

# Manumission, Greek and Roman

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Manumission was the termination of the state of SLAVERY – of the total domination and confinement of one person by another – and the annulment of his or her legal condition as property. Being freed, the slave became a subject of rights, limited as they were.

Manumission in Greece is attested from the sixth century BCE; however, it was very likely practiced even earlier. The earlier evidence mostly comes from literary sources, but epigraphic documents increase in volume and in geographical range in the Hellenistic and Roman periods. In Rome, reference to manumission appears already in the TWELVE TABLES, ca. mid-fifth century BCE. In addition to literary and epigraphic sources, an invaluable source of information is the fortieth book of the *DIGESTA*. The institution of manumission shows that slavery was not perceived as a permanent condition, but as a temporary and dynamic status. Nevertheless, slaves employed in agriculture and mines usually had little prospect of gaining their freedom, unlike slaves employed in the household or in business. In those cases, intimate relations between master and slave most likely made it easier to treat the slave outsider as an insider.

Manumissions in Rome are said to have far outnumbered those in Greece, an assumption possibly arising from a false impression. In Rome, forms of manumission were established by law. Freed persons were registered, and their status (according to the mode of manumission: see below) was the same all over the empire, so it was easier to track their numbers. Moreover, in Rome it was easier to find out a person's servile origin by his or her name: a freed slave took the *praenomen* and *nomen* of his or her former master in addition to his or her own original or given name (see NAMES, PERSONAL, ROMAN). Not so in the Greek world; where evidence of formal manumission procedures and records of

manumitted slaves exist, these may well have been local practices and not typical of all Greek *poleis* (formal manumission, e.g., Kalymna, *Tituli Calymni* 158; records, e.g., Thessaly, *IG IX(2)* 539–68). Moreover, the status of freed slaves varied from region to region. Nevertheless, the fact that Roman citizenship was inclusive and was conferred on freed slaves (but with limitations: see later) gives the impression that it was easier to attain manumission in Rome than in Greece, where citizenship was exclusive and zealously guarded.

Motives for manumission varied from gratitude on the owner's part for good and loyal service or a special act of courage, to plain economic considerations of profit and loss: often slave-owners offered their slaves the incentive of future manumission, so as to gain better co-operation and goodwill, through various agreements and conditions. These agreements preserved the profit owners made from their slaves, even after manumission. Even manumissions by testament often stipulated the payment of money to the heirs who, by fulfilling their father's last wish, would have suffered a loss of property.

Manumission in Greece was generally the private initiative of the slave-owner (or his wife or children, with his assent). But sometimes – mostly as a consequence of pressing military needs – it was initiated by the state, which compensated the slave-owners (Diodorus Siculus 20.84.3, 100.1–4). Sometimes freedom was also offered to slaves in return for incriminating information about their owners (Lysias 5.3–5). Manumission took various forms, but all of them aimed at achieving the widest publicity possible. A slave-owner could manumit his slave orally in the presence of family and friends (Demosthenes 29.25–6), by proclamation in a public gathering (such as in the theater, e.g., Aeschines 3.41, 44, or in a sanctuary, e.g., *IG V(2)* 274 II from Mantinea), by will (Diogenes Laertius 5.14–16 – Aristotle's will), or by the fictive consecration or sale of the slave to a deity (e.g., *IG VII* 3330 from Chaeronea, *SGDI* 1689 from Delphi). These latter “sacral” forms differ from “secular” manumissions

made in sanctuaries or those including the invocation of deities, which aimed at achieving greater sanction (*IG VII 1779* from Thespiai). The state was sometimes involved in private manumissions, through its officials who functioned as guarantors or as witnesses to the act of manumission (*IG IX (1) 3<sup>2</sup> 709a* from Phaestinus), by having the manumissions take place at the citizens' assembly (*IG IX(1) 63* from Daulis) or the law court (Isaeus fr. 15 Thalheim, at Athens), or by registering and publicizing these acts on steles, usually in return for money paid by the manumitted slaves (*IG IX(2) 22*).

