

The background of the page is a sepia-toned mosaic. It depicts a gladiator on the left, wearing a helmet and holding a sword, and a lion on the right, facing the gladiator. The mosaic is composed of small, irregular tiles, giving it a textured appearance.

Public Spectacles And Roman Social Relations

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In A.D. 58 two Frisian leaders, Verritus and Malorix, travelled from the far-distant shores of the North Sea to the city of Rome to petition the emperor Nero. They tried, unsuccessfully it transpired, to persuade him to reverse an order issued by the Roman governor of Lower Germany that they should abandon the lands their people had occupied in Roman territory on the left bank of the Rhine. While they were waiting for their audience with the emperor, they went on a sight-seeing tour of the city's monuments. They were particularly attracted by the Theatre of Pompey and decided to spend some time there, since a public spectacle was taking place. The historian Tacitus reports at some length (*Ann.* 13.54) how intrigued they were by the seating arrangement of the crowd (the *consessus caveae*) and by the distinctions of rank (*discrimina ordinum*) that it so clearly revealed:

To pass the time (for in their ignorance they took no delight in the shows), they asked a series of questions about the seating arrangements of the audience (*consessus caveae*) and the distinctions between the social orders (*discrimina ordinum*): who were the equestrians and where were the senators sitting? They then noticed some men wearing foreign clothes sitting in the senators' seats. They kept on asking who they might be, and when they discovered that they were delegates who had received this honour because their nations excelled in their courage and their friendship to Rome, they cried out that no race on earth was braver and more loyal than the Germans, and then moved down and sat among the senators. The spectators liked this rather old-fashioned impulsiveness and fine sense of competitiveness. Nero made them both Roman citizens, but ordered that the Frisians should leave the territory they had occupied.

It is impossible to tell whether all the details of Tacitus' narrative are precisely accurate (and it is somewhat worrying that Suetonius relates what appears to be the same incident, but sets it in the reign of Claudius: *Suet. Claud.* 25.4); but even so, the anecdote is valuable for the Roman cultural assumptions that underlie it. For Tacitus, as for many other Romans, it was at the theatre and other public spectacles that the complex hierarchies of Roman social organization were revealed for all to see more clearly than anywhere else. Furthermore, the division of the population into orders or ranks (*ordines*) was one of the defining features of Romanness. Non-Romans such as the Frisians Verritus and Malorix needed to appreciate this concept if they were ever to grasp how Roman society really worked.

I. THE CONTEXT OF PUBLIC SPECTACLES AT ROME

Public spectacles were put on in a variety of different contexts in Rome. Games or competitions (in Latin *ludi*, in Greek *agones*) were the defining feature of the religious festivals (also called *ludi*) of the Roman state that were held on a regular cycle according to the Roman religious calendar. These traditionally included several days of stage-shows (*ludi scaenici*) of many varieties –tragedies, comedies, musical competitions and, from the late Republic onwards, the highly popular mimes and pantomimes– and normally culminated in a day or more of chariot-races (*ludi circenses*), held in the Circus Maximus. As Greek culture came to penetrate Roman spectacle from the second century B.C. onwards, athletic and gymnastic competitions were sometimes added to the festal programmes. For the stage-shows, temporary wooden theatres were erected for each particular festival and then dismantled, until stone theatres finally became available in Rome: from 55 B.C. onwards the Theatre of Pompey, from 17 B.C. the Theatre of Marcellus (*CIL VI 32323 = ILS 5050*, lines 157-158), even though it was not officially dedicated until 13 or 11 B.C. (*Dio* 54.26.1; *Pliny Hist. Nat.* 8.65 respectively), and from 13 B.C. the Theatre of Balbus (*Suet. Aug.* 29.5; *Dio* 54.25.2). Even thereafter, temporary wooden stages were still sometimes erected, as, occurred for example, at the *Ludi Saeculares* celebrated in Rome in 17 B.C. (*CIL VI 32323 = ILS 5050*, lines 108, 156-157, 161).

Gladiatorial presentations (*munera gladiatoria*), on the other hand, were special events, much less common, “offerings” or “gifts” (which is the underlying sense of the term *munus*) made periodically to their fellow-citizens by members of the Roman elite. Initially in the Republic they were put on by senatorial families as part of the funeral of a distinguished family member. Later their main sponsors were Roman emperors, keen to celebrate a military victory, the dedication of a major building in the city of Rome or an important dynastic event such as the coming-of-age, marriage or death of a key member of the imperial family. Sometimes Roman magistrates added gladiatorial combats or *venationes* (wild-beast hunts) to the regular programme of *ludi scaenici* or *ludi circenses* that they were required to sponsor during their year in office, but this was increasingly kept in check by the emperors (cf. *Dio* 54.2.3-4).

