The Diffusion of Luxury in Ancient Rome: An Analysis of Funerary Practices During the Late Republic and Early Empire

Mannat Johal
mjohal@wellesley.edu

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The Diffusion of Luxury in Ancient Rome: An Analysis of Funerary Practices During the Late Republic and Early Empire

Mannat Johal

Submitted in Partial Fulfilment of the Prerequisite for Honours in Classical Civilisation

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Commodity Culture in the Ancient Roman Context

The word “luxury” in modern capitalist society is frequently associated with desirable but prohibitively priced goods; expensive cars or exotic vacations immediately spring to mind. Post-industrial society, where luxury goods are seen primarily as fuel for the economy, marks a significant break from the Roman conception of *luxuria*, with its implied excess, immoderation and “disregard for moral constraints”.¹ This definition, embedded in the late republican milieu of Pliny, Cicero, Sallust and Livy, represents the elite discourse that saw unbridled extravagance as a threat to Roman morality. Its corrupting influence transcended the immediate social sphere of the elite, creeping into the political realm, capable of precipitating the demise of the republic itself. Similarly, the proliferation of luxury to lower strata of society was threatening and, in the elite moral discourse that disparaged it, marked a destructive splintering of the Roman social fabric. The widespread disapproval of conspicuous consumption, itself an essential component of the phenomenon of luxury, was largely a function of elite Roman self-perception.²

For the vast majority of Roman society that did not frame this discourse, however, conspicuous consumption was a channel for climbing upwards in society and making claims to new statuses and identities. It is the aim of this thesis to develop an idea of luxury within the context of late republican and early imperial Rome, dwelling especially on the role that the diffusion of luxury played in constantly altering how luxury itself was defined and what this flux of consumers and commodities indicates about the changing articulation of statuses and identities in the Roman social context. The modern economic and anthropological

¹ *OLD*, s.v. “Luxuria”, 2, 3.
² Cf. Edwards, C., *The Politics of Immorality in Ancient Rome*, Cambridge: Cambridge University Press, 1993, p. 2: “Conceptions of immorality were central to the way elite Romans thought about themselves, both as a people in relation to those who were not Romans and as individuals in relation to the state and to one another. The criticism of immorality was constructed by Romans themselves as a characteristically Roman activity.”
discourse on commodities, how they define social groups and act as symbolic messengers of
social status, can help illuminate the centrality of luxurious consumption in Roman society,
removing it from the rarefied upper-class setting it seems most appropriate in and grounding
it as an element that not only affected a broad cross-section of the population, but as a
process in which a wider sampling of Romans were active participants.

**Commodity Culture**

The exchange of goods can be seen as a largely economic transaction that is mediated
by the forces of demand and supply, dependant on price and production. Seen in this way, the
most important characteristic of goods is their economic value, which is inextricably linked
with economic exchange. In modern life, the economic value of a good is expressed in
monetary terms as its price. Price, in the most basic economic theory, boils down to the
intersection of demand and supply. However, the relationship between economic exchange
and economic value, namely, whether exchange is dependant on value or value on exchange,
is more complicated. For Simmel, it is neither demand nor the intrinsic qualities of a good
that endow it with value. Instead, the act of exchange “guides the stream of appraisal” so that
during exchange, values are decided reciprocally.³ The desire for exchange acts as a “motor
energy” in the process of deciding value, since it anticipates exchange. Simmel’s analysis
is summed up in his characterisation of economic activity as a peculiar commerce that
paradoxically “exchanges values” rather than “exchanges values”.⁴

Simmel’s idea of exchange also allows the development of a criterion for
distinguishing between a good and a commodity. Using the moment of exchange as a
fulcrum, a good is any product, which, when designated for economic or non-economic

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1900), p. 578.
⁴ Idem.
exchange, acquires the status of a commodity. For example, a personal belonging is a good, but it becomes a commodity only if the owner decides to make it available for exchange. The classic definition of the commodity comes from Marx and Engels’ discussion in *Capital*, where the concept of the commodity is intrinsically tied to the physical, social and psychological conditions created by production in a capitalist society. This is most noticeable in their discussion of the circulation of money and commodity that distinguishes the bourgeoisie from the proletariat.\(^5\) By asserting that a commodity holds both “use value” and “exchange value”, Marx and Engels recognise the social nature of a commodity. Thus, in Marxist analysis, a commodity is something that has *use value for others*, which is realised through exchange.

While Marx and Engels create a framework that recognises the commodity’s social value, their analysis focuses on explaining the dynamics of circulation in 19\(^{th}\) century capitalist society. Nevertheless, Marxist analysis leads us towards a broader definition of the commodity that acknowledges its existence outside of capitalist society. In fact, Marx and Engels do not treat the commodity solely as a product of 19\(^{th}\) century capitalist society, but recognise its historical background; at the same time, however, they retain the conviction that the capitalist epoch alone gives the word “commodity” its full weight. Historicising the commodity, that is, moving away from the centrality of capitalist production in its definition, is to delve into circulation, as opposed to mere production, as the defining quality that lends commodities their commodity-hood.

The idea of circulation of commodities too must in turn be broadened. We need not limit ourselves to the circulation that occurs in the market-place and is undoubtedly an

\(^{5}\) This refers to the famous discussion of the Commodity-Money-Commodity cycle pertaining to the proletariat and the inverted cycle Money-Commodity-Money that characterises the bourgeoisie.
economic transaction, but we can seek a definition that spans a longer *durée* and a wider cultural scope, one that recognises the “calculative dimension” of non-economic exchanges such as barter and gift-giving and sees them as important processes in a discourse on commodity exchange.\(^6\) Therefore, to construe more broadly both the nature of a commodity and the contexts in which it may be exchanged, it is fitting to follow Appadurai’s analysis that any “thing” can be defined as a commodity when “its exchangeability (past, present, or future) for some other thing is its socially relevant feature.”\(^7\) Thus, to move away from Marx’s production-centred understanding of a commodity, more things can be defined as commodities at some stage of their lives and they may not always remain so, because exchange may not constantly be their socially relevant feature. To provide a deeply Marxian example, the labour power of a worker possesses value as a commodity only when it serves a use value for others and is then his/her socially relevant feature. 

By virtue of this definition of commodity-hood, it follows that social relevance, above all, determines what thing becomes a commodity and when. Therefore, demand for a commodity is an indicator of its social relevance. Even so, demand most commonly suggests two constituents: either a need for a commodity that is a requirement such as a staple cereal, or desire for something like jewellery that may not be essential for survival but holds social significance. Both ends of the spectrum are mediated by the ability to acquire the commodity in demand. Certainly, the equation of utility and price cannot be ignored as far as creating demand is concerned – it is easy, for example, to envision a situation in which the price of a non-staple such as apples increases substantially, pushing demand downward. However, it has already been established that as concerns a broader approach to commodities, an

\(^7\) Ibid., p. 13.
analogous view of demand, one imbued with social relevance, must be adopted. We may take
up, then, Appadurai’s definition of demand that “emerges as a function of a variety of social
practices and classifications” rather than as a function of requirement, desire, availability of
commodities and the ability to acquire these commodities.⁸

The necessary corollary to demand is consumption, which is the next step in
acquiring a commodity, since it is a fulfilment or a realisation of demand. In the career of a
commodity, consumption could perhaps be seen as an end – the commodity is produced,
there is demand for it, it is exchanged and thus ends its course as a commodity. However, if
that were to be the case, consumption would fall into the private sphere, and what happens to
a commodity once it leaves its site of exchange would be perceived as immaterial to its so-
called “social life”. In any case, in classical economic theory, the consumer’s choice is
supposedly free and individual.⁹ To view consumption as such a private matter, where the
individual’s choice reigns supreme and any social dimension in commodity-hood ceases to
exist once exchange has taken place, undermines the concept of demand that has been
posited above. Consumption decisions cannot be truly free and Appadurai deals with demand
and consumption in the same breath as he goes on to define consumption, driven by demand,
as “eminently social, relational and active rather than private, atomic or passive.”¹⁰ Thus,
demand itself must necessarily be seen as embedded in “the political logic of consumption”.

Consumption, then, does not end in the short-lived moment in which demand is
fulfilled. Not only is the beginning of this process socially mediated in that demand is
generated socially and consumption choices are not privately driven, but also in that the

⁸ Appadurai, op. cit., p. 29.
⁹ The field of Behavioural Economics questions this assumption, taking into account the social and
psychological factors that shape consumer choice, demand and market prices.
¹⁰ Appadurai, op. cit., p. 31.
process continues in the social sphere well after an initial exchange has taken place. For, besides primary use-value, commodities carry important social meaning, are pivotal in creating social relations and have value as communicators.\(^\text{11}\) In fact, the meaning a particular commodity conveys is an important factor influencing the decision of a consumer. For example, in choosing between two brands of tea,\(^\text{12}\) a costlier and allegedly finer type would represent a different meaning than its cheaper alternative and would thus appeal to the consumer who looks to identify with that meaning. Besides having the effect of creating differentiation, his/her choice of consuming that type of tea has symbolic value within society, because it subscribes to a consumption pattern characteristic of a group that has cultivated certain “tastes”, an idea developed by Pierre Bourdieu and discussed later in this chapter.

There is a three-way relationship that involves demand, consumption and the social milieu within which these are formulated. On the one hand, as has been proposed above, demand and consumption are products of social factors beyond the equation of price and utility, whether this pertains to immediate use-value or symbolic value. On the other hand, it has been suggested that demand and consumption themselves help alter social relations because of the role that commodities play in speaking for their consumers, creating and maintaining social relations and setting parameters for production by creating “taste makers”. If we consider this circular relationship between consumption and the social setting that both creates and feeds into it, commodities emerge as an important source for the study of social


\(^{12}\) Where tea is not a rare or necessarily elite beverage, for example, in the UK.
dynamics. In Douglas and Isherwood’s words, “consumption decisions become the vital source of the culture of the moment.”

For the investigation of societies, then, the commodity proves itself a valuable tool since its demand, exchange and consumption are socially determined, making it an active participant in shaping culture and social relations. This thesis is interested in the concept of luxury goods, in particular, which serve as a most obvious example of Douglas and Isherwood’s suggestion to “forget that commodities are good for eating, clothing and shelter; forget their usefulness and try instead the idea that commodities are good for thinking…”

However, for Douglas and Isherwood, any commodity can be “good for thinking” and to say that luxury goods most aptly fall into this category would be to subscribe to the traditional dichotomy between “luxury” and “necessity”. This dichotomy not only propagates an idea of luxury as a specific, perhaps constant group of commodities, but also undermines the varying ideas of what constitutes the very basics of survival across classes, cultures and time periods.

Luxury as a label that is meant to adhere to certain commodities as their defining characteristic throughout their “social lives” needs to be deconstructed, especially because there are some conditions under which a commodity, perhaps any commodity, could be categorised as a luxury. While some commodities such as gold have acquired the peculiar status of being luxuries across cultures, the status of a commodity such as a bicycle – definitely a luxury in 1930s India and now associated with the poorest classes as their only vehicle – has experienced great change with time. Thus, the categorisation of luxury is highly context-specific, allowing a variety of commodities to enter the luxury register at some point in their lives, when the conditions that categorise their demand and consumption place them

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13 Douglas and Isherwood, op. cit., p. 57.
14 Ibid., p. 62.
within the category of luxury. Just as the use of commodities has a bearing on demand and consumption, a commodity in its luxury phase too has this “turnstile effect”, to borrow Appadurai’s term.

What is it, then, that is peculiar about the demand and consumption of luxuries, that would create the context for any commodity to be categorised as a luxury? First, as Veblen traces the creation of the “leisure class” and its characteristic trait of conspicuous consumption, it becomes clear that restriction to the elite is a pre-requisite for any commodity that is a luxury, for “luxuries and comforts of life belong to the leisure class.”

He relates this to the idea that consumption serves as evidence of wealth and creates differentiation between classes. In particular, Veblen writes about the high prices of commodities that constitute the conspicuous consumption of the leisure class. Although he does not challenge the dichotomy of “necessity” and “luxury”, he does provide some criteria that could potentially create a more fluid tag of luxury – namely, a restriction to the elite and the costliness of a luxurious commodity, which make it difficult to acquire.

Apart from the prohibitive pricing of luxury commodities that limits them to Veblen’s “leisure class”, restrictions are often placed on consumption in the form of sumptuary legislation. Sumptuary legislation, which attempts to regulate the consumption of commodities that are perceived to be corrupting, excessive and alien – mostly commodities that belong in the luxury register – often sets an upper limit to expenditure, thus posing a legal restriction on conspicuous consumption. Such legislation reflects a reaction to

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16 Here we may refer to Simmel’s analysis that objects are not difficult to acquire because of their value, but rather that those objects are valuable which resist acquisition. Simmel’s analysis differs from Veblen because he does not attribute an innate value to commodities. Also, the complexity of acquiring commodities may go beyond mere prohibitive cost.
17 Chapter II deals with sumptuary legislation in detail, in both its modern and ancient avatars.
conspicuous consumption, aimed at the class in society that is economically disposed to approach the upper limit set by the law. The reaction is, although couched in numbers, actually aimed at the symbolic significance of the display of luxurious commodities and practices. Thus, sumptuary laws combine a moral discourse on the symbolic display of wealth with an economic and legalistic preoccupation with mere numbers.

In fact, the “semiotic virtuosity”, as Appadurai terms it, of luxury goods could be considered their main utility. It has already been established that commodities play a vital role as communicators in creating and preserving social relations. Luxury goods in particular are meant to “signal many complex social messages” that establish hierarchy and differentiation in society through conspicuous consumption.18 It follows that the crucial symbolic significance of commodities in the luxury register is associated with the fact that their consumption is restricted.19 As an important corollary, luxury commodities must remain restricted to hold their place in the exclusive luxury register, making themselves available only to certain sections of consumers. Mobile phones, for example, which could be classified as a luxury in 1990’s India, no longer remain in the luxury register of consumption because of their widespread use beyond barriers of class, occupation and urban/rural setting.

To counter this spread, there exists a great variety in the models of mobile phones, each type undoubtedly fulfilling its role as a communicator (in more senses than one) in society. Thus, while mobile phones started off their “social lives” in the luxury register of consumption, they saw a rapid diffusion in society that no longer allows them to fall into the category of luxury. Nevertheless, they haven’t entirely ceased to play a role as markers of

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18 Appadurai, op. cit., p. 38.
19 The “turnstile effect” mentioned above is visible here too. Luxurious commodities have greater semiotic value because they are accessible to the few; at the same time, their consumption is restricted in law and moral discourse by virtue of their high symbolic value, a potentially destabilising force in society.
differentiation, for different parts of the mobile phone market cater to varying groups of consumers, so that within the broad market of mobile phones there is a category that may qualify as luxury. This phenomenon is parallel to Pierre Bourdieu’s analysis that when the power of cultural possessions diminishes as the number of users increases, these commodities would risk losing their semiotic value if the market “did not endlessly supply new goods or new ways of using the same goods.”

The category that continues to carry its symbolic weight would, most obviously, be the topmost stratum of the market. However, a commodity that is so widely diffused in a society that displays a complex class structure experiences several degrees of conspicuous consumption.

Each tier of the commodity carries its own restrictions for consumption and actively propagates social differentiation. Interestingly, then, luxury as a consumption register is not restricted solely to the inaccessible material whims of the “leisure class”. Instead, in a society that witnesses some mobility and is constituted by many classes and sub-classes, accounting for the diffusion of conspicuous consumption is vital while attempting to define luxury. The fact that supply meets demand, in fact several tiers of demand in this industry, cannot be explained merely by the idea that production is meeting consumption by catering to the needs of a larger and more diverse base of consumers. Instead, as Bourdieu argues, the logics of production and consumption are independent and are orchestrated by a homology between competition in the arena of production between producers and a similar struggle between social classes that fundamentally shapes consumption decisions and demand. Bourdieu’s analysis echoes Marx and Engels’ idea in The Communist Manifesto that the bourgeoisie

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21 Idem.
must constantly revolutionise production to ensure its own survival. The incessant activity of the production arena is a result of the struggle between players in that field, not a direct response to the demand created by consumers. In the same way, the levels of demand generated by the struggle between classes of consumers are not a direct result of the dynamism of the production field.

The element that miraculously coordinates these two otherwise independent fields – production and consumption – is, in Bourdieu’s analysis, “taste”. He makes the point that tastes, the tendency of different social groups to consume, or be disposed towards, a somewhat defined set of products, are a fundamental marker of social class. The production process, by creating endless possibilities for consumption, provides avenues for consumers that “enable taste to be realised”. So, the universe of goods available articulates the lifestyle that is distinctive in society; it is a vocabulary, in a sense, that social classes use to express their standing and it is the “constantly revolutionising” production process that provides and expands this vocabulary. The tastes that drive consumption and demand, therefore, are heavily dependant on the goods offered by production. Expansion in production facilitates the realisation of different tastes, allowing an unconscious desire to be fulfilled by producing the commodities that cater to it. At the same time, the continuous alterations in taste realised by consumers due to competition between classes propels competition in the production arena, as to who can be more successful in anticipating and catering to the changing dispositions of society.

