could own or acquire nothing in his own right, and his control over his *peculium* was purely derivative. The *peculium* could not exist without both the existence and the intent of a master, hence a slave without a master could neither possess nor acquire any assets, even in a derivative capacity. See Buckland, *Slavery* (above, n. 9) 133–137, 205, 275–277, cf. 435 on the status of slaves confiscated and sold by the state.

⁴⁸ Slaves had no rights and no duties, thus it is possible to argue that manumission was the necessary reward for a slave whose services to the state (e.g. on the battlefield) were incompatible with his legal status. See Buckland, *Slavery* (above, n. 9) 3, 73. By extension manumission was the necessary reward for slave assassins whose proscribed masters had been defined as enemies of the state. I owe this line of argument to one of the anonymous readers.

⁴⁹ Plut. Sull. 31,7 (κἂν δοῦλος δεσπότην κἂν πατέρα υἱὸς ἀνέλη); two talents to slaves: Schumacher, *Servus Index* (above, n. 4) 97; implied: Christ, *Sulla* (above, n. 6) 116; Fündling, *Sulla* (above, n. 5) 117.

given a notional value and ‘deducted’ from the standard bounty offered to free persons. In 63, slave informers were promised half the bounty for free persons, and there was a similar ratio in the bounties offered to slaves and citizens in the proscriptions of 43.⁵⁰ In my view it is likely that Sulla also promised a half-bounty to slaves. Plutarch does not state this. Nor does he state that slaves were offered their freedom. But his focus is not on the bounty or slaves *per se*. His aim is to describe how the Sullan proscriptions broke the bonds of the family and assaulted the very fabric of society: brothers, sons, and parents were punished for assisting the proscribed, he states, and murder was rewarded with an official bounty that was paid even to slaves and to sons. He then describes how men were killed in their own houses, in the embrace of their wives, or in their mothers’ arms. Lucan offers a similar catalogue of societal collapse in the civil war violence of the Sullan proscriptions: slaves killed their masters, sons competed to kill their fathers, and brother killed brother. Both authors are rhetorically selective: they give emphasis to the bounty and condemn the fact that it was paid to sons and slaves, but they do not give examples nor do they offer more than an allusion to the precise terms of proscription. It should not be assumed that Plutarch’s testimony on the value of the bounty is complete: the sum of two talents is mentioned as an aside in a passage which comments on the injustice and inhumanity of the proscriptions and makes no reference to differences in the rewards paid to slaves and free persons.⁵¹ Slaves are not mentioned in Appian’s account of the Sullan proscriptions, but there is a reference in his narrative of the triumviral period to ‘all kinds of infamy perpetrated by wives and sons, freedmen and slaves’ in a speech in which Cassius condemns the proscriptions of 43 and alludes to the precedent of 82.⁵² Appian also highlights the slave-master relationship in a series of general statements on the experience of proscription. Men who had held high political office made tearful appeals for mercy at the feet of their own slaves before they were killed. Household slaves were ‘transformed from domestics into enemies, either from some concealed hatred, or to obtain published rewards, or to take possession of the gold and silver in their masters’ houses’. Loyal slaves were afraid of the penalties for assisting the pro-

⁵⁰ In 63, 100,000 and 200,000 sesterces: Sall. Catil. 30,6; in 43, 10,000 and 25,000 Attic drachmas, i.e. 40,000 and 100,000 sesterces: App. civ. 4,11. Slaves were half-persons and their freedom was considered half their reward: thus Schumacher, *Servus Index* (above, n. 4) 66 n. 122. In 198, a free person, perhaps a Latin, received 100,000 asses, at this time the census rating for the *prima classis* at Rome, following the revolt at Setia; unusually, the two slave informers received their liberty and only 25,000 asses. See Liv. 32,26,14; with Briscoe, *Livy XXXI–XXXIII* (above, n. 19) 217; David, *La faute et l’abandon* (above, n. 9) 84.