II. SEATING HIERARCHIES AT ROME DURING THE REPUBLIC

It was at festal events in the theatre that distinctions of rank first became officially enshrined in the seating arrangements. In 194 B.C. senators for the first time received privileged, segregated seating at the *Ludi Romani*; previously, the historian Livy reports, senators and plebs had watched the *ludi* without discrimination of rank (Livy 34.54: *in promiscuo spectarant*; cf. Val. Max. 2.4.3)¹. However, the characteristic respect shown by ordinary Romans towards their social superiors meant that even before 194 the Roman elite had always been able to claim privileged seats based on their status alone, as Valerius Maximus makes clear in his discussion (4.5.1) of the important Roman virtue of deference (*verecundia*). So although in theory there was a sense that elite and plebs sat down together to share the pleasures of the *ludi*, in practice the elite usually sat in the seats closest to the stage.

This principle of segregated seating was extended further in 67 B.C. when the tribune L. Roscius Otho successfully introduced a law, the *lex Roscia*, which laid down that the first fourteen rows of the theatre were to be reserved for members of the equestrian order (*equester ordo*)². This became so entrenched in Roman consciousness that the phrases “those who have the right to sit in the equestrian seats” came to be used as an official designation of the equestrian order³. Bankrupt equestrians (the so-called *decoctores*) were banned from the fourteen rows and confined to a special block of seats at the rear of the theatre (Cicero *Philippics* 2.44).

These attempts to regulate seating at the theatre did not immediately win universal approval. L. Roscius Otho, for example, was still receiving a very hostile reception from the Roman plebs four years after his law came into force when he entered the theatre to watch a play, although on that occasion the equestrians cheered him just as vigorously as the plebs booed

him (Plutarch *Cicero* 13). Individuals sometimes tried to defy these regulations by occupying seats to which they were not strictly entitled and this became problematic during the civil wars from 44 to 30 B.C., when there seems to have been a particularly flagrant disregard for such regulation, as we shall see later.

Formal segregations by rank were not, it seems, extended to *ludi circenses* in the Circus nor to gladiatorial presentations during the Republic. The Circus Maximus was well known for its looser seating arrangements, where festive licence and the mixing of social ranks was possible and even encouraged. Occasionally individual elite families were granted a specially reserved space for viewing the races as a reward for outstanding public service, as when a space for a curule seat (*sella curulis*) to be placed near the shrine of Murcia was granted to the family of M.' Valerius Maximus, dictator in 494 B.C. and conqueror of the Sabines⁴. But in general the peculiar elongated shape of the circus also meant that there were fewer possibilities for elaborate vertical hierarchies to be worked out, and we should not forget that it was only under Julius Caesar that work on a more monumental form of seating commenced, to be completed under Augustus⁵.

As for gladiatorial presentations, the situation is more complicated, largely since most *munera* in this period took place in the Forum, where a temporary wooden arena was constructed for each particular *munus* and then demolished⁶. Again there was a tradition that elite and plebs should share the pleasures of the occasion by sitting alongside each other, but it is also clear that certain families over time came to be given special seats, which reminded the crowd consistently of that family's honoured status. So, for example, in 184 B.C. the Maenii were granted in perpetuity a special place on the balcony of the Basilica Porcia from which to watch the gladiatorial combats in return for having sold their house to allow the construction of the basilica⁷. Similarly in 43 B.C. the descendants of Ser. Sulpicius Rufus (who

¹ See further von Ungern-Sternberg 1975.

² Cic. *ad Att.* 2.19.3; *Mur.* 40; *Phil.* 2.44; Livy *Per.* 99; Porphyry *ad Hor. Epist.* 1.1.62; for a full discussion, see Demougny, 1988, 796-802; Pociña Pérez 1976.

³ For example, in the SC from Larinum, dated to A.D. 19: *AE* 1978, 145: *quibus sedendi in equestribus locis ius erat*, on which see further Levick 1983.

⁴ Livy 2.31; Festus p. 464 Lindsay; Humphrey 1986, 68. For the grant to the *gens Aelia* of a *locus spectandi* in the Circus Maximus and Circus Flaminius, see Val. Max. 4.4.8; Humphrey 1986, 70.

⁵ See Humphrey 1986, 67-72.

⁶ For *munera* in the Forum, note Livy 23.30 (216 B.C.), 31.50 (200 B.C.), 39.46 (183 B.C.); Cic. *ad Att.* 2.24 (59 B.C.); for the temporary arenas, see Welch 1994; more briefly Golvin 1988, 19-21; Gros 1996, 318-319.