Neither, then, does the production process respond to tastes that somehow organically develop among consumers, nor do consumers merely lap up whatever the producers serve, making the production process solely responsible for generating taste. In the field of

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consumption, which is governed by the struggle between classes of consumers, taste holds the power of creating distinction. Classes of consumers are matched to classes of products by “a homology between goods and groups that defines tastes.” Taste links goods and groups in a logic that is embedded in the social hierarchy of consumers. Thus, Bourdieu draws the conclusion that taste, the propensity to subscribe to a set of goods that create a particular lifestyle, itself functions as a marker of social class. This adds yet another layer to the analysis that commodities serve as communicators in society and are pivotal in maintaining social relations.

The key question, then, is how these tastes come about and how different classes of consumers come to be associated with different tastes. Bourdieu insists that taste is not, as it is made to appear, an innate quality of the connoisseur. Instead, it is the product of conditioning mediated by factors such as education and social origin. Bourdieu specifically concentrates on the acquisition of culture – literature, film, art and music. However, his analysis is applicable to a more general pool of commodities in that the acquisition of commodities, cultural or not, carries great symbolic value in society; moreover, consumer choices pertaining to commodities are as much mediated by tastes as is the acquisition of culture. Bourdieu elucidates that the appreciation of a “cultural commodity” such as a work of art is “an act of deciphering, decoding, which presupposes practical or explicit mastery of a cipher or code.” Similarly, to extend his analysis, consumers’ taste for a commodity that is not ostensibly cultural, such as a mobile phone, is also mediated by an act of decoding aimed at fully realising the “symbolic capital” contained within a commodity.

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24 Ibid., p. 1.
25 Ibid., p. 2.
The decoding that Bourdieu speaks of is inextricably tied to a system of knowledge that governs the consumption of commodities, not only what the consumer decides to consume, but also how to appropriately consume it.\textsuperscript{26} Having command over this system of knowledge allows the consumer to most effectively extract the symbolic value of a commodity – that is, use the commodity to create distinction in society. For example, even when the petit bourgeois is able to acquire a commodity, cultural or not, that was earlier limited to the haute bourgeoisie, the original consumers of this good may potentially continue to benefit from its exclusivity by commanding a discreet knowledge of how it is to be used. In this case, although the petit bourgeois has mustered the economic means to appropriate a commodity that was the exclusive privilege of the class above him, he will not be able to exploit its entire symbolic capital without having access to that means of decoding the commodity that the haute bourgeois has inherited. For instance, the infamous ostentation of the \textit{nouveau riche} with regard to apparel or jewellery allows the old guard to maintain its distinction by using the same commodities in a manner that is tellingly termed “classy”.

Bourdieu’s argument helps inform the idea of the diffusion of luxury, which has been mentioned above. The underlying premise is that irrespective of their social class, individuals recognise the symbolic value of the commodities that constitute luxury in their society, for they all inhabit the same cultural universe.\textsuperscript{27} Consumption of the commodities that fall into the luxury register is, however, heavily dependant on social class, in that their status as luxuries is contingent on exclusivity. This exclusivity articulates itself not only in economic

\begin{footnote}
\textsuperscript{26} Bourdieu, \textit{op. cit.}, pp. 320-323.

\textsuperscript{27} There is a caveat here: Members of various classes are able to identify that an expensive car or a mansion, in very general terms, are luxurious. However, it is key that the minute gradations of luxury are not known to all (the make of the car, its vintage, or the location of the mansion, the materials it is made of, its décor). Those who have access to that specific system of knowledge can decode the minutiae and are therefore more able to maintain distinction.
\end{footnote}
terms of exchange value, but also in the distinction afforded by taste and the system of knowledge that adds to the symbolic weight of a commodity. The diffusion of these commodities in society has the potential to compromise their ability to be distinctive.

Despite a high level of diffusion, it is difficult for any commodity to lose its quality of distinction so easily, since its diffusion is accompanied with the proliferation of either “new goods or new ways of using the same goods.” This proliferation makes the effect of distinction an endless process in society: the moment a commodity’s value of distinction diminishes, the production process comes (unconsciously) to the aid of consumers, creating goods and systems of knowledge that will restore the symbolic legitimacy of commodities associated with their original consumers. Bourdieu explains this as “the gap between knowledge and recognition”, which he applies to the peculiar case of the petite bourgeoisie, a class that, although able to recognise and subscribe to part of the lifestyle of its superiors, continuously falls short by lacking the depth of knowledge that makes its competitors a class apart.

Diffusion, then, is a double-edged process. On the one hand, it means that commodities that once fell under the tag of luxury have escaped from the exclusive preserve of the upper class. At the same time, it does not mean that these commodities cease to be symbolically significant. In fact, as more sections of the population become economically disposed to become conspicuous in their consumption, the dominant class in the struggle between social classes ensures that the full symbolic weight remains accessible only to a few, notably by complicating the criteria for fully extracting the symbolic capital of a commodity. Authenticity, for example, as Appudurai points out, is one such test of legitimacy that creates

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29 Ibid., p. 320.
distinction between commodities, particularly cultural commodities such as pieces of art.\textsuperscript{30} Again, this is specific to Bourdieu’s analysis of cultural goods, but it can be extended to commodities such as branded apparel.

\textbf{The Roman Context}

The contemporary anthropological discourse on commodity culture delineated above, since it attributes semiotic value to commodities and sees in them the key to reconstructing social meaning and order, has a wide temporal scope. It is not only in the present social context, nor in the larger scope of modern capitalism, that commodities have acquired the symbolic weight that makes them “goods for thinking”. This thesis explores the context of the ancient Roman world during the late republic and early imperial period, using current anthropological theory to illuminate the study of luxury commodities and luxurious practices, especially how these elucidate the mechanics of hierarchy and social structure in the Roman milieu. The term “Roman” is used not only to refer to the city of Rome, but to speak about urban centres in Italy; while the expansion of the Roman empire was an important determinant of its economic condition, an exploration of consumer culture in its provincial centres does not fall within the scope of this study.

More specifically, this thesis focuses on defining a concept of luxury in the Roman world that is inextricably tied up with the diffusion of luxurious commodities and practices. Therefore, it must develop from an understanding of the socio-economic context of the late republican and early imperial world, dwelling especially on the development of social classes and identities. As argued above, the necessary pre-requisite for the diffusion of luxury is the existence of a complex social order that goes beyond the dichotomy of rich and poor. The

\textsuperscript{30} Appadurai, \textit{op. cit.}, pp. 44-45. Authenticity in art, as we think about it now, was not a valid concept in ancient art production. Styles and materials of sculpture, for example, had symbolic value, but there was no real distinction between “original” and “copy” that would have caused a Roman connoisseur to fret.
diffusion of luxury becomes an essential feature of luxury commodities when there is scope for the luxury register to become available to a wider social-group than the top echelon, as is the situation in modern markets where several tiers of luxurious commodities are available to the consumer and consumers live in a many-tiered class system that allows some degree of social mobility.

The evidence to discern whether such a dynamic social structure existed in late republican and early imperial Rome may be sought by commencing with a brief analysis of the economics of production, consumption and distribution during the period in question, since these are the spheres most relevant to the movement of commodities. These aspects of the economy must all be seen in the backdrop of Roman imperial expansion during the later republic, a process solidified by the formal institution of empire. By the latter half of the 2nd century BCE, the Romans’ sphere of influence extended beyond the Italian peninsula to Gallia Cisalpina and even further to the realms of vassal rulers as far as the eastern Mediterranean. Before the empire came into full force, therefore, we may speak of an “informal empire” that had begun to yield a great amount of revenue, provide the Italian elite with vast land resources and furnish merchants with an entire Mediterranean basin to operate within.\(^31\) The city of Rome, which held a central role in this process of expansion, doubled in population within the last two centuries BCE; the population of the entire Roman world simultaneously grew to include about 55-65 million people.\(^32\) This was accompanied by large-scale urbanisation, both in Italy and in the provinces. The population of Rome is estimated to have reached a million during Augustus’ time; several provincial capitals and

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urban centres mushroomed simultaneously, each of whose populations would have numbered in the hundreds of thousands. Besides these, smaller urban centres with medium-sized populations proliferated across the empire.33

As a result of this expansion and urbanisation, or at least intensified because of it and encouraged by the initial peaceful conditions brought about in the Mediterranean, there was significant movement of goods within the Mediterranean region. The range of goods exchanged across distances ranged from staples such as grain, olive oil and wine, or basic manufactured commodities such as pottery and lamps, to more rare commodities that would qualify as luxuries. Morley asserts that the period between 200 BCE and 200 CE saw a drastic rise in the number of Mediterranean shipwrecks, which, given that there had been no significant change in shipping technology that would increase the probability of accidents at sea, indicates a significant increase in the volume of goods traded across the Mediterranean.34

Trends in the production and circulation of food and basic manufactured commodities present a more holistic view of the economic picture than those governing the movement of exotic luxury commodities such as silks and spices, both because the former apply to much larger sections of the population35 and because despite growth and urbanisation, the Roman economy remained an agrarian economy.36

33 Kehoe, op. cit., passim.
34 Morley, N., “The Early Roman Empire: Distribution” in The Cambridge Economic History of the Greco-Roman World, p. 572. Morley identifies the major bias in this evidence as geographical – most of the data comes from work done along the southern coasts of Spain and France. A further, more general issue concerns the kind of material that has survived the centuries and is apparent in the archaeological record. Ships that carried amphorae, for example, present easier data that those whose loads were conveyed in perishable containers.
An alternative argument for the rise in shipwrecks could be that Roman traders became less risk-averse. However, their aversion to risk would fall only if there was increasing demand for goods throughout the off-season that would make the risk worth taking.
35 The sheer volume of luxury goods, however, may not have been insignificant.
36 Morley, op. cit., p. 548.
The nature of goods traded in the Mediterranean region at such an unprecedented scale points towards the changes in consumption patterns that caused the increased movement of these goods. The archaeological record from shipwrecks yields a sizeable volume of amphorae, commonly used to transport “wine, oil, *garum*, and other foodstuffs.”\(^{37}\) In addition, archaeological findings across the empire consist of various types of pottery of techniques and styles that enjoyed extra-local consumption. Morley reports the ubiquity of Italian and, later, African pottery throughout the western half of the empire. The spread of goods like amphorae and pottery, goods that one would imagine to be locally produced given the simple raw materials and production process involved, are especially indicative of the growing mobility of commonly used manufactured goods for which the market would have spanned a large cross-section of society. We see, then, a picture in which there is a significant rise in the volume of goods traded across the Mediterranean region, both over water and through smaller-scale regional trade over land. The bulk of these goods, dietary staples and manufactured pottery, do not necessarily allow us to make a generalisation about whether Romans were trading “luxury goods” or “necessities.”\(^{38}\)

Instead of pulling apart the old luxury/necessity dichotomy, the alteration in consumption patterns encouraged by increasing movement of widely used goods such as foodstuffs and pottery provides more valuable material for analysis. Morley argues that the most significant aspect of the heightened mobility of goods is that there was a “regular, large-scale, inter-regional redistribution of foodstuffs that were staple but not essential and manufactured goods like pottery, tablewares and lamps: products which were consumed by the mass of the population, but which in the past had generally been produced locally or not.


\(^{38}\) Idem.
consumed at all by the majority.”  

The volume and regularity of this movement could only have been sustained if consumers across the Roman realm cultivated habits or tastes for products that were not locally produced. These tastes were neither for extremely costly or exotic commodities, nor born of need for the most basic nutrition. Perhaps it would be best to call this category of products “consumer goods”: they were not at all limited to the elite, but they represent consumption choices amongst non-elite Romans who extended their budgets, so to speak, beyond the bare necessities.

The volume of trade in consumer goods raises the question of how large a section of the Roman population actively generated demand for such goods and therefore belonged to a class that earned above subsistence level. Subsistence, more conceivable in terms of a biological unit such as diet rather than in terms of currency, can be translated as the minimum calorie requirement of an individual that will sustain a lifestyle that allows him to continue earning his subsistence. The concept of subsistence must encompass an understanding of age structure, occupational circumstances and life expectancy. Factoring in these elements, Keith Hopkins estimated the average subsistence requirement of a male Roman as the equivalent of 250 kgs. of wheat annually. In a pessimistic estimate, Hopkins

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39 Morley, op. cit., p. 574.
40 The majority of goods would still have been locally produced, or, at the most, traded over short distances over land. The amount of trade carried out across the Mediterranean, although it saw an increase during this period, was by no means comparable to the scale of long-distance trade we are accustomed to now.
41 The calorie requirement of a manual labourer differs greatly from that of an individual engaged in sedentary work.
posits the per capita income as somewhere between 1.5 and 2 times subsistence level, allowing the average individual an equivalent of 491 kgs. of wheat annually.

This somewhat positive image of the economic state of affairs during the early imperial period in Rome does not discount the fact that Roman society was ridden with inequality. For example, the lowest rungs of the political elite, the decuriones, held assets worth at least 52 times subsistence level, superseded greatly by the equites who were required to own assets worth at least 208 times subsistence level; the minimum level for Senators was 520 times subsistence. According to Jongman’s assessment, the income of free adult males ranged from 500-1,000 sesterces annually, at which income the ordinary Roman man would have been able to keep himself and his family above subsistence, especially if other members of the family contributed. Moreover, based on the increasing cost of slaves in the late republic and throughout the early imperial period, Jongman estimates that standard Roman incomes of the free would have risen as well, for slaves would, by default, only earn close to bare subsistence.

If, as Jongman suggests, the standard wage for a free Roman worker in late republican and early imperial times rose to an average of 1.5-2 times subsistence, creating a situation in which higher numbers of ordinary Romans could afford more, this would have led to changes in the pattern of consumption, both of subsistence and consumer goods. Since

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43 More optimistic estimates, such as Goldsmith’s, suggest that per capita income was up to three times higher than subsistence level.
44 As Jongman suggests, it is more suitable to calculate subsistence level based on dietary requirements, which maintain a highly biological and thus more universal value, as opposed to estimated values in currency or the weight of precious metals.
45 Jongman, op. cit., p. 600. These were the stipulated minimum holdings for each of these political posts. It can be safely assumed that many of these individuals commanded significantly more wealth than the base line given above.
46 Jongman, op. cit., p. 601. Jongman estimates the 250 kg wheat equivalent to amount to 115 sesterces, although he admits the difficulty of accurately estimating monetary values.
47 Idem.
we have been discussing subsistence in terms of food, the expanding Roman diet provides compelling testimony to this change. The common Roman diet was heavy in cereals and augmented by olive oil, wine, vegetables, cheese, eggs and small quantities of meat. Cereals, as cheap calories, probably accounted for most of the calorie intake of the ordinary Roman; similarly, poorer Romans consumed unhealthy quantities of wine as part of their regular diets, which accounted for about a quarter of an individual’s annual calorie intake.\(^{48}\) Olive oil, providing just under a quarter of the calorie requirement on average, would have supplemented the diet in nutritional value. While both oil and wine were more expensive than wheat, they are both land-efficient crops; this could be the reason why they found such an important place in the diet of a densely populated empire.

It is meat, however, that was the most expensive and most nutritious component of the Roman diet. By adding protein, it could make up for many deficiencies that result from a cereal-dominated intake. Therefore, if more Romans were able to add meat to their diet, even in a small quantity and as part of a predominantly wheat-based diet, it would indicate not only that the purchasing power of more individuals granted them access to a healthier and more expensive diet, but also that the preference of consumers witnessed a change. Jongman argues that from the late republic, “meat, and pork in particular, became an acknowledged ingredient of the Roman diet” especially in western-central Italy.\(^{49}\) Statistically, higher consumption of pork does not indicate that the upper class, which in any case had always been able to afford meat, began to consume more.\(^{50}\) Instead, it implies that more Romans of

\(^{48}\) Jongman, op. cit., p. 603.
\(^{49}\) Ibid., pp. 604-5.
\(^{50}\) It can be understood why pigs would be a preference since they are easier to rear in an urban environment than other meat-giving animals, especially because they can be fed on waste.
middling or above-subsistence incomes could include meat in their diet; in fact, they chose to spend their resources on improving the quality of their food intake.

Changes in the consumption of food, since they apply to wide sections of the population, allow us to picture a dynamic socio-economic structure from the late republic onwards. The growing per capita income in the empire, which would have allowed many more Romans to earn above subsistence, brought about changes in patterns of consumption in food as well as the consumer goods mentioned above, so that a wider section of the Roman population had access to and chose to partake in the consumption of goods that took their lifestyles beyond basic subsistence. While the political elite continued to be disproportionately wealthy and many free Romans would still have lived at bare subsistence, not to mention slaves for whom this was taken for granted, the late republic and early imperial period is notable for allowing many citizens to be “sufficiently empowered to claim their share of the pie.”

It has been argued above that consumption is not an individual act, but a highly social process and that goods consumed actively communicate messages in society. At the same time, goods at all levels, subsistence, consumer goods and luxuries convey signals about status and status aspirations. Therefore, the changing pattern of consumption in Roman society, such as a growing preference for a healthier and more expensive diet, or a proclivity for Arretine pottery or Gallic wine, are crucial in decoding the manner in which social structures developed over the late republic and early imperial period. The increasing consumption of these products, regardless of the fact that they are not ostensibly part of a luxury register of consumption in the same category with exotic textiles and spices, still performed the role of creating differentiation in society. Moreover, as a larger bracket of

51 Jongman, op. cit., p. 597.
Romans began to earn an income above subsistence, it is through their consumption choices that this class of individuals, equipped with more purchasing power, could potentially carve out a higher status for themselves and in this way move upwards in Roman society.