Roman law (*ius civile*) provided Roman citizens with three formal modes to manumit their slaves, whereby the latter became both free and citizens: (1) the owner could appear before a magistrate or a provincial governor together with his slave and a third person, who declared that the slave was free and illegally held in slavery (*manumissio vindicta*); since the owner expressed no objection, the magistrate declared the slave free. (2) The owner could declare his slave free before the censor when a census was being held (*manumissio censu*), so that the slave's name was entered in the citizens' register (this mode was probably obsolete by Late Republican times). (3) The owner could state in his will that the slave was to be made free immediately on the owner's death or sometime later (*manumissio testamento*). In time, manumission could also be carried out informally: communicated orally (*inter amicos*) or by letter (*per epistulam*). The freedom of slaves manumitted in such informal ways was protected by the praetor, but following the *Lex Junia* (of unknown date, but probably passed under Augustus) slaves who were not manumitted through one of the formal modes became *de facto* free but not citizens; they were therefore called *Latini Juniani*. A manumission tax of 5 percent of the slave's value (the *vicesima libertatum/manumissionum*) was imposed as early as 357 BCE on slave-owners (but it was probably paid by the freed slaves).

Usually manumitted slaves paid their manumitters for freedom. Frequently the money

came from the slave's savings with the permission of the ex-owner to whom the slave's property (in Rome, the *peculium*) legally belonged. Sometimes, the owners themselves lent their slaves the money for manumission, or the slaves were helped by a loan fund organized for that purpose (in Greece, the *eranos* (Demosthenes) 59.30–2). Sometimes a third party helped the slave by buying him or her for the sake of manumission. This sale, whether understood as fictive or real, was often used in manumission of slave-prostitutes and seems to have also existed in Rome (Hyperides 3.4–6). (see PROSTITUTION; HETAIRA)

Paying for freedom was only one of many conditions that could be attached to manumission. In fact, conditional manumission seems to have been the predominant practice, emphasizing the slave's absolute dependence and the often protracted relations of dominance, even after freedom was formally granted. Slave-owners could obligate their slaves to a *paramonē* clause, that is, stipulate that their slaves stay on and work for them for a specified period after manumission (see PARAMONE). The actual status of slaves manumitted with *paramonē* is highly debated. Slave-owners could also require their manumitted slaves to take care of their grave and funerary rites after their death, pay their heirs an additional sum of money, serve a deity or supervise a cult, or raise and then supply a child or children as substitute. These conditions were often secured by penalty clauses threatening the freed slaves with re-enslavement or corporal punishment should they fail to fulfill their obligations.

In Rome, freed slaves owed deference and obedience (see OBSEQUIUM) and services (*operae*) to their former owners, who now were their *patroni* (see PATRON, PATRONAGE, ROMAN). If the freed slave died intestate, his or her former owner became the heir. The state also intervened occasionally to re-emphasize the freed persons' dependence upon their patrons (Suetonius *Claudius* 25). Freed slaves in Rome were entitled to share the family tomb.

Manumitted slaves in Greece (*apeleutheroi* or *exeleutheroi*) remained non-citizens, even if in some regions their status was more privileged than in others. In Athens, their status was similar, though not identical, to that of foreign residents (see *METOIKOS*). They had no civic rights and could not own real estate. In addition to obligations to the former owner, the state often enacted laws that regulated the freed slave's status and his or her obligations to the manumitters and the state (*IG IX(2) 1296 A*). The freed slave had to register a citizen who served as his or her mediator and sponsor (see *PROSTATES*); this *prostates* may have been the ex-owner, but this point is uncertain. In some places, freed slaves were subject to special taxes. Sometimes slave-owners decided to adopt their manumitted slaves, especially if the latter were their biological or foster children (see *THREPTOI*).

In Rome, freed slaves (*liberti* or *libertini*) became citizens with certain limitations: they were not allowed to hold office (but their children were full citizens). However, the *Lex Aelia Sentia* of 4 CE barred *servi vincti* (slaves punished by chaining) from the citizenship. The children of a freed person were free only if born after manumission; otherwise, it was up to the owner to decide whether the child would be free or remain in slavery. Under Augustus, manumission was regulated, perhaps with the aim of overseeing the moral behavior of new citizens: the *Lex Fufia Caninia* of 2 BCE limited manumission by will to a certain proportion of one's slaves. The *Lex Aelia Sentia* established a minimum age of twenty years for manumitter and thirty years for slaves manumitted during their owner's life.

Despite being made citizens, freed slaves in Rome – much as in Greece – carried the stigma of servile origins, and their obligations to their former masters prolonged their condition of dependence long after attaining legal freedom.

SEE ALSO: Freedmen and freedwomen; *Peculium*; Slavery, Greece; Slavery, Rome.

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