⁷ Golvin 1988, 19, 347 (with references). The term “*Maenianum*” later became enshrined as an architectural term transferred to describe a section of the seating in a permanent, stone-built amphitheatre, as is clear from an extract from the Acts of the Arval Brethren dating to A.D. 80 that describes the seats that were reserved for this priestly college and their dependants in the Flavian Amphitheatre Maeniano I, *M(a)eniano summo II*, and *Maeniano summo in ligneis*: *CIL* VI 32363 = *ILS* 5049, with a photo at Orlandi 2001, 90, fig. 1.

had been consul in 51) were permitted by senatorial decree “to view the shows and gladiatorial presentations” from that part of the Rostra on which Rufus’ honorific statue had just been set up (Cicero *Philippics* 9.16). Men and women certainly sat together during the Republic: so, for example, the dictator Sulla openly sat next to his future wife Valeria at the gladiators (Plutarch *Sulla* 35; cf. Suet. *Aug.* 44.2). And this lasted into the early imperial period, since Ovid, in his mock-didactic work, the *Ars Amatoria*, written between 9 B.C. and A.D. 2, recommended chariot-races and gladiatorial performances as ideal “hunting-grounds” for young men to flirt with, and win the hearts of, young women (Ovid *Ars am.* 1.135-162 [chariot-races], 163-176 [gladiators]).

III. ITALY AND HISPANIA

The concept that seating arrangements in theatres should provide a clear manifestation of social rank quickly spread to Italian towns and then to the Roman provinces. In his treatise *On Architecture* (5.6.2), written at the very end of the Republic, Vitruvius assumed that architects of theatres for Italian towns would need to incorporate designated seats for local senators (decurions) into their design of the orchestra; while a section of the law from Heraclea regulating the organization of Italian municipalities, dated ca. 45 B.C. (*CIL* I² 593), defines those professions which prohibited individuals from watching the games or gladiators “in the space reserved for senators, decurions or *conscripti*” (line 138).

By this period some towns at least of Roman status in Hispania had also taken over the practice. So, for example, the charter (*lex*) that was drawn up for the colony established ca. 44 B.C. at Urso (modern Osuna), the so-called *Lex Ursonensis*, clearly specified the various social groups who at public games were allowed to sit in the seats of honour in the orchestra of the town’s theatre. These included Roman magistrates and promagistrates (i.e., provincial governors), Roman senators and their sons, equestrian *praefecti fabrum* serving on the staff of Roman provincial officials, as well as local magistrates and local decurions, who could also grant special privileges for others to join them in these seats of honour (*CIL* II² / 5, 1022, ch. 127). Another section of the same charter (ch. 66) reveals that the colony’s major priestly colleges, the *pontifices* and augurs, were allowed to watch the *ludi* and gladiators “alongside the decurions”. Similarly at Gades (modern Cádiz), a *municipium* of

Roman citizens (*municipium civium Romanorum*), already by 43 B.C. at *ludi* and *munera* put on by the local chief magistrate (and Roman senator) L. Cornelius Balbus the first fourteen rows of seats of the theatre were reserved for the substantial number of equestrians that formed part of the local population (Cicero *ad Fam.* 10.32.2; cf. Strabo 3.5.3: Patavium was the only town in Italy except Rome which could surpass the five hundred *equites* of Gades registered in a census of the Augustan period).

IV. AUGUSTUS AND THE REGULATION OF SEATING AT PUBLIC SPECTACLES

It was in particular during the upheaval of the civil wars at the end of the Republic, when boundaries of social rank became more permeable and common soldiers were rising even to senatorial rank, that individuals (especially soldiers and wealthy freedmen) started to assert a claim to much higher social status simply by sitting in the seats of the privileged at public spectacles⁸. The biographer Suetonius reports two occasions on which Augustus was made aware of this problem. First, in 41 B.C. at a celebration of *ludi* in the theatre he had to order an attendant to eject a low-ranking soldier from the “fourteen rows” (i.e., the equestrian seats) (Suet. *Aug.* 14). Later, he was shocked, we are told, when he heard that at a crowded set of games in Puteoli (modern Pozzuoli) no-one had offered his seat to a Roman senator, who had clearly arrived late for the show (*Aug.* 44.1). This, according to Suetonius, prompted Augustus to look closely into the whole question of segregated seating.

Augustus’ attempt to regulate seating at public spectacles came in two phases. First, in 26 B.C. he persuaded the senate to issue a senatorial resolution (*senatus consultum*) to the effect that the front row of seats should be left vacant for Roman senators at all public spectacles in Rome and throughout the Roman Empire (Suet. *Aug.* 44.1; Dio 53.25.1). Never again, he hoped, would a Roman senator be embarrassed in the same way as the senator who could not find a seat at the games at Puteoli had been. Then, at some point between 20 and 17 B.C. he introduced a much more far-reaching law, the *lex Iulia theatralis*, which sought to regulate in minute detail the seating arrangements that should pertain at *ludi scaenici* in the theatre. In his zeal for social and moral reform, he went much further than any previous politician in making the theatre a template of the Roman hierarchical social order. He also attempted to extend

⁸ Reinhold 1971, esp. 278-281.