Social mobility in the Roman world, just as it plays out in modern society, was probably not determined merely by brackets of income and the raw purchasing power these lend. Instead, social status draws more often on labels that are difficult to acquire or do away with, whichever may be the case. In the Roman context, the possible transformations in status were from “peregrinus to civis Romanus, slave to freedman, plebeian to Equestrian, Equestrian to Senator.” Reinhold argues that imperial Roman society, despite Augustan policies that created a highly stratified social setup, was also a socially mobile environment. His argument about mobility is based on the destabilising events of the last century of the republic, especially the granting of citizenship to slaves, which helped blur, but not obviate, the boundaries between certain labels. Moreover, following Hopkins, Reinhold presents the imperial Roman aristocracy, with its tightly defined tiers, as a body that was technically “open” because it was in concept free from the principle of ancestral lineage.

Undoubtedly, however, each level of the aristocracy required a high income as a pre-requisite and rested on the old system of property ownership. Insofar as we can say the system was open to *arrivistes*, it was only open to a limited group of Roman citizens who were not born into the office-holding rank, but possessed great wealth. This remarkable feature of the Roman imperial system in its early stages occludes a sense of just how mobile Romans of more middling wealth might have been, based on an idea of social mobility that

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52 Reinhold, M., “Usurpation of Status and Status Symbols in the Roman Empire” in *Historia: Zeitschrift für Alte Geschichte*, Bd. 20, H. 2/3 (2nd Qtr., 1971), p. 275. This does not mean that lineage ceased to matter, but that free Roman citizens of some wealth were able to occupy political positions, especially in the lower ranks such as *Augustales*.

goes beyond mere emulation of status.\textsuperscript{54} The threat of emulation, which several Roman authors mention, presents a somewhat top-down approach to social mobility. It implies that all members of a society, their finances permitting, would simply copy the upper rungs, universally subscribing to the same status symbols. I argue that social mobility is instead governed by establishing distinction within brackets of society, most ostensibly determined by income. Therefore, just as wealthy freedmen famously appropriated those status symbols of the Roman aristocracy that could be bought, Romans of middling wealth probably competed, through their pattern of consumption, with others of their income-level, simultaneously setting themselves apart from their poorer counterparts.

Among the many status labels that came to exist in Roman society during the late republic and early empire – Senator, Equestrian, Decurion, freeborn, freedman, slave – this thesis focuses particularly on the non-aristocratic ranks, which constituted large sections of the freedman and freeborn population.\textsuperscript{55} Given the context that the income of vast numbers of Romans exceeded subsistence, which perpetuated changing consumption patterns throughout this period, it can be argue that a significant portion of the Roman population was able to exercise increasing purchasing power and found that conspicuous consumption allowed them a means to create and maintain social distinction within their own class. It is in this bracket of society – amongst individuals who earned enough over subsistence to be able to give their consumption preferences the semiotic value of distinction, unable (perhaps not even overtly desirous) to penetrate the ranks of upper-class Roman society, but keen to separate themselves from the poorer plebs – that the diffusion of luxury would play itself out.

\textsuperscript{54} Based on the writings of Martial and Pliny, Reinhold posits, “Persons of limited means, in an effort to pass for members of higher social strata, also practiced extravagant display.” Reinhold, \textit{op. cit.}, p. 284

\textsuperscript{55} This is not to say that all members of these categories earned a moderate living, ignoring that there were wealthy freedmen and poor \textit{ingenui}. 

Burial Practices

This thesis uses mortuary practices in the late republican and early imperial Roman setting as a case study to examine the level of diffusion of luxurious goods and habits and to attempt to study how the mechanics of such a phenomenon developed. Since death was an inevitable event for all Romans, regardless of their social standing, a study of mortuary ritual allows source material from across the social spectrum. Further, the universality and potential trauma of death give it the additional baggage of spiritual and emotional concerns about the deceased and his future in the world beyond; these concerns were held dear across class boundaries and income brackets. While care for the dead person and anxiety about his after-life seemingly fall within the purview of religion and ritual, this cannot shroud – to use an aptly funereal term – the fact that the anthropology of death must also focus on the material aspects of the process, such as sarcophagi, cinerary urns, grave goods and tombstones. The material aspects of death are intrinsically tied to the ritual context in which they are found, for the ceremony associated with death is highly ritualistic, accounting for emotional loss and hoping for a positive after-life.

The performance of ritual in society consists of using symbolic action to mark an event or occasion. However, beyond this *prima facie* sense of ceremony, rituals convey many more messages because of the profound semiotic baggage they carry. Death-ritual then, which is present in all societies in some form or other because of the universality of the phenomenon of death, is an important tool to examine the supposedly secondary aspects of this symbolic action: beyond the primary aim of acknowledging the death of an individual, what can funerary customs tell us about the society of which they are a product? How does the ideal type of this custom look and which segment of society upholds this? Is the ritual
associated with death regulated and in whose favour? Particularly important for the purpose of this thesis are the material elements that form part of death-ritual, the cost of mortuary practices and how much these two elements altered the participation of various sections of society. The combination of ritual gravity with the material aspects of funerary practices, as well as the mechanics of organisation, spending and regulation make mortuary practices a potent line of investigation for this study.

The task of interpreting ritual, trying to find an abstract “meaning” within the parts of ritual action, especially when divorced from its material ties, runs the risk either of positing a reductionist or an overly philosophical argument that disregards actual content to arrive at a larger significance. The symbols that constitute ritual might hold some arbitrary associations, but these must be contextualised within that culture and time-period. Symbols can thus stand for more than an ideal religious or cosmic world-view; in addition, they offer the historian evidence for concrete social dynamics. The symbolic value of material culture for the individuals living in that time period and milieu is mediated by ritual action. Within the context of ritual associated with death, the manner in which individuals relate to the material culture of death is a result of its ritualistic context. Therefore, if the material elements of funerary practices can provide evidence from which social dynamics can be extrapolated, the conclusions drawn must take into account the ritual context in which these material elements acquired full significance. It has already been demonstrated that within society, goods and consumption patterns carry great symbolic value that enables them to speak for their owners. Given the presence of goods in the ritual context of mortuary

practices, this can be extended to posit that the semiotic weight of material components is only heightened by a ritualistic element.

This is best demonstrated by the fact that mortuary practices involve an important aspect of display. A case in point is Aubrey Cannon’s study, based on the premise that “mortuary patterns are in a class with fashion in dress, luxuries and etiquette.” Cannon sees funerary ceremony as an arena of competitive display for individuals to establish their status or climb the social ladder, to the extent that changes in patterns of mortuary expression are directly related to individuals’ desire to articulate their class or class-aspirations through distinctive display. This does not mean that death-ritual is always an elaborate affair; instead, it involves a careful juggling of ostentation and restraint depending on which combination of the two is associated with which segment of society. Therefore, in Cannon’s cross-cultural and trans-temporal analysis, he traces a trend in which an initial display of wealth resulting from status-uncertainties eventually leads to a point at which the wealthy revert to restraint once opulence ceases to be distinctive.

The thrust of Cannon’s argument lies in his statement that the development of this trend, namely, the cycle from ostentation to restraint and eventually back to ostentation, is “largely independent of changes in religious belief or degree of emotional concern for the dead.” For Cannon, therefore, the material remains of mortuary expression – tombstones, whether these are inscribed or not, the size and shape of funerary monuments, gifts to the dead and to attendees at the ceremony, as well as grave goods – point directly to conclusions pertaining to social status, emulation and the desire to maintain distinction. However,

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58 His case studies range from Victorian Cambridgeshire to Ancient Greece.
drawing from Morris’ argument, this thesis maintains that while mortuary expression involves elements of ostentation and restraint as suggested by Cannon, the symbolic value of these material markers is made all the more powerful by the fact that they are involved in a ritual act that is comprehensible to all members of society.

To describe the added value that these material expressions acquire through their ritual context, Harriet Flower’s discussion of a distinctly Roman item, the *imago*, provides a useful vocabulary. Flower categorises *imagines*, wax masks of ancestors for the restricted use of the Roman republican aristocracy during funeral processions, elections and for display in the house, as “social artefacts”. The term expresses all the associations evoked by *imagines* in Roman society, for although they were created from wax, these masks were available exclusively to the aristocracy, to be used only on certain specific occasions; further, owners could be stripped of their *imago* if they ceased to live up to it. Undoubtedly, *imagines* have a peculiar character and significance in Roman society that cannot be matched by tombstones and sarcophagi. Nevertheless, drawing from the fact that they were used as elements of a ritual system, clearly denoted social standing and since their symbolic meaning would have been universally comprehensible to the Roman audience, their status as “social artefacts” can be extended to encompass other goods involved in a similar level of symbolic display.

*Imagines*, as social artefacts, came to be highly regulated in Roman society both through their changing use and through legal mechanisms. As for other material elements of mortuary ritual, particularly the logistics of organising and paying for the ceremony associated with death, law and practice played an important role in attempting to regulate the

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61 The famous case of Gaius Calpurnius Piso, who, posthumously condemned by the senate in 20 CE to *damnatio memoriae*, was no longer entitled to an *imago*. Cf. Flower, *op. cit.*, pp. 16-25.
power that different members of society could wield during the occasion of death. This case study proceeds, therefore, with an analysis of the role that sumptuary legislation played in defining certain commodities and practices as luxurious. By choosing what to regulate, how to regulate it and whether or not to enforce the restrictions it canonised, the mechanism of sumptuary law represents how Roman law makers perceived their environs and built the desired perception of the moral fibre of their society. Since burial practices were the first manifestation of excess that Romans legislated against, the character of sumptuary law in the Roman milieu and how it developed over the late republic and early empire must be taken into account to understand the attitude towards and prevalence of luxury during the time.
Sumptuary Legislation and Moral Discourse

Sumptuary laws were passed by individuals to set the vices of an entire community straight, and if the worst and most extravagant habits were not shaping people’s lives, there obviously would be no need to pass such laws. But there’s an old saying: Bad habits produce good laws.¹

Macrobius’ *Saturnalia*, written in the early 5th century CE, long after the late republican sumptuary laws he chooses to expand on, expresses a moral disposition towards luxury that is remarkably similar to the mindset that created the laws in the first place. In fact, both Macrobius and his 2nd century predecessor Aulus Gellius point out features of Roman sumptuary legislation that highlight the nature of the discourse on luxury as well as the trajectory that this discourse took on once it was formalised through the process of legislation. The first of these issues, as Macrobius writes, is the idea that luxurious spending and display were capable of “shaping people’s lives”; moreover, vices and moral decline were so pervasive and corrupting that they could be considered responsible for the fall of the Roman republic.

From a modern perspective, the Roman preoccupation with luxury and its centrality in public life, a sentiment that both Aulus Gellius and Macrobius echo, falls into a largely moralising discourse, one “which saw in the lush details of luxury a threat to the fabric of Roman social order.”² This moralising discourse was translated into the legal sphere when sumptuary laws regulating expenditure and display were passed with great frequency throughout the last two centuries of the republic. Sumptuary legislation, which proved to be a lasting feature of western European societies until the 18th century, provided a forum where a moralising tirade against conspicuous consumption could be codified through minutely detailed restriction and repetitive assertion.

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¹ Macrobr. *Sat.* 3.17.10.
Modern capitalist society, where goods continue to hold great semiotic value but luxury is no longer regulated through sumptuary legislation, presents a break in how we treat the issue of conspicuous consumption. The existence of sumptuary legislation, therefore, what it chooses to regulate and the contemporary debates surrounding it, are representative of the current concerns that define a society. As Macrobius points out, sumptuary laws could “set the vices of an entire community straight.” This view is only tenable in a context where extravagance is considered the deep-rooted cause of all evil and a sure sign of moral baseness, an opinion expressed by Pliny the Elder, Sallust and Cato among others. The near-absence of sumptuary measures in modern society now does not necessarily mean that luxury is no longer a subject of debate or moralising rhetoric, but that it “no longer functions as an overarching framework for the state’s control of the behaviour of individuals.”

In the quotation above, Macrobius makes a direct correlation between the advent of luxury and the codification of sumptuary law as an immediate reaction to it. This direct causal relationship between the “advent of laws with the advent of extravagance” is problematic on two levels: Romans debated amongst themselves about the arrival of luxury on their shores and, secondly, sumptuary laws did not respond to every manifestation of the

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3 Arguably, taxes on alcohol and Value Added Tax are relics of sumptuary legislation. However, a blanket tax loses out on the meticulous detail that was the hallmark of sumptuary legislation.


Sal. Jug. 85: “…when these most infamous of men have disgraced themselves by every species of turpitude, they proceed to claim the distinctions due to the most honorable. Thus it most unjustly happens that luxury and indolence, the most disgraceful of vices, are harmless to those who indulge in them, and fatal only to the innocent commonwealth.”

For Cato’s attitude towards luxury, see Plut. Cat. Ma. 3: As Censor, Cato maintained that “the city was in need of a great purification” and to this end “he thought he could cut and sear to some purpose the hydra-like luxury and effeminacy of the time.”

5 Wallace-Hadrill, Rome’s Cultural Revolution, p. 323.
luxurious lifestyle.\textsuperscript{6} For Wyetzner, this rationale for legislation, that “Romans passed laws as a response to current circumstances”, also brings up the issue of implementation, since the execution of most sumptuary legislation was not monitored at all; the frequent and repetitive laws are testimony to this lack of enforcement.\textsuperscript{7}

The source of luxury, how and when it forcefully penetrated the Roman milieu and wreaked havoc with the \textit{mos maiorum}, was a difficult issue for republican Romans to put a finger on. Some writers, such as Livy and Pliny the Elder, looked outward, identifying as culpable the booty of eastern conquests.\textsuperscript{8} Rome had not previously seen such extravagance, and the East, infamous for its associations with an effeminate, luxurious lifestyle, was a suitable font of debauchery. Sallust, on the other hand, chose a more introspective explanation for the origin of luxury at Rome. In his treatise on the Catiline conspiracy, he postulates that the Roman resolve to fight Carthage kept the republic disciplined and bound to ancestral virtue. However, with the fall of Carthage in 149 BCE, “tendencies to vice, which had been bottled up by external menaces, were uncorked when foreign pressure on Rome was removed.”\textsuperscript{9}

\textsuperscript{7} Ibid., p. 26.
\textsuperscript{8} Plin. \textit{Nat.} 33.148: “It was the conquest of Asia that first introduced luxury into Italy, inasmuch as Lucius Scipio carried in procession at his triumph 1400 lbs. of chased silverware and vessels of gold weighing 1500 lbs…” Liv. 39.6: “…the beginnings of foreign luxury were introduced into the City by the army from Asia. They for the first time imported into Rome couches of bronze, valuable robes for coverlets, tapestries and other products of the loom…Yet those things which were then looked upon as remarkable were hardly even the germs of the luxury to come.”
\textsuperscript{9} Sal. \textit{Cat.} 10: “when Carthage, the rival of Rome’s dominion, had been utterly destroyed, and sea and land lay every where open to her sway, Fortune then began to exercise her tyranny, and to introduce universal innovation. To those who had easily endured toils, dangers, and doubtful and difficult circumstances, ease and wealth, the objects of desire to others, became a burden and a trouble. At first the love of money, and then that of power, began to prevail, and these became, as it were, the sources of every evil.” Cf. Lintott, A.W., “Imperial Expansion and Moral Decline in the Roman Republic” in \textit{Historia: Zeitschrift für Alte Geschichte}, Bd. 21, H. 4 (4\textsuperscript{th} Qtr., 1972), p. 627.
The first sumptuary law, the Lex Oppia, was enacted in 212 BCE, adjudicating against opulence in women’s clothing and jewellery. Although this can be categorised as the first formal sumptuary law, anti-luxury mechanisms were not new to the Roman state. The first sumptuary measure in Rome was part of the Twelve Tables, codified in the mid-5th century BCE. Following that, officials within the Roman aristocracy, Censors in particular, bore the overt responsibility of monitoring the moral excesses of their citizenry. While surveillance and the regulation of luxury were not new, the advent of sumptuary laws marks the beginning of a different era in mechanisms to reign in expenditure and display. Nevertheless, it is not true that Romans reacted to the first traces of luxury in their society through sumptuary legislation, for luxurious living had existed at Rome well before that.

If we were to cull evidence for the history of luxury in Rome from sumptuary laws enacted in the last two centuries BCE, it would seem that extravagance at the dinner table in the form of elaborate banquets and feasts was the predominant channel through which wealthy and aspiring Romans displayed their status. In fact, the precepts of the Lex Oppia against women’s clothing and jewellery did not resurface in later laws. Instead, beginning with the Lex Orchia in 181 BCE, sumptuary legislation almost exclusively regulated expenditure at banquets and feasts. With increasing detail, the Lex Fannia, Didia, Licinia, Cornelia, Aemilia, Antia and Julia reiterated regulations for convivial feasting, mildly modifying the exact numbers of how much expenditure was acceptable and how many guests were permitted.10

The Lex Oppia was a war-time austerity measure introduced “in the heat of the Punic War”, adjudicating that “no woman should possess more than half an ounce of gold or wear a

party-coloured garment or ride in a carriage in the City…” Livy, who reports these precepts, seems more interested in the episode that took place in 195 BCE, when there was a successful call to abrogate the law despite strong disapproval from Cato and the tribunes Marcus and Publius Iunius Brutus. The Lex Orchia, therefore, issued in 181 BCE, came to be identified as the first sumptuary law. It “limited the number of guests to be present at entertainments”, setting the trend for future sumptuary legislation that focussed solely on banquets.