⁵¹ Plut. Sull. 31,7–9; Lucan. 2,148–151; cf. Cass. Dio 30–35,109,19–20. The rhetorical character of Plut. Sull. 31,7 is rightly emphasized by T. Wiedemann, *Servus Index* [Review of L. Schumacher, *Servus Index*, Wiesbaden 1982], CR 35 (1985) 135–137, at 136. But he is wrong to assume that Plutarch *only* describes the *de facto* workings of the proscriptions and that the Sullan edict did not promise rewards to slaves who betrayed their masters.

⁵² App. civ. 1,95; 4,95. On the loyalty of family members in 43, see App. civ. 4,15; 4,36; cf. Vell. 2,67,2. On loyal and disloyal slaves in 43, see App. civ. 4,19; 4,22–26; 4,29; 4,39; 4,43–48; Cass. Dio 47,7,3; 47,9,1; 47,10,2–5; Val. Max. 6,8,5–7.

scribed, but some risked their lives and died with their masters.⁵³ Appian, Plutarch, and Lucan each elaborate on the theme of ‘murder in the family’ and highlight the licence granted to slaves to kill their masters. In doing so, they offer a commentary on the intimacy of violence in the proscriptions. Sulla delegated the power to kill and granted immunity to anyone who killed one of the proscribed. It has to be assumed that many of his victims were killed by strangers motivated solely by the bounty.⁵⁴ But one should also assume that many were victims of personal enmities, political rivalries, or family feuds, and that they died at the hands of men who both knew them and had independent reasons to want them dead. Proscription was a licence to kill and a licence to murder.⁵⁵

Citizenship was the product of a public manumission. This is attested by Cicero, who states in his *Pro Balbo* that slaves who had performed signal services to the state were ‘often publicly presented with freedom, that is, with citizenship’.⁵⁶ Sulla’s slave accomplices were rewarded with manumission, and it may be assumed that they were then granted citizenship and enrolled, like all freedmen, in one of the four urban tribes.⁵⁷ The triumviral proscriptions introduced a subtle change. Appian states that the reward for a slave killer or informer was ‘his freedom, 10,000 Attic drachmas, and the citizenship of his master’. This means that they were manumitted, rewarded with money, and enrolled as citizens in the tribes of their former masters. It was a promise that slave accomplices would not automatically be enrolled as freedmen in the four urban tribes. Instead, they would be eligible for distribution in one of the more prestigious thirty-one rural tribes.⁵⁸ This represents an inflation of the rewards offered to

⁵³ App. civ. 4,13–16. These comments introduce the narrative of the triumviral proscriptions, but they are not specific to the events of 43. Appian’s aim is to compare the phenomenon of proscription with the violence of civil strife and warfare, and in his final remarks he notes that similar events took place under Sulla (and Marius).

⁵⁴ Seneca makes the claim that potential bounty hunters were to be found in any crowd of ‘ordinary’ Romans who assembled to vote at elections or attend the games: ‘for a slight reward any one of them can be led to compass the destruction of another’ (dial. 4,8,2). There is a more obvious social bias in Nepos’ reference to the *vulgus* acting as bounty hunters in the proscriptions of 43 (Att. 11,1).

⁵⁵ Private enmity and greed in Sullan violence: Oros. 5,21,1; Plut. Sull. 31,1; 31,10–12; Cass. Dio 30–35,109,9–10; Lucan. 2,145–146; Sall. Catil. 51,32–34; in 87: App. civ. 1,73; in 43: App. civ. 4,5. On the ‘intimacy’ of civil war violence, see Kalyvas, *Logic of Violence* (above, n. 17) 330–336.

⁵⁶ Cic. Balb. 24 (*persaepe libertate, id est civitate, publice donari*); noted by Mommsen, *Strafrecht* (above, n. 9) 506 n. 3; Buckland, *Slavery* (above, n. 9) 439, 590; Schumacher, *Servus Index* (above, n. 4) 54; in general, cf. David, *La faute et l’abandon* (above, n. 9) 84.