If, as Macrobius implies, laws against luxury were promulgated as the visibility of luxury itself rose, does this mean that the elaborate funerary ritual that the Tenth Table attempted to regulate, or women’s conduct that the Lex Oppia wished to curtail had either ceased to be luxurious, or that opulence on any front other than the surface of the table had become acceptable to Roman morality by 181 BCE? On the contrary, extravagant funerary ritual persisted throughout the republic and well into the empire and clothing too would have continued to play an important role as a marker of distinction. A similar conundrum defines later English, French and Italian sumptuary law throughout the medieval and early modern period, where laws focussed predominantly on clothing, particularly on how women dressed and conducted themselves. Again, this does not mean that apparel was the sole register of conspicuous consumption in these societies.

The choice to make feasting the subject of legislation in republican Rome and later, clothing in western Europe, implies that certain characteristics of these two manifestations of

11 Liv. 34.1.
12 Idem.
13 Smith, s.v. “Sumptuariae Leges”, p. 1077.
14 Polybius’ description of aristocratic funerals, which will be discussed later in this thesis, shows clearly that not only did extravagant funerary ritual persist in Rome, but that it was vital “in the reproduction of the elite”, as Wallace-Hadrill phrases it. Similarly, strict instructions for Roman aristocrats regarding their togas allude to the fact that clothing too continued to carry symbolic weight.
luxury made them exemplary in society. Wallace-Hadrill suggests that the discourse on luxury thrives on the minute details and intricacies of a system of knowledge that gives certain commodities their place in the luxury register and makes them worth thinking and talking about. For makers of law as well, then, the crux lay in the detail; in republican Rome, luxury in food was conducive to “a well-diffused language with infinite gradations that allowed a law maker to draw numerous distinctions of occasion, cost, guest numbers and precise comestibles.”¹⁵ These “infinite gradations” characterised the discourse on luxurious clothing in later western European sumptuary laws, for the gradations revealed the frailty of a social order that was desperately trying to maintain itself. The anxiety that working-class women caused by their ability to aspire to merchant-class fashions expressed itself through legal codification and moralising discourse alike.

Aulus Gellius in his *Noctes Atticae* and Macrobius in his *Saturnalia* recount in detail the precepts for each of the laws following the Lex Orchia.¹⁶ Both writers also attempt to justify why the Romans repeatedly legislated on the same matters. The first law against table-luxury, the Lex Orchia, enacted 181 BCE and opposed by the people, limited the number of guests at any banquet.¹⁷ Macrobius informs us that this law was openly flouted, so much so that non-observance of the law and the persistence of “gluttony” led to the reiteration of this law in the form of the Lex Fannia of 161 BCE.¹⁸ The Lex Fannia came with added provisions of greater specificity, for it “allowed the expenditure of one hundred *asses* a day at the Roman and plebeian games, at the Saturnalia, and on certain other days; of thirty *asses* on ten

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¹⁶ Macrobius drew heavily from Aulus Gellius’ writing. Gellius was not his only source, however.
additional days each month; but on all other days of only ten.”

By 143 BCE, the Lex Didia was enacted, restating past regulations and extending them to the whole of Italy, as well as introducing penalties not only for the hosts who “gave overly expensive lunches or dinners but also those who had been invited and were present in any capacity.”

As regards the promulgation of the Lex Licinia, which repeated in large part the content of the Lex Fannia, Macrobius offers the justification that “the goal of passing it was to gain the authority of a new law when people were no longer cowed by the old law.”

Aulus Gellius offers a similar explanation for the constant repetition of content in subsequent laws, positing that a new but similar law was promulgated whenever “these [previous] laws were illegible from the rust of age and forgotten, when many men of abundant means were gormandising, and recklessly pouring their family and fortune into an abyss of dinners and banquets…” The modifications that found a place in each new law usually revised the stipulated expenditure, raising the ceiling every time. So, while the Lex Fannia allowed expenses up to a hundred *asses* for special occasions, the Lex Licinia “conceded two hundred *asses* for weddings and set the limit of thirty for other days; however, after naming a fixed weight of dried meat and salted provisions for each day, it granted the indiscriminate and unlimited use of products of the earth, vine and orchard.”

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19 Gell. 2.24.4. See also Plin. *Nat.* 10.71. Pliny attests to a clause in the Lex Fannia regarding the fattening of birds: “I find in the ancient sumptuary regulations as to banquets, that this (i.e. the fattening of birds) was forbidden for the first time by a law of the consul Caius Fannius, eleven years before the Third Punic War; by which it was ordered that no bird should be served at table beyond a single pullet, and that not fattened; an article which has since made its appearance in all the sumptuary laws.” As was typical for such laws, Pliny reports the ingenious methods Romans devised to evade this law, nourishing their poultry on food soaked in milk.

20 Gellius omits to mention this.


22 Ibid., 3.17.8.

23 Gell. 2.24.11.

24 Ibid., 2.24.7. See also Macrob. *Sat.* 17.6.9: “The nub of the Licinian law provided that on the Kalends, Nones, and market days each person was permitted to spend thirty *asses* on comestibles, whereas on other days, for
Subsequent legislation on banquets introduced further details and minor modifications. The Lex Aemilia Sumptuaria issued in 115 BCE “[set] a limit not on the expense of dinners, but on the kind and quantity of food.” Sulla’s law, the Lex Cornelia was issued in 81 BCE stating that “on the Kalends, Ides and Nones, on days of games, and on certain regular festival days, it should be proper and lawful to spend three hundred sesterces on a dinner, but on all other days no more than thirty.” The Lex Antia, dated to c. 71 BCE “contained the added provision, that no magistrate or magistrate elect should dine out anywhere, except at the houses of stipulated persons.” The last law Gellius reports is the Lex Iulia, in which Augustus raised the bar on expenditure and proposed that “on working days two hundred sesterces is the limit, on the Kalends, Ides and Nones and some other holidays, three hundred, but at weddings and the banquets following them, a thousand.”

Aulus Gellius ends his discourse on Roman luxury and sumptuary legislation with an edict of either Augustus or Tiberius “by which the outlay for dinners on various festal days was increased from three hundred sesterces to two thousand, to the end that the rising tide of luxury might be restrained at least within those limits.” Both Aulus Gellius and Macrobius profess the opinion that sumptuary measures were reiterated whenever they were forgotten. Each new law provided a greater allowance, presenting more reasonable regulations to control the incessant rise of luxurious display. However, neither author ever speaks of

which an exception was not made, they were permitted to serve no more than three pounds of dried meat and a pound of salted fish plus whatever grew from earth, vine, or tree.”

Gell. 2.24.12. Macrobius dates this law to 78 BCE and attributes it to Marcus Aemilius Lepidus. Pliny the Elder, on the other hand, dates the law to 115 BCE and attributes it to Aemilius Scaurus (Plin. Nat. 8.82). Pliny specifies that “Marcus Scaurus the Head of the State[,] during his consulship[,] ruled out [the dormouse] from banquets just as [he] did shell-fish or birds imported from other parts of the world.” See Zanda, Fighting Hydra-Like Luxury, pp. 125-126 for the debate surrounding Lex Aemilia and the credibility of Pliny’s dating versus that of Aulus Gellius.

Gell. 2.24.11. Also Macrob. Sat. 3.17.11.

Ibid., 2.24.13.

Ibid., 2.24.14.

Ibid., 2.24.15.
mechanisms of enforcement, even though the laws did detail penalties for transgressors. Dari-Mattiacci and Plisecka, in their highly technical study on Roman sumptuary legislation, posit: “the lack of enforcement seems to suggest that there was an attempt to stigmatise certain forms of behaviour while resisting the temptation to punish the violators.”

Roman sumptuary legislation between the 2nd century BCE and the 1st century CE focussed largely on extravagance at the table, although it did occasionally account for other avenues of display. At the same time, Romans repeatedly legislated on largely the same subject, but an apparatus of enforcement was not a priority. It has been suggested, therefore, that sumptuary laws are a classic case of “legislative ineffectiveness” or leges imperfectae. Dari-Mattiacci and Plisecka suggest an alternative way to reconcile the problematic situation in sumptuary legislation: to think about them as “expressive laws” instead of “imperfect laws”. The very existence of sumptuary laws was meant to express disdain for the display of wealth and enforcement through penalties would allow for even greater public display. Sumptuary laws, then, attempted to regulate the potentially dangerous symbolism evoked by luxury in a largely symbolic way.

The “dangerous symbolism” that luxurious commodities and their display conveyed is intrinsically tied with how Romans thought about the fabric of their society. Luxury was a threat not only because it compromised the hallmark modesty and material simplicity of the ancestors, but also because throughout the late republic, luxury provided a channel for aspiring to social status that did not rely solely on rank, but drew in large part on material

31 The Lex Orchia controlled the way women dressed, as discussed above. The Tenth Table and a provision of the Lex Cornelia regulated display at funerals. Most laws, however, reiterated legislation concerning banquets and entertainment.
32 Wyetzner, op. cit., p. 27.
wealth. Macrobius quotes Serenus Sammonicus on the issue that luxury was rapidly spreading through the ranks of Roman society: “…extravagant banqueting was inflicting incredible damage on the commonwealth and matters had reached the point that very many freeborn boys, caught in luxury’s snare, were peddling their chastity and freedom and many of the plebs were coming to the comitium completely soused and reaching decisions touching the commonwealth’s safety while drunk.”

The moralising tradition that Macrobius draws from blames the debauched lifestyle of luxury for putting the commonwealth at risk. In fact, the danger that Roman aristocrats perceived from the social spread of luxury forms an important subtext running through the discourse on luxury in general. It reflects the tenuous situation of the last two centuries of the republic, when wealthy Senatorial families, although they held political power, had to grapple with the nouveaux riches of Equestrian rank, recently enriched through a combination of mercantile and land-holding occupations. The equites, although formally part of the aristocracy, were a class of arrivistes who were eager to signal status through their wealth. In fact, since the Senatorial class was long established and had been using widely recognised status symbols such as public munificence and certain accepted forms of luxurious display to maintain their position in society, the subsequent ability of sections of the Equestrian class to match Senatorial wealth threatened to upset the existent hierarchy. Senators continued to be the political class, but Equestrians attempting to carve a niche for themselves would have been more motivated than the already established Senators to engage in conspicuous consumption and competitive display. In economic terms, the cost of signalling was well worth it for equites who could wield the requisite financial strength.

34 Macrobr. Sat. 3.17.4.
The hierarchical instability of the late republic explains why the political class which could most afford to live a luxurious life and which stood to benefit most from it because of the far-reaching political consequences of an extravagant and public life, would codify laws to regulate its own practices. A classic argument, put forward by Macrobius and Aulus Gellius, is that excessive luxury was eating away aristocratic fortunes; sumptuary legislation was promulgated to keep aristocrats from “gobbling up their estates”35 or “pouring their family and fortune into an abyss of dinners and banquets.”36 However, given the context of the last two centuries BCE, competitive display was not limited to Senators. In fact, the arrival of aspiring equites raised the expectations for luxurious display, leading the Senatorial class to re-think its attitude towards luxury and to dictate what degree of display was acceptable. Creating limitations on expenditure would therefore allow the upper echelon of Senators to compete with the upper echelon of Equestrians on terms that legitimised a model of display accessible only to the political elite and difficult to purchase with mere financial resources.

Legislation Against Extravagant Funerary Practices

As discussed above, Roman sumptuary legislation during the late republic focussed primarily on luxurious display in banquets and feasts. However, the earliest codified sumptuary measure regulated funerary practices, attesting to the symbolism evoked by death-ritual and the potential civil discord it could lead to. Funerary display found a place in the Twelve Tables, the first codification of Roman Law, dating from the mid-5th century BCE. In the Tenth Table, mortuary rites provide the first subject matter for sumptuary legislation. The preoccupation is clearly with display, since statutes of the Tenth Table prohibit burial within

35 Macrobi. Sat. 3.17.5.
36 Gell. 2.24.11.
the city, restrict the long-drawn-out spectacle of mourning, rule against a second burial and recommend that the family not add grave-goods and gold.\textsuperscript{37} Cicero traces the roots of these sumptuary measures to Solonian legislation, which was allegedly brought over to Rome by a diplomatic mission sent to Greece for the express purpose of studying Solon’s laws.\textsuperscript{38}

Greece certainly provides much evidence for legislation pertaining to funerary practices, not only in Athens, but across the city-states. Athenian legislation presents strong parallels to the Tenth Table, for the two share common concerns about the display of wealth and especially the conspicuous nature of public mourning at funerals. The laws express a desire to regulate animal-sacrifice at the ceremony, as well as the number of people attending the funeral who do not belong to the family of the deceased.\textsuperscript{39} Laws from other parts of Greece – Sparta, Ceos and Delphi – all resonate with Athenian law in their focus on the public aspect of mortuary ritual. The aim of these laws was to reduce the level of public involvement in spectacle that wealthier members of society could conjure either by hiring women to mourn or strategically lengthening the funeral procession.\textsuperscript{40}

Attempting to categorise the nature of the Tenth Table, Zanda notes, “the laws are not exclusively aimed at curbing the flaunting of luxury by limiting the number or the cost of objects to be placed in the grave…it seems to be the behaviour of the mourners and the ways in which the funerals were performed” that the legislators occupied themselves with.\textsuperscript{41} However, while the focal point of these early laws is the display of grief and manner of mourning, they do make some mention about limiting expenditure at the funeral. Stipulations

\begin{itemize}
\item \textsuperscript{39} Ibid., p. 28.
\item \textsuperscript{40} This might be the reason why the legislation at Delphi promulgated that “the bier was not to be put down at any turn…” Cf. Zanda, \textit{op. cit.}, p. 29.
\item \textsuperscript{41} Zanda, \textit{op. cit.}, p. 31.
\end{itemize}
about how to cover the corpse, women’s dress code at the funeral and regulation of animal sacrifice are arguably equally concerned with the conduct of attendees as they are with the cost of performing the funeral. Clearly, ritual mourning is intrinsically tied to the social and economic aspects through which it is articulated. The question at hand, then, is one regarding the motivation for legislation on funerary practice. In political terms, scholars have seen funerary legislation, whether it is Solonian legislation in Athens or the Twelve Tables in Rome, as a remedy issued during a crisis to avert public discontentment with the aristocracy’s power to display wealth. The implicit argument here, as Aubrey Cannon argues, is that funerals were an arena for making claims to social status, competing with members of the same status group, or garnering political support by evoking public sentiment.\(^42\) The very codification of law preventing such display, regardless of how effective that law was, could potentially quell the urge for rebellion and temporarily placate the lower orders.

Toher, instead, sees funerary practices for their ritual content, treating their role in aristocratic self-reproduction as secondary. For him, therefore, funerary legislation is non-political, concerned with ritual and religion rather than the political consequences of extravagant display. This is motivated by his treatment of funerary legislation and sumptuary laws as fundamentally different, although related, categories.\(^43\) Therefore, while Toher’s interpretation of sumptuary legislation takes into account political and socio-economic questions, he associates funerary legislation with matters of religion, for “it is clear that Greco-Roman religion found lavishness in religious rites repulsive.”\(^44\) In Toher’s interpretation, funerary legislation restricted the manner in which the deceased were mourned.

\(^42\) Cannon, “The Historical Dimension in Mortuary Expressions of Status and Sentiment”, pp. 437-458.
\(^44\) Ibid., p. 281.
precisely because its concerns were with religion and ritual, not expenditure and display. Moreover, Toher sees this as a codification of customary law, making formal “matters [which] would have had strong precedent in custom and practice in Greek and Roman communities long before the introduction of written law.”

Further, he posits that funerary legislation was a distinctly Greek phenomenon, entirely alien to the Italic tradition. Indeed, Greek parallels to the Tenth Table are numerous and notable in the similarity of the restrictions they impose. In addition, the Greek flavour of the Tenth Table was a matter under discussion even in antiquity; Cicero, in fact, believed it was translated word for word from Solon’s law. However, to agree completely with Toher in this matter would be to subscribe to the opinion that early funerary legislation in Rome had no correspondence to the social and political reality in which it became codified.

Toher’s argument, which rests on the premise that if funerary legislation was motivated by political concerns to increase isonomy, the laws would have taken a stronger approach to curtail the display of wealth, gives too much credit to an aristocracy that intended merely to allay civic unrest. On the contrary, the mechanics of aristocratic self-preservation through the codification of law do not work so simply, as Walter Eder suggests. Eder proposes that even when the codification of law arises from political pressures and unrest, the result of codification is not a triumphant entry of plebeians into political life, or a move towards bridging the gap between the aristocracy and common citizens. Instead, he regards the codification of law as a tool to “ensure aristocratic predominance”; it was a

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45 Toher, op. cit., p. 281.
method by which to “stabilise the political and economic status quo, which was being seriously threatened by social unrest.”

The process of codification in archaic Greece and in Rome during the Conflict of the Orders was not designed, then, to be a victory for the plebs. Instead, since the aristocracy carried out this process, legislation could serve the purpose of standardising custom and preventing destructive competition amongst members of the upper class. In Eder’s reading, codification and the preservation of aristocratic influence are fundamentally linked, since the “political crisis of those times was above all a crisis of aristocratic government, and the codification of law was undertaken to resolve the crisis.” The fact that the economic demands of the impoverished masses found no mention in the codified laws does not mean, therefore, that codification was not politically motivated.

There is a strong comparison between the codification of Solonian law in Greece and the Twelve Tables in Rome, so much so that the latter is often seen as entirely mimetic. However, given the strong Hellenistic influence prevalent in Rome at the time of the Twelve Tables and taking into account the observation that the codification of law was at that point alien to the Italic tradition, the risk is to attach too little importance to the Twelve Tables as an important process grounded in its Roman context. Following Eder’s advice to look in Rome before Greece for circumstances that precipitated the first codification of law there, it becomes clear that the Twelve Tables come at a point when the Roman political elite, newly freed from royal domination, sought to “define themselves as a political and social body with

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48 Ibid., p. 248.
a capacity for leadership.” To standardise custom for the aristocracy as in the Tenth Table, or close their ranks by prohibiting intermarriage between patricians and plebeians were therefore part of a Roman agenda, in contrast to the climate in which Solonian law was codified for an already established but more fragmentary Greek aristocracy.

In disagreement with Toher and building on Eder, Harriet Flower sees the Tenth Table as a sumptuary measure; it is in this capacity that “Roman sumptuary legislation, as applied to funerals…echoed the outward form but not the spirit of the laws of Solon.” While Eder identifies the codification of law in archaic society as a process for the aristocracy to define or unite itself, Flower draws a similar conclusion for sumptuary law specifically. For her, “the best model for understanding Roman sumptuary legislation is that of aristocratic self-preservation within a highly competitive society which valued overt display of prestige above all else.” The Tenth Table must qualify, then, as an example of sumptuary legislation in Rome, well before the development of formal legislation of this kind, which took root only in the 3rd century BCE.

Through a reading of the precepts contained within the Tenth Table in conjunction with Cicero’s comments on them in his De Legibus, the correlation between the former and sumptuary legislation enacted later during the Roman republic becomes clear. For example, Cicero interprets the very first rule listed in the Tenth Table, “He is not to bury or burn a dead man in the city”, as a measure to prevent fire within the city walls at a time when cremation was preferred over inhumation. At the same time, however, it is agreeable to Cicero that certain men were buried or cremated within the city, men who were “exempted

49 Eder, op. cit., p. 249. Cf. p. 243 where Eder suggests that “…we ought to seek an explanation for a given historical phenomenon primarily in the very area where it occurred.”
50 Flower, Ancestor Masks and Aristocratic Power in Roman Culture, p. 118.
51 Idem.
52 “Twelve Tables”, p. 583.
from the law and achieved this (that is, the right to be buried within the city walls) on account of their virtue.” In his reading of the Tenth Table, Cicero propagates the idea that aristocratic virtue and honour must be well-deserved and duly earned so that circumventing sumptuary legislation is not a sign of excessive wealth, but a privilege born of honour.

Further, Cicero commends the restrictions enshrined in the Twelve Tables against extravagance: “he is not to smooth the pyre with a trowel” and that expenditure is limited to “a little purple tunic” and “ten flautists”. He finds these precepts particularly important and admirable because they are “completely in accord with nature, since differences of wealth are removed by death.” However, he does not find distinctions based on “honour” or “achievement” to be offensive in the least, even though these create differences among the dead. He defends precepts in the Tenth Table such as “Whoever win a crown himself or his <familia>, or it be given to him for bravery, and it is placed on him or his parent when dead, it is to be without liability…” because they allow the honourable to be praised in death. For Cicero, a system of merit governs legitimacy in display, so that even though it is “natural” that the rich and poor should be indistinguishable in death, there must exist avenues of display and distinction for those who deserve it on the basis of their individual merit.

The development of later sumptuary legislation and in fact the kind of display that republican Romans saw as legitimate in funerary practices may stem from how they interpreted the Twelve Tables. Like Cicero, the moralising tradition against extravagance, luxury and display, while denouncing excessive spending in terms of “private status symbols which essentially reflected money and social pretensions”, endorsed overt display that

53 Cic. Leg. 58.
54 “Twelve Tables”, p. 583.
55 Cic. Leg. 59.
56 “Twelve Tables”, p. 583.
centred itself around “offices and achievements that could be measured and recognised by the display of a common vocabulary of symbols.” Such an understanding of legitimate display narrowed the arena in which the Roman aristocracy could compete within its own class. In fact, sumptuary legislation supported this model of luxury whereby legitimate display could be restricted to a class of individuals who had somehow earned it through their achievements; solely the possession of wealth was not sufficient license.

After the Twelve Tables were promulgated in the mid-5th century BCE, the only other sumptuary measure explicitly pertaining to funerary matters came from Sulla in the 1st century BCE, placing a restriction on expenditure. Plutarch informs us that Sulla himself violated this law at his wife Metella’s funeral, just as he flouted other sumptuary measures on banquets and feasting that had been of his own creation. Throughout the late republic, the graveyard and the ceremonial aspect of death persisted as an arena for displaying wealth and making claims to status. It appears, however, that the Twelve Tables were not unknown at the time, and Macrobius goes so far as to say that their precepts were reiterated once the laws had become “despised for their antiquity” although mention of Sulla’s law is our only piece of evidence.

What distinguished luxury in food from extravagance in death-ritual? For both fall under the category of spectacle and could straddle the line between private luxury and public munificence. In fact, the most elaborate funerals included public feasting and gladiatorial games. Moreover, it has been argued above that the diffusion of luxurious practices was a central concern for lawmakers. This worrisome phenomenon was not limited to extravagant

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57 Flower, op. cit., p. 120. The commodities that constituted this “common vocabulary of symbols” fall into the category of “social artefacts” discussed above.
58 Plut. Sull. 35.2-3.
59 Mac. Sat. 3.17.8.
banquets and became a major defining feature of the landscape of funerary ritual and splendour as it developed through the late republic and into the early empire. It was not always controlled through explicit legislation in the way that feasting was; instead, as discussed in Chapter III, examples set by various ranks of the aristocracy and citizenry developed an intricate hierarchy for display in death, creating a framework within which Romans of varying means could make known their status and status aspirations.
The Diffusion of “Death on Display”

Over the course of the middle and late republic, the public spectacle that was the Roman aristocratic funeral grew to combine elements of triumphal celebration with aspects of mourning, grief and collective loss, creating a highly public event that marked an important intersection between Roman spectators and the elite political class, the aristocracy, in their society. Polybius, writing as a Greek outsider to Roman culture in the mid-2nd century BCE, includes a rich description of elite Roman funeral practices, especially how the funeral procession was designed to create exempla out of aristocratic figures at their death. “Death on display”, therefore, as John Bodel phrases it, was the central idea of the aristocratic funeral, making it a crucial event in Roman public life for both ends of the social spectrum – the upper class for whom it was an occasion for “self-advertisement” and the general public for whom “the emotional charge invested in these regularly recurring public rituals made them natural vehicles for the popular expression of grief and protest.”

The entire process of post-death ritual, funus, consisted of the collocatio (lying-in-state) followed by the pompa funebris (funeral procession), laudatio funebris (speeches in honour of the departed, delivered at the forum) and finally the burial or cremation itself, which took place outside the city walls. The ceremony did not end here, however; apart from rites of purification, the silicernium (funerary feast) was held at the grave on the same day, followed by the cena novendialis on the ninth day after the funeral. Polybius does not take his readers through the entire process, choosing to focus instead on the procession and the orations. We can infer from his decision to exclude the other ceremonies from his account.

that a large part of the impact of aristocratic funerals fell within the scope of the procession and *laudatio funebris*.

The very first sentiment Polybius reflects, which prefaces his description of a typical procession, is that the spectacle-like funeral was institutionalised in the Roman world “to foster a spirit of bravery in...young men.”³ Romans who desired to attain the honour of such a publicly staged funeral were expected to put the well being of the State before their own and were thus an inspiration to spectators. On the death of such an “illustrious man”, his body is led to the *rostra*, next to the forum, where his son or relative “discourses on the virtues and successful achievements of the dead during his lifetime.”⁴ Polybius recognises that the *laudatio funebris* was not merely a speech in memoriam, delivered by a bereft relative, but an occasion that was pivotal in mustering public sympathy, creating an environment such that “the loss seems to be not confined to the mourners, but a public one affecting the whole people.”⁵

The use of *imagines* during the procession and oration, a practice peculiar to republican and early imperial Roman funerals, stood out to Polybius. It may be the presence of *imagines* at these two ceremonies that drove him to treat the procession and *laudatio* as the two defining elements of the aristocratic funeral, for he decided not even to mention the “usual ceremonies” surrounding interment. From Polybius’ description, it becomes clear that an *imago* was a mask fashioned from wax, created with utmost care as a replica of the deceased. Its purpose was definitely epideictic, for after the requisite ceremonies, the family

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³ Polyb. 6.52.11.
⁴ Ibid., 6.53.2.
⁵ Ibid., 6.53.3.
would “place the image of the departed in the most conspicuous position in the house.”6 His *imago* would subsequently be brought out and displayed on special occasions such as public sacrifices. The dead of the office-holding aristocracy, the class that held the exclusive right to own and display *imaginæ*, could in this way continue to participate in Roman public life even after death.

At the death of a distinguished individual, the *imaginæ* of his ancestors would be present at the funeral, donned by actors “who seem to them [the family of the deceased] to bear the closest resemblance to the original in stature and carriage.” Dressed according to the rank of the person whose role they played, the actors as ancestors rode on “chariots, preceded by the *fasces*, *axes* and other insignia by which different magistrates are wont to be accompanied…and when they arrive at the rostra they all seat themselves in a row on ivory chairs.”7 The oration included an encomiastic account of the achievements of each of these ancestors who were present, so that the funeral became an occasion where the public could be reminded repeatedly about the contributions of an entire aristocratic family to Roman society. In effect, every funeral allowed the aristocracy to showcase, almost to re-enact, a version of popular history before an audience.

The *pompa funebris* travelled from the house of the deceased to the forum for the *laudatio*. The procession consisted of a large contingent of musicians, “ancestors” sporting *imaginæ*, the *dissignator* who was responsible for organising and coordinating the performance and even satyrs and dancers; following this crowd was the body of the deceased.

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6 Polyb. 6.53.4. The atrium of a Roman aristocrat’s house was a highly public setting. It was here that *imaginæ* and *spolia* were displayed for all to see. Cf. Wallace-Hadrill, “The Social Structure of the Roman House” in *Papers of the British School at Rome*, Vol. 56 (1988): 43-97.

7 Polyb. 6.53.8-9.
on his bier carried by relatives and finally the family in mourning. This combination of light-hearted celebration offered by the presence of satyrs and comic dancers with an element of triumphant exhibition of glory in terms of service to the State as well as the obvious lugubrious aspect of the bier of the deceased followed by his family and friends in mourning, resulted in a funeral procession that was varied in its tone. The combination of serious and comic elements likened the funerary procession to the tone of Roman spectacle in general. Flower argues that this juxtaposition of the comic and the tragic did not take away from the solemnity of death, but established the funeral’s role as a spectacle and an occasion for public entertainment.

The tone of personal achievement and triumph represented by the glorified position of the deceased dressed in finery and possibly accompanied by his spoils make the funerary and triumphal processions particularly comparable forms of Roman spectacle. In his study of the Roman triumph, Versnel compares the elements that funeral and triumphal processions had in common: the presence of music, torches for illumination and a combination of satirical and sombre components. Additionally, a meal followed both processions, as did gladiatorial games. Moreover, the representation of the central figure in each parade was articulated in similar terms: in the aristocratic funeral, the deceased, often propped up on his bier, decked out in magisterial or triumphal finery and perhaps even wearing his own imago.

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8 Flower, Ancestor Masks and Aristocratic Power in Roman Culture, pp. 98-99.
9 Ibid., p. 101. The part of the procession that followed the deceased would have consisted not only of his kin, but probably included other members of the familia and freedmen of the family, especially those the deceased had released in his will. The networks of patronage that bound an office-holding aristocrat to his clients and freedmen were an important element of the political system. Thus, these clients and freedmen would normally have been present at the funeral procession. See Flower, p. 101 for Sulla’s funerary escort of freedmen.
10 Flower, op. cit., p. 106
11 Ibid., pp. 101-106.
was comparable to the *triumphator*, the glorious centre of his procession.\(^{13}\) The signature elements of the triumphal procession, “spoils, paintings and floats…were apparently reused at funerals.”\(^{14}\) The archaising nature of the *pompa funebris*, particularly in the spirit of constantly recounting the glory of the ancestors and creating a discourse about the cumulative achievements of a family over a long period of time resonates with the inherent elements of a triumphal march that idealised the role of the conqueror and emphasised his military success through the accumulation of spoils and territory. Just like the funeral, the triumphal celebration ran the gamut of sentiments as a sombre and humbling offering of gratitude to the gods, as well as a boisterous demonstration of the military might of a particular general and his army through the display of spoils the victors had gathered over their campaign.

Flower argues that increasing Hellenistic influence during the middle republic visibly altered the character of Roman public processions. The triumph, especially, “developed as the ultimate celebration of individual merit and achievement within a culture typical of the nobility of office.”\(^{15}\) At the same time, the importance of military prowess as a requisite to political power and aristocratic status grew and the funeral too became a forum to affirm a political family’s engagement with this ideal. An element of victory is certainly present in the figure of the illustrious man who died having served to further the glory of his family and State. The personal valour and glory of the deceased thus became an important feature of the aristocratic funeral, a feature that legitimised the extravagant display that Roman morality was otherwise so opposed to. The deliberate emphasis on ancestral glory agreed in principle with, and was thus acceptable to the archaising moral tradition that saw middle to late

\(^{13}\) Versnel, *op. cit.*, p. 116.
\(^{14}\) Ibid., p. 113.
\(^{15}\) Flower, *op. cit.*, p. 107.
republican luxury and display as crucial signs of decline, and a stark contrast to the perceived lifestyle of their self-effacing ancestors.\textsuperscript{16}

*Imagines* were a key element in this idea of legitimate display promoted by the Roman aristocracy through sumptuary legislation and moral discourse. In and of themselves, the wax masks would not have been costly to produce, especially for members of the political class. Strict rules governed who was eligible for the honour, however, and the right to have an *imago* was confined to Romans who had distinguished themselves by holding magisterial office and displaying military success.\textsuperscript{17} This becomes especially clear if we consider instances when members of the aristocracy did *not* have an *imago*. On one end of the spectrum was Caesar, who was deified and whose memory could not therefore be preserved in a wax mask. At the opposite end, and more significant as an example of the system of merit and honour that governed the possession of *imagines*, are cases of *damnatio memoriae*, the fate of aristocrats whose malefactions and dishonourable deeds rendered them unfit for an *imago*. The ban on Gnaeus Piso’s *imago* by an elaborate decree of the Senate in the 1\textsuperscript{st} century CE made it illegal for any member of his family to have Piso’s *imago* present among the *imagines* of their other ancestors at occasions such as funerals and elections. Moreover, any existing representations of the transgressor were to be removed from Rome and he was not deemed worthy of a funeral with hired mourners, as was customary.\textsuperscript{18} The *imago* was therefore an overtly political symbol that also conveyed the glory of the lineage of the political class and was thus deeply tied to family honour.

\textsuperscript{16} For writers in the late republic, the institution of *imagines* represented a respectably antique custom, dating back to the fourth century BCE. Cf. Flower, *op. cit.*, p. 46.
\textsuperscript{17} Flower, *op. cit.*, pp. 9-12
\textsuperscript{18} Ibid., p. 24.
At times of death in the family, the *imaginés* of ancestors were in mourning for their descendant not only during the funeral procession, but also in the house during the *collocatio* or lying-in-state, which began immediately after death and ended when the body was carried out for the procession. The house was, in fact, prepared to publicly reflect that the family was in mourning and the wooden cupboards containing *imaginés*, normally displayed in a conspicuous area of an aristocratic household, were probably kept shut during the *collocatio*. The lying-in-state was an important time that allowed the family to make arrangements for an elaborate funeral ceremony. For this logistical concern and especially to publicise the imminent procession by sending out heralds to notify the citizenry, the *collocatio* before an aristocratic funeral was usually prolonged as far as possible.\(^\text{19}\) In addition, the public nature of aristocratic houses and the fact that the *collocatio* itself was not strictly a private affair made it yet another part of the *funus* that attracted public attention and involvement.

The family of the deceased did not single-handedly organise their relative’s funeral in a wealthy Roman household. Instead, an entire apparatus existed so that coordination and preparation for the various ceremonies could be contracted out. This job was handed out to *libitinarii*, professional undertakers who operated from the grove of Libitina.\(^\text{20}\) Their staff included several underlings – *pollinctores* who prepared the body before burial, *ustores* for performing a cremation, *fossores* for digging graves and *praficae* who were hired to sing mourning laments.\(^\text{21}\) Given the scale of the funeral and the lack of time to prepare for it, this apparatus of *libitinarii* and associates would readily provide the necessary props, costumes and publicity that an aristocratic funeral required.\(^\text{22}\) Therefore, apart from the particular

\(^{19}\) Flower, *op. cit.*, p. 95.  
\(^{20}\) Ibid., p. 115.  
\(^{21}\) Toynbee, *op. cit.*, p. 45.  
\(^{22}\) Flower, *op. cit.*, p. 115.
imagines and spoils that the family of the deceased supplied, or any special instructions for the funeral mentioned by the deceased in his will, it seems that the requirements of a funeral for this class of Romans were usually similar and somewhat formulaic.