⁵⁷ There were failed attempts in 88, 66, and 58 to change the rule that restricted freedmen to the four urban tribes. See Treggiari, *Roman Freedmen* (above, n. 11) 49–51; L. Canfora, *Proscrizioni e dissesto sociale nella repubblica Romana*, *Klio* 62 (1980) 425–437, at 433.

⁵⁸ App. civ. 4,11. See Canfora, *Proscrizioni e dissesto sociale* (above, n. 57) 433; accepted by Hinard, *Proscriptions* (above, n. 5) 235 with n. 32. In exceptional circumstances, Octavian was even prepared to elevate freedmen to the equestrian order: Menas/Menodorus for defecting from Sextus Pompey and surrendering Sardinia with its army and fleet (App. civ.

slaves in 82. It is known furthermore that all triumviral bounty hunters were promised anonymity in addition to immunity. In 82, names had been recorded in the treasury accounts and this evidence was used as the basis for a series of corruption and murder trials conducted by Cato and Caesar in 64. The triumvirs learned from this experience and issued a proclamation promising that they would record no names.⁵⁹

My aim in this article has been to examine a detail of the Sullan proscriptions and to correct a mistake in Hinard's monograph. More generally, it has been my aim to place the recruitment of slave accomplices in the proscriptions of 82 within the broader context of state manumission in the Roman Republic. It is useful to make comparisons with the triumviral proscriptions and to note the evolution from 82 to 43: the bounty was higher and bounty hunters were guaranteed anonymity in addition to immunity; there was also a promise not to confine freed slaves to the four urban tribes. But one must note that no change was made to the general framework: slaves were offered freedom, citizenship, and money in both 82 and 43. One must also reflect on the period before 82. Precedents for the incentives offered to slaves in the proscriptions may be found in the terms of the Sullan *hostis*-declaration of 88, and in the military manumissions of slaves recruited by Marius and Cinna in the civil war of 87. The first slave assassin is attested in 100, and the first promise of manumission in return for head-hunting is said to have been made, by an ancestor of the Gracchi, on the battlefields of the Second Punic War. Money and freedom were the rewards granted to the informers who betrayed the slave conspiracies of 217 and 198, and in 210 the Senate issued a proclamation promising freedom to slaves in return for information leading to the arrest of arsonists who had set fire to the Forum. On this occasion slaves were invited to supply denunciations which, if verified, would inevitably lead to the death sentence. It was an invitation to slaves to kill their masters by proxy, and thus it prefigures the Sullan appeals to slaves to collaborate in the manhunts of 88 and 82. Proscription was a package of measures invented by Sulla and modified by the triumvirs. But not everything changed in 43, and not everything was new in 82.⁶⁰

School of Classics
University College Dublin
Belfield, Dublin 4, Ireland
alexander.thein@ucd.ie

Alexander Thein

5,80; Suet. Aug. 74; Cass. Dio 48,45,5–7) and Philopoemen for helping Tanusia to conceal and save her proscribed husband T. Vinius (Cass. Dio 47,7,4); these episodes are noted by Welch, *Sextus Pompeius* (above, n. 39) 42.

⁵⁹ Anonymity in 43: App. civ. 4,11; Cass. Dio 47,6,4; trials of 64: Suet. Iul. 11,2; Plut. Cat. min. 17,4–5; Cass. Dio 37,10,2; 47,6,4; with Hinard, *Proscriptions* (above, n. 5) 38–39, 83–84, 204–207, 233. It was already noted by Cassius Dio (*loc. cit.*) that the triumviral promise of anonymity was made in response to the trials of the Sullan bounty hunters in 64.

⁶⁰ I am grateful to the editors for accepting this article, to the anonymous readers for their comments, and to Theresa Urbainczyk for reading an earlier draft.