On the occasion of death, the office-holding aristocracy promoted its status through a process that could not be imitated in its entirety by individuals of other classes who held aspirations of rising in the ranks. The use of imagines was central to this exclusivity, for their display in the aristocratic household during the lying-in-state, the parading ancestors during the procession and the effect of all the ancestors seated on curule chairs while the laudatio funebris was delivered, meant that even wealthy Roman families who were not politically established enough to qualify for imagines had to rely on some other portion of death ritual to distinguish themselves through their wealth. This does not mean that non-aristocratic families, or the families of famously wealthy freedmen did not invest in the pompa funebris or collocatio; on the contrary, as the relief on the tomb of the Haterii reveals, the wealthy non-aristocrat took many pains to ensure a funerary ceremony just as elaborate and public, even if they were denied the animated and impressive display of glorious generations gone past. Similarly, between two freedmen of the Caecilii, each at different ends of the economic spectrum, one is said to have instructed that a million sesterces be spent on his funeral while the other’s modest tombstone mentions a well-attended funeral.23

A relief on the tomb of the Haterii (Plates 1&2), a family of non-aristocratic but wealthy Romans, provides a vivid pictorial description of a lying-in-state. Romans who did not hold magistracy could never make it to the ranks of the imagines-bearing class, regardless of their wealth; in some cases such as this one, however, their wealth allowed them to aspire to a level of display comparable to the aristocracy. The relief, dating from the

beginning of the 2nd century CE, shows the deceased woman in rich attire lying on an elaborate lectus funebris (funerary couch) in the atrium of her house, her feet facing the door through which she will be carried shortly after. Flaming torches illuminate the room, where family members, slaves, clients and other associates in mourning surround the body of the deceased. Women standing by the corpse, perhaps hired mourners, beat their breasts in lament.24 From the four figures standing before the body, there is a suggestion that relatives and friends would regularly enter the house to pay their respects. By the head of the couch, three women wearing pointed caps, suggesting their status as recently freed slaves, mourn their mistress.25 The crowded scene indicates that the collocatio, with its many participants in an environment of collective mourning, was an important stage leading up to the procession.

Bodel argues that it was not only wealthy non-aristocratic Romans and freedmen who shifted their focus from the funeral procession towards the lying-in-state and especially the burial site of the deceased. He posits that the tail end of the republic and especially the first century of the empire marked an important change in the location of funerary ritual, which shifted “away from the central civic area of the forum and toward the more private interior spaces of the house and the more personal suburban environment of the pyre and burial site.”26 Indeed, while for Polybius, as discussed above, the pompa funebris was the most impressive part of the funeral and for the aristocracy, the most important avenue of self-representation on the occasion of death, Lucian writing in the 2nd century CE makes no mention of the procession at all. Instead, his mocking account of ritual mourning in Roman society focuses on the collocatio and ceremonies conducted at the burial site of the deceased.

24 Toynbee, op. cit., p. 45.
25 Idem.
While Polybius and Lucian share the fundamental similarity of background, that they were wealthy and reputed Greek outsiders who documented Roman culture, Lucian does not share Polybius’ interest in the Roman political sphere. Polybius’ discussion of the aristocratic funeral in the Roman republic investigates the nature of the procession and the spectacle involved because he sees it as a sign of Roman political success. He describes only the aristocratic funeral, emphasising the glory of office-holding families. Lucian, on the other hand, does not clearly define which class he is writing about in his dialogue De Luctu. It does become clear through his description of a laudatio at the tomb and his representation of the deceased dressed in fine raiment and adorned with wreaths, that the Romans in question were wealthy; any political element, however, is absent. Although it is problematic to juxtapose Polybius and Lucian’s evidence on Roman funerals on multiple levels, the visual record from Italy also presents a similar picture: it suggests the growing importance of the burial site and home as opposed to the civic sphere during the end of the republic and into the empire. As Bodel posits, the last visual evidence of a funerary procession dates from the late republic while the only visual record of the collocatio comes to us from the tomb of the Haterii in the early Trajanic period.

This shift does not mean that the Roman funeral gave up its aura of the spectacle or its inherent use as a platform to create distinction in society and assert status or status aspirations. Lucian’s writing makes it clear that mourning the dead continued to be an elaborate and public affair that was far more concerned with the living than the dead.

27 Cf. P.A. Brunt, “The Bubble of the Second Sophistic” in BICS (Bulletin of the Institute of Classical Studies), Vol. 39 (1994), pp. 25-52, especially p. 29 where Brunt argues that for Greeks of the Second Sophistic present in Rome, “the historical themes of Greek declamations had no relevance to the actual conditions of city politics” and were performed before a friendly audience with the aim of pleasing and amusing rather than persuading.


29 It is unclear exactly which strata of society Lucian refers to in De Luctu. Since there is a mention of some sort of laudatio at the tomb, and a description of the deceased in fine raiment and decked in wreathes, it could be the
describes in detail the different stages of the lying-in-state, that immediately after death “they (the family) bring an obol and put it into his mouth, to pay the ferryman for setting him over”; next comes the bathing and “anointing with the finest perfume that body which is already hastening to corruption,” no doubt an important measure given the Mediterranean climate. Then begins the public display of grief: “cries of distress, wailing of women, tears on all sides, beaten breasts, torn hair, and bloody cheeks” as relatives, friends, clients, slaves, freedmen and hired mourners lament the deceased in a manner that seems unnecessary and extravagant to Lucian. In direct contrast to Polybius’ emphasis on the procession above all else, Lucian takes his readers straight from the house of mourning to the site of burial, where he describes rituals that appear utterly useless to him: the hypothetical deceased, tired of the pointless ritual, cries out “what do you think I get…from the wreathed stone above my grave? Or what, pray, is the use of your pouring out the pure wine?…As to the burnt offerings, you yourselves see, I think, that the most nourishing part of your provender is carried off up to Heaven by the smoke without doing us in the lower world the least bit of good…”

The shift from the procession and the forum to the house and suburb as central locations in funerary ritual could be associated with a change in senatorial self-representation between the late republic and especially during the early principate. Imagines, central to the political influence that the aristocratic funeral could exert during the republic, acquired a different flavour under Augustus and successive Julio-Claudian emperors. Augustus’ use of wealthier classes’ behaviour that Lucian satirises. Lucian mentions nothing of ancestry and familial glory, however, so it is probable that the aristocracy is not the subject of this text.

30 Luc. Luct. 10.
31 Ibid., 11.
32 Ibid., 12.
33 Ibid., 19.
imagines was part of his program to establish his position as primus inter pares; in adopting this motif of republican aristocratic power, he undoubtedly altered its symbolic associations. Augustus, capitalising on the intrinsic connection between ancestral glory, political power and honour on the one hand and the wax imagines that the senatorial elite flaunted on the other, competed with Rome’s great political families, especially through his creation of a new forum and his use of imagines there. Based on the universally comprehensible symbolic value of the imagines, “in his new forum he juxtaposed a record of his own achievements directly with statues and inscriptions honouring famous earlier leaders from his own and other families.”

In 2 BCE, he dedicated his new forum, the Forum of Augustus, as the city centre. Both imagines and the original forum, essential to aristocratic display especially on the occasion of death, had now been appropriated by Augustus to project a more civic symbolism. The statues of illustrious Romans, complete with inscriptions describing their contributions to the land and their achievements, created a permanent display of imagines in the new civic centre, likening it to the atrium of an aristocratic house where ancestor masks were on display. In the centre of the Forum Augustum was the impressive façade of the temple of Mars Ultor, inscribed with the name of the princeps, facing a statue of him, the pater patriae, atop a four-horse chariot. In the way that the Augustus’ forum came to “serve as the public atrium of the Julii” and showcased an array of figures and spoils that seemed to

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34 Cf. Werner Eck’s argument in “Senatorial Self-representation: Developments in the Augustan Period” in F. Millar & E. Segal (eds.), Caesar Augustus: Seven Aspects, Oxford: Oxford University Press, 1984, pp. 129-167. He posits that since Augustus appropriated many motifs of aristocratic self-representation prevalent during the republic, that class was forced to alter the way it used the same motifs, as Augustus clearly projected himself as superior to the rest of the political class.
35 Flower, op. cit., p. 224.
37 Ibid., p. 225.
permanently display a sense of triumph and ancestral glory, the symbolism is akin to the aristocratic funerary procession described above. Augustus’ self-representation in the same terms, albeit with heightened splendour and the weight of his own status not as merely one of the ruling elite, but as the first among equals, fundamentally diminished the symbolic capital the aristocracy could extract from using their imagines in the republican fashion.

Effectively, a new hierarchy of display was put into place for the rest of the aristocracy. In fact, by the time the forum was constructed, aristocratic families no longer held the right to display the spoils of their conquests even within the atria of their own houses.38 Similarly, generals could expect no more in the way of honour than “triumphal ornamenta and a statue in the forum outside the temple.”39 Not only in the civic space, but even within their homes, the ruling elite outside of the imperial family was severely compromised by the establishment of the principate. At the same time, Augustus’ forum abounded in symbolism that created a direct association between triumphal imagery and the imperial family.40 Augustus himself was represented in triumphal garb on the central chariot. He appeared flanked on one side by a statue of Romulus in armour and holding the spolia opima, followed by famous Romans; opposite Romulus was a statue of Aeneas bearing Anchises and his household penates, leading the Julii and their relatives.41 Since Augustus was interested in projecting himself as directly connected, indeed, as an heir to the glory of

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38 Flower, op. cit., p. 231. See also, Starr, art. cit. Augustus’ title of pater patriae was displayed in three places: beneath his statue in the Forum Augustum, in the curia Iulia and notably in the vestibule of his residence on the Palatine. This is yet another form of republican aristocratic self-representation that Augustus appropriated, for the aristocrat’s house marked an important intersection between private and public that made the display of imagines and spoils in the atrium symbolic. See also Wallace-Hadrill, A., “The Social Structure of the Roman House” in Papers of the British School at Rome, Vol. 56 (1988), pp. 43-97.
39 Flower, op. cit., p. 231.
41 Flower, Ancestor op. cit., p. 234.
some select Roman predecessors, there seemed to be no room for the larger aristocracy to showcase its political power and gain recognition from the public via the display of symbols such as *imagines*, *fasces*, triumphal garb and spoils. The fact that Augustus’ repertoire of figures to draw from extended far beyond his family and called to a collective Roman past conveyed the idea that the republican political elite’s use of only their direct ancestors as inspiration was somehow more petty, limited to their families alone and divorced from a wider sense of collective Roman glory.

Through the early principate, *imagines* continued to make an appearance at funerals. However, in this arena, too, Augustus hijacked aristocratic self-advertisement through his own appropriation of *imagines* on occasions of death.\(^42\) Throughout his lifetime, Augustus’ public funerals for members of the imperial family contained elements that were later seen in the emperor’s own funeral, for which he had issued detailed instructions. At Agrippa’s funeral in 12 BCE, where the *imagines* of illustrious Romans not directly related to the deceased were present in the cortège, Augustus himself delivered the *laudatio*, describing Agrippa as his colleague in empire and thus a viable heir to the legacy of distinguished Romans to whom he held no connection by blood.\(^43\) Similarly, Marcellus’ funeral in 23 BCE is best captured in Virgil’s description in the *Aeneid* of the parade of Roman heroes that Aeneas witnesses. Through the funerals of his own family or associates, therefore, Augustus created the idea that a collective Roman past could be called up to establish the position of the imperial household. This use of *imagines* was adopted well before the construction of the Augustan forum, where the connection was further consolidated.

\(^{42}\) Flower, *op. cit.*, p. 237.  
\(^{43}\) Ibid., pp. 238-239.
Augustus’ own funeral, while using ceremonies common during the republican era, built these up to a unique standard that would only be considered appropriate for the imperial family, or indeed only for the imperator himself. Augustus’ ancestors, real, appropriated or mythical, all the way to his Trojan predecessor Aeneas, were present in imagines. Further, the triumphal imagery that had been part of republican aristocratic funeral processions here took on ever greater symbolic substance: allegories of nations Augustus had conquered and peoples he had subdued marched along with this imperial pompa funebris.\textsuperscript{44} Whereas in republican funerary processions, the imago-wearing deceased individual was prominent on his bier, following his ancestors as the next to join their ranks, Augustus was represented in three images: one of wax, another of gold and the third in a four-horse chariot, making the obvious allusion to his statue in the new forum. In the procession, he appeared ahead of his ancestors, as if in some way drawing from them while surpassing their glory and achievements.\textsuperscript{45} Moreover, to add to the image of triumph and distinguish it slightly from its republican roots, the route of the procession passed through the porta triumphalis.\textsuperscript{46} Augustus therefore appropriated the “social artefact” of the imagines, which were the epitome of the republican political ideology of honour and service to the country before wealth and ostentation; he used them to establish himself in relation to the previous Roman leadership and to de-emphasise the extant elite outside the imperial family.

The diminishing centrality of the pompa funebris, so closely associated with symbols of political power and aristocratic motifs, perhaps allowed even more of a chance for wealthy non-aristocratic ingenui and rich freedmen to use death as an occasion to make known the extent of their wealth and privilege. Petronius’ satirical and hyperbolically stereotyped

\textsuperscript{44} Flower, op. cit., p. 244.
\textsuperscript{45} Idem.
\textsuperscript{46} Idem.
nouveau riche freedman character Trimalchio, in his detailed description of the tomb he envisions for himself, provides insight into just how important a monumental burial had become in articulating status and class aspirations. “Tell me, my dearest friend,” he inquires, “will you order my tomb according to my instructions? My earnest request is that you set my little dog below my statue, and put in garlands, perfumes, and all the contests of Petraites, so that through your kindness my life can continue after death. Build it a hundred feet wide at the front, and two hundred feet from front to rear. I’d like fruit trees of all kinds surrounding my ashes, and lots of vines; it’s quite wrong for a man to have an elegant house in life, and not to give thought to our longer place of residence.”

Indeed, just as the imagines granted immortality to deserving members of the aristocracy, a monumental and distinguished tomb could grant life after death to any Roman who could afford it.

Petronius’ satire is peculiar to the class of wealthy freedmen Trimalchio belongs to, who stereotypically ended up showcasing their wealth in crass terms. To contextualise the satirical figure of Trimalchio, especially his tomb, the famous example of Eurysaces the baker provides parallels. For one, Eurysaces belonged to the class of particularly wealthy freedmen that Trimalchio represents. Petronius brings out a deep connection between Trimalchio’s past as a slave, his present wealth, as well as his abiding relationship with his previous patron. At the same time, many freedmen could wield enough capital to be owners of slaves and independent patrons of art and architecture as both Trimalchio and Eurysaces are with regard to designing and financing their tombs. The type of art that Trimalchio and his fellow freedmen chose to promote, a specimen of which is Trimalchio’s own tomb, has come to be categorised as “freedmen art”, a term embodying a negative and top-down sense of tasteless display of wealth, the acquisition of which is through work, of course an

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47 Petr. 71.
inextricable trait of the slave and freedman. Just as the ships on Trimalchio’s imagined
tomb represent his mercantile occupation, so the tomb of Eurysaces the baker, designed as an
oven and decorated with reliefs pertaining quite literally to his bread and butter, has been
unequivocally attributed to his freedman status.

Eurysaces’ tomb (Plates 3&4) re-affirms some assumptions about the art of Roman
freedmen. Built in the later half of the first century BCE, the tomb is a multi-storied edifice,
rising “majestically approximately 10 metres from the ancient level of the Via Labicana.”
The tomb would have stood out then, just as it does now, as a specimen of highly unusual
architecture, for its upper half is constituted of pairs of vertical cylinders. Friezes along the
top of the façade represent in detail the large-scale production of bread: feeding an oven with
coal, kneading the dough, carrying and weighing the bread are all depicted in a large
commercial setting. Accompanying the friezes and cylinders, which allude visually to
Eurysaces’ large bread-producing venture and the wealth it earned him, are three epitaphs,
most notably one that introduces Eurysaces and his status as a “baker, contractor, public
servant” and another that accompanies a portrait of the baker and his wife Astitia, whose
resting place is cleverly referred to as “this bread-basket”. On the Via Labicana, Eurysaces’
tomb would have been one among many in a possibly crowded area. To make the tomb
noticeable, therefore, was a way to ensure the continued presence of the deceased among the
living, a sentiment that connects Eurysaces and Trimalchio.

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48 By using the word “work”, I want to distinguish between the aristocracy’s landed wealth and the pursuit of
mercantile professions or proprietorship that defined the other well-to-do classes of non-aristocratic Romans
and wealthy freedmen. No matter how wealthy the latter classes grew, their source of wealth would always be a
distinguishing factor from the political elite’s hereditary land-ownership.
p. 90.
50 Ibid., p. 87.
51 Ibid., p. 93.
52 Ibid., p. 99.
Eurysaces’ self-representation on his tomb is fundamentally channelled through his occupation, which would appear a legitimate idea since it was from this that Eurysaces derived his livelihood and identity. However, Petronius’ characterisation of Trimalchio’s wealth accumulated through work disparages and undermines his aspirations to elite status. Petronius would have espoused the same attitude towards Eurysaces’ wealth, its source and how proudly the ex-slave chose to be remembered through his occupation. Indeed, there is a need to complicate the relationship between the archaeological record and literary representation and to move away from the top-down perspective that the literary tradition encourages by virtue of its authorship. The latter is responsible for the label “freedmen art”, which propagates the impression that all art related to freedmen and especially commissioned by them hinged on their status as ex-slaves and the necessary course of life that such a status implied. At the same time, it is a corollary of this status that imitation was a major driving-force in freedman patronage for the arts. In the satire of the Cena Trimalchionis, Trimalchio is portrayed in direct competition with the imperial family in his desire for a sundial on his tomb, clearly inspired by Augustus, as well as the impressive hundred feet by two hundred feet dimensions that hark back to the grandeur of Augustus’ mausoleum. However, in general, wealthy freedmen would have competed within their own class rather than aspire towards imperial models. Imitation, therefore, was not a feature of “freedmen art” as Petronius expresses it, but a phenomenon that created standards for individuals to compete for distinction within their own class.

The episode of the Cena Trimalchionis is riddled with references to death that tie in fundamentally with Trimalchio’s freedman status. When the doorman admonishes the narrator who is attempting an escape from the house, saying, “You’re mistaken if you think
that you can leave by the same entrance by which you came in”,\(^\text{53}\) his comment, along with its obvious allusion to death, mirrors Trimalchio’s own change in status through the course of his life. Trimalchio never shies away from mentioning this, and it finds a place on the immortalising inscription that is to adorn his tomb: “Here rests Gaius Pompeius Trimalchio of the household of Maecenas…He grew from small beginnings and left thirty million…”\(^\text{54}\)

As the night progresses, Trimalchio repeatedly expresses his pride at having risen in the ranks, from his departure from Asia when he “was no bigger than that lampstand” to his present state, having come “into the fortune of a senator” through the patronage of his master and of course his own exploits as a merchant.\(^\text{55}\) Now, however, in his death, Trimalchio has come from being a slave all the way to imitating Augustus’ sundial on his tomb.

Trimalchio’s obsession with how he will be seen in death is fundamentally linked to his status as a freedman who managed to make it into wealth. The style of his tomb, therefore, as Petronius satirises it, aspires toward imperial grandeur. However, for Romans who were aware of his position in society, Trimalchio is the very definition of the crass arriviste precisely because of the terms in which he articulates his aspirations. That Petronius chooses to represent Trimalchio’s pretences on his tomb, encapsulating the entire satire of the wealthy freedman on the façade of his tomb, indicates just how central a role death and particularly the seemingly everlasting and highly visible tomb, played in making claims to status. On the tomb itself, Trimalchio would like to appear “sitting on a dais wearing the toga with a purple stripe and five gold rings.”\(^\text{56}\) Apart from this appropriation of aristocratic and equestrian garb, Trimalchio also espouses the traditionally upper-class act of euergetism: he

\(^{53}\) Petr. 72.  
\(^{54}\) Ibid. 71.  
\(^{55}\) Ibid. 75-76.  
\(^{56}\) Ibid. 71.
wants to be seen “dispensing coins from a wallet to the people at large” since he had on a
previous occasion “laid on a dinner for them at two denarii a head”.\textsuperscript{57} It would only be a
representation of the public’s gratitude if Trimalchio could “incorporate dining-halls as well,
and all the citizens having a good time in them.”\textsuperscript{58}

The label “freedman art”, which refers only to the class of freedmen defined by
Eurysaces and Trimalchio, is reductive not only in its elite vantage point, but also in that it
encompasses a very small socio-economic category of freedmen. Ex-slaves in Roman
society, no matter which rung of the social ladder they fell on, had to carry the tag of their
past and thus would always have different preoccupations with identity than ingenui did.
Despite this inherent preoccupation, it is important to remember that in some matters, socio-
economic status may have acted as an equaliser between ingenuus, slave and freedman.
Many freedmen were far wealthier than the vast majority of ingenui and even more ingenui
and freedmen would together have fallen within the middling and lower strata of Roman
society. For freedmen of modest means, Trimalchio and Eurysaces were extremely far-
fetchited figures. It can be imagined that the preoccupations of these freedmen with regard to
earning a living were similar to those of the ingenui in their income bracket. This would have
been the category of Romans, regardless of whether they were freeborn or freed slaves, for
whose graves “anonymity and simplicity [were] the hallmarks.”\textsuperscript{59} Similarly, while keeping in
mind the peculiarity of freedman status, wealthy non-aristocratic ingenui and freedmen had

\textsuperscript{57} Petr. 71.
\textsuperscript{58} Idem.
\textsuperscript{59} Purcell, N., “Tomb and Suburb” in Henner von Hesberg & Paul Zanker (eds.), Römische Gräberstrassen :
Selbstdarstellung, Status, Standard : Kolloquium in München vom 28. bis 30. Oktober 1985, Zanker & Von
Hesberg (eds.), (Munich: 1987), p. 34.
similar preoccupations about displaying wealth and making claims to status and commanded comparable resources to lavish for funerary purposes. In conjunction with the late-republican and early-imperial shift in focus in funerary ritual from the procession and central civic space to the home and burial site, demographic circumstances in late-republican Roman Italy, particularly in urban areas, precipitated a situation in which tombs, located in “streets of tombs” extending from the city walls outwards along major arteries, became a noticeable feature of every city. The antecedents for the development of the “streets of tombs”, however, dated back well into the 3rd century BCE. From as far back as the Twelve Tables, burial within the city walls was strictly prohibited, although exceptions were made for extraordinarily honourable individuals and families, whose tombs were located in the Roman city-centre. Purcell posits that the Roman practice of burial within the precincts of the deceased’s town-house, in tombs that were not ostensibly vehicles of display, saw a shift in the late 4th century BCE. He identifies the tomb of the Scipiones, a “monumental edifice decorated with statues and paintings”, located on the thoroughfare Via Appia, where the first interment took place circa 280 BCE, as the trendsetter for pioneering this shift. The most significant factor, however, as Purcell sees it, is not the ostentations façade so much as the strategic location of the tomb where no passerby entering or leaving the city would miss it.

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60 Compare, for example, the scale of Eurysaces’ tomb and the central theme of his occupation as a baker with the tomb of the Haterii discussed earlier. The Haterii family was certainly non-aristocratic, but wealthy, as the façade of the tomb shows. Moreover, not unlike Trimalchio and Eurysaces, their family business as building contractors finds a place among the various images on the tomb, represented by a construction crane. Cf. Bodel, “Death on Display”, p. 268.
61 “Twelve Tables”, p. 583
62 Purcell, op. cit., p. 27.
63 Ibid., pp. 27-28.
64 Idem.
The “suburb” of tombs that developed around and following the first tomb of the Scipiones could be considered an antecedent to the streets of tombs that developed later and catered to a wider section of the population. Purcell compares the development of this “suburb” on Via Appia, populated by the tombs of the likes of the Scipiones and Caecilii Metelli, to the Hellenistic proastion, which was not simply any area immediately outside the city, but was characterised by a distinct religious and demographic flavour. The families that infiltrated the unique environs moulded their character not only with the elaborate edifices of their family tombs, but also by building temples, thus inserting themselves into the religious landscape as well.65 This antecedent to the streets of tombs that developed not only in Rome, but throughout urban Italy in Pompeii, Aquileia, Puteoli and elsewhere, sets out for us the importance of the road. If not for the Via Appia, an artery conveying travellers in and out of Rome, the tombs and temples of these families would have gone unnoticed, no matter how elaborate their structure.

From the elite funerary suburb that developed along Via Appia during the 3rd century BCE to the heterogeneous streets of tombs that came up across Roman Italy subsequently, several historical factors affecting cities during the late-republic allowed the “aristocratic sepulchral ideology of the Hellenistic-style suburb” to expand geographically and widen drastically in the demographic constitution that had characterised it during the middle-republic. The growing population of urban centres during the period leading up to the late-republic made the outskirts an attractive locus of leisure that offered an escape from the constricted city-centre. By the middle of the 2nd century BCE, therefore, the areas immediately outside the city walls, no longer under threat of violence or attack in post-Punic wars tranquillity, saw the wealthy develop secondary properties, landscape-gardens in

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65 Purcell, op. cit., p. 28.
particular. In addition to the signature *horti* that came to define the social status of proprietors in the immediate urban vicinity, family tombs appear to be an equally remarkable feature, so that during the second century BCE, there came to be a clear association between tomb and suburb.\(^{66}\)

Although these suburban tomb and garden complexes of the elite were private estates, their monumentality and especially their location on thoroughfares where visibility was of prime concern, highlight their desired position in the public sphere; these tombs were meant to be seen by the vast volume of travellers entering Rome by road. It is the public nature of the suburban tomb-garden that appeals to Trimalchio, for he requests a remarkably large plot located on a street and specifically mentions that a sundial, strategically located on the tomb-complex, make it necessary for every passerby to know whose monument he looks upon. The fact that Trimalchio demanded the construction of such a complex also indicates that the tomb-garden, limited in its early years to aristocratic families who had been claiming influential spots on thoroughfares in the urban vicinity since as far back as the late 3\(^{rd}\) century BCE, was by Trimalchio’s time within the reach of non-aristocratic Romans who, given their wealth, could carve out a status for themselves by capitalising on the public display that such a complex permitted.

The widening demographic of the suburban tomb may be linked with specifically urban phenomena, especially related to the rise in population in urban centres during the late republic and early empire. Purcell’s calculation that the bulging population of imperial Rome squeezed 8 tombs within a kilometre square of suburban land each year indicates a situation where space for burial was become increasingly scarce and, as a corollary, increasingly

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\(^{66}\) Purcell, *op. cit.*, p. 30.
expensive.\textsuperscript{67} For the urban under-classes, mass burial presumably continued to be the only option, while the wealthy Roman freedman, modelled by Trimalchio, could undoubtedly vie for space and grandeur with the upper class. However, for free Roman citizens of modest or middling wealth who held aspirations regarding social status and for whom an adequate funeral and burial would also have been a priority given the sensitive ritualistic and emotional nature of death, the increasing financial strain would have been significant. Simultaneously, aristocratic competition in monumental burial perhaps came to a head, since it became more and more expensive for elites to outdo each other given escalating land-prices.

Although throughout the late republic and early empire, poor Romans died anonymous deaths, ending up in the mass burial-pits, \textit{puticuli}, and leaving no individual trace, the situation engendered by the rising cost of receiving a decent burial was paradoxical in that “Romans dramatically raised their ‘standard of dying’: expectations rose and were widely met.”\textsuperscript{68} This stood not only for the elite, including aristocrats and other wealthy citizens, but also for families of middling wealth employed as traders or merchants, even slaves belonging to wealthy families who found a place within the family tomb. As Purcell posits, therefore, the great diversity of tombs and burial monuments that is left behind from this period is representative not only of increasing competition within the upper echelon, but a further diffusion into lower strata of society where individuals did not strive to outdo their class superiors, but to signify status to those in a similar socio-economic bracket. The streets of tombs leading out of urban nuclei are witness to this variety, for the sizes of plots vary widely as does the monumentality of the tombs themselves. The only restriction to finding a

\textsuperscript{67} Purcell, \textit{op. cit.}, p. 33.
\textsuperscript{68} Ibid., p. 34.
place on such a street was its cost, which is presumably responsible for the heterogeneous level of expenditure that we find in the archaeological record.

To cope with the lack of space and rising prices, the late republic also heralded the development of new tomb-types, the most famous of which is the *columbarium*. The multi-vaulted structure of the *columbarium* or “dovecot” tomb could contain the ashes of several individuals in urns placed in separate niches.\(^6^9\) *Columbaria* commissioned by a family held the ashes of not only members of that family, but also their slaves and freedmen. One of these tombs located between *via Appia* and *via Latina* displays “regular rows of serried niches”, some rectangular and others semi-circular, a model we can take as typical of this type.\(^7^0\) This particular *columbarium* housed 450 cremation burials and was clearly catering to many outside of the family that commissioned it.\(^7^1\) Toynbee reports inscriptions that record the buying and selling of burial spaces; the diversity of individuals that inhabited the same *columbarium*, including freedmen, slaves and workmen suggests how the *columbarium* was a potential solution to the problem caused by the scarcity of land, escalating prices, as well as a wide-spread desire for a decent burial.

The *columbarium* was, however, ultimately a function of the euergetism of wealthy Romans, since it provided for individuals beyond the kin of the patron and allowed the more lowly of them to be part of a structure that was, at least from the exterior, rather monumental. Within the *columbarium*, cinerary urns were arranged in niches in a telling network of social relations between the family that commissioned the structure and the other occupants. Moreover, the varying sizes and décor of each niche reflected the differences in social status of the deceased occupants of the *columbarium*. Apart from instances were niches in

\(^6^9\) Toynbee, *op. cit.*, p. 113.  
\(^7^0\) Idem.  
\(^7^1\) Ibid., p. 114.
columbaria were traded, allowing individuals outside of the familia to find a resting place within the structure, the columbarium could never become the main mode of burial in late-republican Roman society because of the limited category of individuals it accommodated. It marked the numerical expansion of the Roman familia and the incorporation of its lower segments into the more respectable section of the burial landscape, while largely excluding other elements in society that still harboured similar aspirations for their own funerary commemoration.⁷²

The cepotaphion developed as yet another antidote to the tripartite land-prices-aspirations problem delineated above. This structure, a significantly smaller version of Trimalchio’s tomb, was a type of garden tomb located along streets. Moving away from the patron’s role that was so evident in the columbarium, the cepotaphion strove instead to balance ostentation with self-sustenance. These tomb-gardens exploited small-scale intensive horticulture, a practice that had expanded over the late republic as a response to the scarcity of space, to bring together ornamentation and display with a method of generating income within a burial plot, thus housing the dead in a suitably picturesque and logistically viable, albeit compact, setting.⁷³ The horticultural aspect of the cepotaphion yielded enough produce – fruits, vegetables, firewood and raw material for other processes – that, if carefully exploited, it could cover the expense of funerary ritual at death and for subsequent celebrations in memoriam, the cost of the plot and its maintenance.⁷⁴ According to Purcell, the owners of these horticultural tombs were the ordinary inhabitants of urban Roman Italy, perhaps some of the many who were not clients of wealthy families that would designate for

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⁷² Purcell, op. cit., p. 39.
⁷³ Ibid. p. 35.
them a niche in the family’s *columbarium*. For *ingenui* and freedman of modest means who needed to fend for themselves for funerary purposes, the *cepotaphion* presented an economical as well as ornamental solution.

To provide a context for tomb-sizes, we have the extreme example of Trimalchio, whose 100 feet by 200 feet complex contended directly with the massive scale of imperial tombs, particularly Augustus’ mausoleum in the Campus Martius. The standard size, in contrast, on the streets of tombs, was about 10 feet by 10 feet or 12 feet by 12 feet for individual burials.  

Purcell argues that the proliferation of these plot sizes, a specification with a precise geometrical measurement and shape, meant that these tombs were not to be haphazardly located just anywhere on the streets of tombs where a vacant spot was available. Instead, it points towards a systematic demarcation of these plots, specifically for the purpose of burial; these were perhaps handled not by individuals, but by an enterprise that might have purchased a large plot of land and subsequently sold off sections of it. These individual plots, many times smaller than Trimalchio’s extravagant acreage, could be quite costly depending on the city and its associated scarcity of space.

Since social hierarchy did not formally regulate the class of individuals that could occupy these streets of tombs or the suburban cemeteries with their standardised geometric plots, a different apparatus altogether controlled their functioning. The establishment, since it revolved around an exchange of money for land on which a burial site could be placed, operated much like an investment – individuals bought a piece of property, so to speak, an asset that would belong to them and their family for many generations to come. Even spaces

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75 Purcell, *op. cit.*, pp. 37-38.
76 Ibid., p. 38.
77 Purcell gives the example of Agrippa’s slave, whose 1½ squared feet tomb cost him a hefty 120 sesterces. However, further out along the urban periphery, or in the suburbs of less populous cities, plots would have been affordable for citizens of middling incomes.
in large tombs could be bought and sold, highlighting the flexibility of tomb-usage and the scarcity of space that engendered it. In fact, the situation could be likened to the crowded housing scenario in urban centres. Apart from plugging into the economy through its fundamental association with land, the “system” pertaining to death-ritual and tombs involved various workers, ranging from the speculator who might buy land in the suburbs and sell it to individuals for building their memorials, to the *dissignatores, pollinctores, fossores, ustores* and *praeficae* who were all hired for organising funerals, as well as the caretakers of tombs. The tomb, specifically the streets of tombs in suburbs, thus constituted an economic sphere that gave memory-making in death a highly pecuniary quality.

Civic and even private euergetism became increasingly important towards the end of the republic for making it possible for poorer urban citizens to find a place for burial in such funerary structures. At Sarsina, a private individual, Horatius Balba, donated burial spaces of a respectable measurement, 10 feet by 10 feet, to the poor of his town. Similarly, a freedman at Tolentium dedicated an enormous plot of land, 282 feet by 200 feet, for the burial of the urban poor. During the late republic and early empire, civic authorities stepped in, too, creating state-owned land in the urban periphery for the express purpose of a salubrious disposal for the urban poor. According to Bodel’s calculation based on Rome’s estimated population of 750,000 people and an average mortality of 4 percent during Augustan times, the city would have to deal with 30,000 deaths each year. The aristocracy, as well as wealthy non-aristocratic Romans and the slaves and freedmen who would be accommodated in family tombs and *columbaria*, could all cater to their own needs in death. There remained two classes for whom a decent burial, although a priority, was not an easily achieved reality: citizens, *ingenui* and freedmen alike, of middling wealth who suffered through the increasing

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78 Purcell, *op. cit.*, pp. 36-37.
prices of land and, secondly, the urban underclass that lived in abject poverty, fearing the “predatory post-mortem attacks of dogs and birds” due to their uncertain fate after death.\textsuperscript{79}

Civic euergetism, or at least a growing municipal concern that more urban-dwellers receive a decent burial, was on the rise during the later republic and well into the empire, perhaps precisely for the sake of these two classes. Nerva’s generous burial allowance of 250 sesterces to the urban poor at the end of the first century CE, even if it was merely a ploy to win popular support, reflects the situation at hand and the state’s growing involvement in ameliorating it.\textsuperscript{80} This may have been engendered through a concern for health, given the boom in urban population and the associated lack and costliness of space, which created a need to set spaces apart for the burial of the poor.\textsuperscript{81} Simultaneously, legal precepts against the violation and appropriation of extant tombs were created, which indicates that the shortage of space had given rise to the phenomenon of re-using old tombs. In either case, “the interest of the government in things funerary was apparent enough for an association between civic authority and funerary propriety to become part of the mentalité of the Romans.”\textsuperscript{82} This could be linked to Purcell’s comment about the apparent rise in a “standard of dying” within the peculiar situation when shortage of space and escalating prices made a decent burial ever more difficult.

\textsuperscript{81} Cf. Hopkins, p. 210: This first century BCE inscription found by the boundary of Rome provides an example of civic concern regarding the disposal of the dead:
  L. Sentius, son of Caius, Praetor
  has made a regulation,
  by Decree of the Senate, about the siting of graves.
  For the Public Good. No burning of
  Corpses beyond this marker in the
  direction of the city. No dumping of
  ordure or of corpses.
  TAKE SHIT FURTHER ON, IF YOU WANT TO AVOID TROUBLE.
\textsuperscript{82} Purcell, \textit{op. cit.} p. 37.
It is in this context that the phenomenon of burial clubs appears to have arisen across cities in Roman Italy. These burial clubs could not cater to the class of indigent poor; instead, they served the needs of urban-dwellers for whom a decent burial was a priority, albeit one that required significant economic sacrifice. Members contributed a fixed sum to these *collegia funeratica* in return not only for a decent burial, but also for the arrangement of various rites, especially funerary banquets on festivals in memory of the dead. The *collegium* in Lanuvium, whose foundational inscription details the logistics and responsibilities of the club, cost its members a not-insignificant sum of 300 sesterces.\(^83\) For an idea of scale, the lowest rungs in the ladder of tombs cost about 120 sesterces, while the most commonly incurred costs ranged closer to 2000 sesterces; Trimalchio’s tomb costs, at the other end of the spectrum, most likely contended with imperial standards of spending. In fact, as Purcell reports, even the respectable but hardly grand tombs of smaller officials – *primus pilus* or *sevir Augustalis* – in towns such as Puteoli, approximated 100,000 sesterces.\(^84\) Certainly, the “real” elite could afford much grander structures, but the scale indicates just how costly burial had become by the early empire and how many individuals spanning several classes of the urban population were willing to pay the price.

The organisation of private citizens into clubs, or *collegia*, was potentially a threat to the government since it could facilitate the expression of dissatisfaction; burial clubs, however, were not outlawed and “became a widespread feature of Roman society.”\(^85\) The organisations could be professional, like the association of “cloth-dealers and timber merchants at Antinum (*CIL* 9.3837), or the smiths at Venafrum (*CIL* 10.4855).”\(^86\)

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83 Purcell, *op. cit.*, p. 34.
84 Idem.
86 Idem.
Alternatively, the club could be centred around a local deity, or just individuals who could purchase a share in a collective tomb, an option open to anybody who was willing to pay the amount.\(^{87}\) Hopkins, in arguing that “the popularity of burial clubs reflected the general Roman concern for the proper care of the dead,” seems to highlight the ritual sensitivity of death. Certainly, this factor was significant, but the sentiment was heightened by the widespread idea in society that a dignified burial was an important priority, to be desired at whatever level the individual could afford. This idea was propagated and confirmed not only by the funerary practices of the aristocracy, but also by the development of architectural structures better disposed towards less wealthy Romans and by increasing municipal intervention in funerary matters.

The surviving inscription from Lanuvium’s *collegia funeratica*, established in 125 CE, can help us understand the logistics and membership of these burial clubs. The club, based on the blessings of Diana and Antinous, was centred on the temple of Antinous, at whose entrance the club’s detailed rules were inscribed. Such *collegia* stand as examples of private euergetism as well, for the one at Lanuvium was founded by the benefaction of a magnate of the town, who “announced the gift of a sum of money, the interest of which was to be spent at the festivals of the patron deities.”\(^{88}\) The club’s self-defined mission was “to follow up with decency the departure of the dead.”\(^{89}\) In the preamble, it warns potential members: “You, new-comer, who wishes to join this club, first read the rules and then enter, lest you regret it later or leave a dispute to your heir.”\(^{90}\) The inscription then proceeds to record the rules that governed the membership of the club: “It is pleasing to all, that whoever

\(^{87}\) Hopkins, *op. cit.*, p. 212.


\(^{89}\) “ut [e]xitus d[efu]nctorum honeste prosequamur.” *CIL* XIV.2112=*ILS* 7212.

\(^{90}\) “Tu qui novos in hoc collegio intrare vole[s, p]rius legem perlege et sic intra, ne postmodum queraris aut heredi tuo controver[s, p]i am relinquas.”
will wish to join this club, he will pay an initial fee of 100 HS and an amphora of good wine; and, subsequently, five *asses* each month.”

Equally strict were the rules for defaulters: “And it is agreeable (to all) that whoever will not pay (the fee) for six consecutive months and the fate of humanity befalls him, his right to burial will not stand.”

Next, the inscription delineates the rights of payees to Lanuvium’s *collegia funeratica*, taking into account a variety of circumstances, which we may assume were issues that such organisations would have faced on a regular basis. Under normal circumstances, “on the demise of some paying member of the club, 300 HS will be due to him from the treasury, from which sum 50 HS will be deducted, which will be divided amongst those at the pyre.” Since the lowest cost of merely erecting a simple tomb in urban Italy had reached 200 HS by the early empire and Nerva’s generous funerary grant to the urban poor at the end of the 1st century CE amounted to 250 HS, funerary arrangements costing 300 HS could hardly be considered luxurious within the larger context of Roman society. Nevertheless, as Hopkins reminds us, it was a sum large enough to feed a family of four at subsistence level for eight months. The constitution of the burial club at Lanuvium gives an idea, therefore, of the income of Romans – free and enslaved – who would avail of such an organisation. They were individuals who could barely afford the most basic funerary arrangements, which the *collegia funeratica* were created to facilitate, in a climate where a decent burial had become a priority across classes.

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91 “[Placu]it universis, ut quisquis in hoc collegium intrare voluerit, dabit kapitulari nomine HS C n. et v[ini] boni amphoram; item in menses sing. a. V.”

92 Item placuit, ut quisquis mensib. contin[uis se]x non pariaverit et ei humanitus accederit, eius ratio funeris non habebitur.”

93 “Quisquis ex hoc corpore n. pariatu[s] decesserit, eum sequentur ex arca HS CCC n., ex qua summa decedent exequiari nomine HS L n., qui ad rogus dividentur.”

The burial club promised to cater to its members’ needs even in more difficult circumstances, namely, when death happened to befall a member of the club while he was outside the city: “If someone dies 20 miles outside the city and (his death) is announced, three chosen men from our midst ought to go for him, who must conduct his funeral carefully and give an account to the people without any deceit.” The club would refund these three chosen individuals for the funerary cost as well as reimburse them for travel expenses only if their account was found to be free of fraud. Matters could get even more complicated if a member of the club died more than 20 miles away from Lanuvium and news of his death reached his fellow members. In this event, “he who performs the funeral testifies (to having done this) on a tablet with the signatures and seals of seven Roman citizens, once his case of the funeral has been approved…he must be given (compensation) for the funeral and his travel according to the rules of the college.”

Apart from the basics of ensuring burial and largesse, within the given means, to mourners who were present at the pyre, Lanuvium’s collegium funeraticum also codified provisions for feast days in its constitution. There were to be six feast days each year, including the holy days of Antinous and Diana. Each of the four men responsible for organising the feasts were bound to provide: “a bottle (each) of good wine and two asses worth of bread per member, four salted fish, a table-cloth, warm water and attendants.” Although a modest spread by Roman standards of feasting as sumptuary legislation on banquets suggests, the collegium allowed its members to incorporate an important component

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95 “Quisquis a municipio ultra milliar. XX decesserit et nuntiatum fuerit, eo exire debebunt electi ex corpore n. homines tres, qui funeris eius curam agant et rationem populo reddere debebunt sine dolo m[a]lo.”

96 “Quod si longius [a municipio su]pra mill. XX decesserit et nuntiari non potuerit, tum is qui eum funeraverit, testa[tor rem tabu]lis signatis sigillis civium Romanor. VII, e[t] probata causa funeraticium eius, sa[tis dato ampli]us nemenim petiturum, deductis commodis et exequiario, e lege collegi dari [ei debebit].”

of death-ritual into their funerary practice, which would otherwise have been unaffordable to this class of individuals. Although it is difficult to sympathise entirely with Samuel Dill when he writes “It is pathetic to see how universal is the craving to be remembered felt even by slaves, by men plying the most unsavoury crafts,” the image that emerges from the popularity of burial clubs and from their economics suggests a widespread preoccupation with decent death-ritual and some assurance of a lasting memory.

The diffusion of luxury in funerary matters became manifest in the late republican and early imperial architectural styles of the *columbarium*, streets of tombs and *cepotaphion*. These greatly increased the visibility of a wide cross-section of the urban Italian population after death. The situation in the suburbs where the deceased dwelt reflected the crowded central urban space where several classes elbowed for space. Similarly, the architectural styles reaffirmed the various gradations in Roman society, how these classes vied amongst one another and how they were connected by complex systems of patronage and dependence. Simultaneously, the development of social institutions directed towards funerary purposes such as civic euergetism and burial clubs actively propagated the idea that a decent burial was a priority for Romans and facilitated this process for the vast majority of Romans who would otherwise have been unable to afford it. It is in this way that the “standard of dying” was raised and became achievable even for Romans of modest means.

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Conclusion (Epitaph)

The diffusion of luxury during the late republic and early empire, as evinced in the changing nature of death-ritual, can be attributed to parallel processes: the rising “standard of dying” as Purcell has phrased it, as well as Dill’s reasoning about the “universal craving to be remembered”. Dill’s explanation for the formation of burial clubs and the rising preference of larger sections of the Roman population for spending on the occasion of death places great importance on the emotional and ritualistic baggage that the loss of human life bears. This analysis creates the image that Roman society was increasingly preoccupied with the question of death-ritual and that this widespread preoccupation induced Romans of various classes to preferentially spend on securing a decent burial. Such an analysis, dependent on a concern about death in its ritual sense and not as a channel for asserting status, resists an extension to other arenas in which a similar rise in standard was becoming evident, such as in banqueting, domestic decoration or public munificence of the kind that Trimalchio mentions.

This thesis has not investigated whether an increasing preoccupation with death-ritual did actually pervade Roman society during the late republic and early empire. Instead, returning to the theoretical discourse on commodity culture with which this thesis began, it has been argued that the propensity for a wider sampling of Roman society to spend on death-ritual was a result of changing tastes within growing sections of the population. This phenomenon is in fact parallel to the proliferation of certain styles of lamps or sculpture within non-aristocratic houses in Pompeii and Herculaneum that Wallace-Hadrill writes about. The unique economic circumstances that the dynamic late republic and early empire

catalysed, especially in urban centres in Roman Italy, namely, the granting of freedom to slaves as well as an increase in the population that earned an income above subsistence, encouraged more and more Romans to articulate their new-found status and allowed them the economic means to do this. The kinds of display through which Romans of middling wealth chose to communicate their self-representation were not arbitrary; they were based on modes of display that were already prevalent within their society, but hitherto limited to the political elite and, to a large extent, the non-political wealthy.

This thesis has attempted to steer away from the idea that the emulation of their class superiors defined how Romans in the lower ranks expressed their status. Certainly, the avenues of expression were the same, since the nature of luxurious commodities and practices is that their symbolic value must be universally recognisable, even if at a very general level. However, the middling ranks of the population that this thesis focuses on, while using the same avenues of expression as the upper class, did not have the financial means to contend with the highest echelons of society. At the same time, all non-aristocratic groups, regardless of their wealth, did not have access to methods of display that were based on political power and ancestral privilege, such as the *imagines*; these were kept limited to the aristocracy through moral discourse and legal instruments. Further, it is likely that Romans of modest means did not intend to emulate and compete with the highest ranks of their society in the first place. Instead, they engaged in conspicuous consumption at their own income-level and competed with other Romans that fell into the same class. Individuals in each group aimed to create distinction through their consumption choices and set themselves apart from the poorer sections of their society.
This thesis has focussed especially on the cost of dying and how it rose through the time period in question. For poorer Romans, such as members of burial clubs, this cost covered a space for interment, a basic ceremony for the deceased located at the site of his burial and a feast of commemoration attended by his fellow members from the club. There are, however, many other material aspects of death such as grave-goods and tombstones that have not fallen into the scope of this study. The elaborate tombs of Trimalchio, Eurysaces and the Haterii family provide rich information about how wealthy freedmen and non-aristocratic Romans of generous means chose to represent themselves in death in a highly visible setting. Tombs and inscriptions abound for poorer Romans as well, especially along the streets of tombs discussed in this thesis. An analysis of these would be a valuable addition to this study.

The simplest inscriptions merely recorded the name of the deceased and nothing else. Even this bare commemorative gesture was a step up from the fate of the corpses of many poor Romans, which were regularly disposed off with no mark whatsoever. Further, given that the cost of land and materials required for a tombstone with even so austere an inscription was not meagre, this act probably required a significant economic sacrifice from its patron. The decoration of the tomb could range from an inscription that beckoned passerby to stop and contemplate the life of the deceased or the honours he had earned over his lifetime to a more elaborate artistic expression about the occupation or achievements of the deceased. Inscriptions on the tombs of freedmen typically named the ex-slave and his/her former patron and many would have gone on to mention the success of the freedman in his new status.2 Building on the framework of the diffusion of luxury in the material aspects of

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death-ritual, an epigraphical study that ties in inscriptions with the sizes, styles and locations of tombs could be very revealing. Surely, these differed greatly between various classes in society; moreover, a study of how they varied within a certain class and how individuals of similar economic means and status-aspirations chose to represent themselves for posterity would be particularly relevant to understanding how Romans of different classes competed with other members of their own class through consumption choices and display.

The self-representation of freedmen who had earned political honours or had been extraordinarily successful in their financial endeavours was often captured in their epitaphs, as Petronius satirises. It would be interesting to draw a comparison between this class of freedmen and a similar class of non-aristocratic but wealthy *ingenui*. Freedmen had different preoccupations than *ingenui* in terms of asserting their identity; nevertheless, these two classes had similar economic means and in many aspects, their self-representation as a non-political elite segment of society could be comparable. Many freedmen, however, were of more modest means and were engaged in professions that would have yielded a similar income to that earned by *ingenui* of limited means. This class of individuals who were not part of the urban indigent poor, but for whom a significant economic sacrifice could buy a decent ceremony at death, constituted the ranks of society that subscribed to burial clubs. It would be interesting to compare the self-representation of freedmen and *ingenui* that fell within the same class in society, engaged in similar occupations and subscribed to burial clubs.

The analysis in this thesis rests on the idea that late republican and early imperial Roman society was composed of multiple classes and sub-classes within which the citizenry herself and her freedman husband, who had managed to come into political office. The monument was to cater not only to the couple, but also to their freedmen and freedwomen.
experienced some level of social mobility. It would be interesting to work towards an analysis of how social classes developed and changed during this period, using the diffusion of luxury and, more generally, developments in commodity culture. It is difficult to speak of a “middle class” in Rome because of the vast connotations this term bears in modern capitalist societies. However, the archaeological and literary record that comes down to us from this period carries significant information about how social groups outside of the elite indicated their status through consumption choices. Such information could be used to develop ideas on how grouping functioned in Roman society, without putting the problematic vocabulary of the “middle class” to use.

A study on commodity culture, especially one on burial practices, needs to rely heavily on archaeological data. Literary representations largely account for the elite perspective, even when they are centred on the non-elite, as Petronius’ version of the rich freedman exemplifies. Therefore, to build further on the framework set out in this thesis, an archaeological study in urban centres in western-central Italy, focussed on the late republic and early empire, would shed more light on how diffusion became manifest in the sphere of burial practices. An archaeological investigation would also yield information about the spread of grave-goods, which this study has been unable to touch upon. I hope this thesis has succeeded in creating a framework which, supplemented by archaeological data and further literary research, could develop into a more comprehensive study of class-structures in Roman society through the study of consumption choices and commodity culture.
2. Marble relief from the Tomb of the Haterii. The deceased is propped up on the funerary couch at the top of the relief. The crane on the left is an allusion to the Haterii family’s occupation in the construction business. Toynbee, *op. cit.*, Plate 17.
3. Above, the tomb of Eurysaces, west façade. Peterson, *op. cit.*, p. 89.

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