Fig. 1: View of Roman theatre at Emerita (Mérida). Photo: J. Rueda

the same kind of segregation to the crowds who flocked to watch gladiatorial presentations and later in his reign he took some steps, it seems, towards trying to regulate seating in the circus.

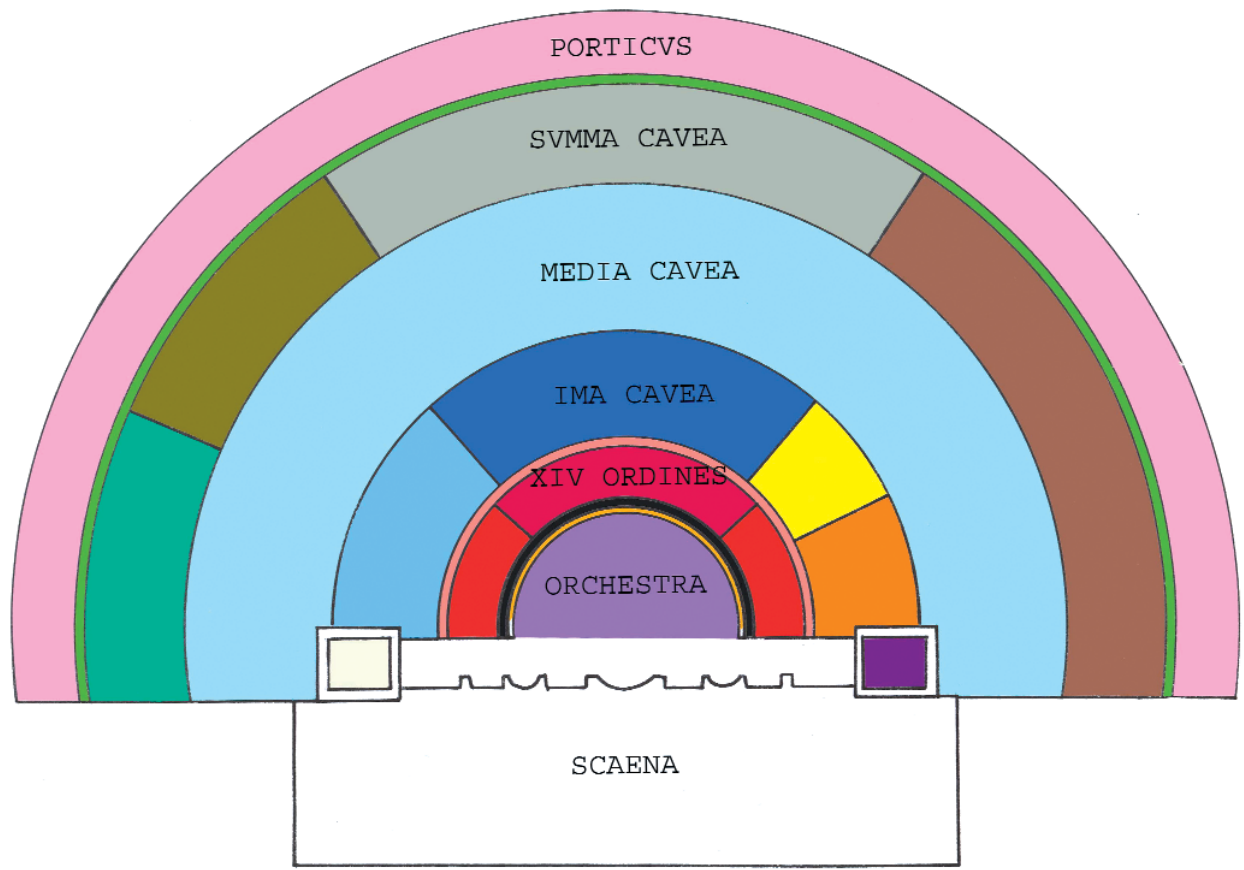
A) THE THEATRE

The *lex Iulia theatralis* strongly reaffirmed the existing, but sometimes overlooked, rules that at the theatre senators should sit on individual seats (*subsellia*) in the orchestra and that *equites* should occupy the first fourteen rows of the *cavea*. (For an example of a Roman theatre, see Figure 1: the theatre at Emerita, modern Mérida.) However, it also introduced a number of novelties, some of which we can reconstruct from the literary sources, most of all from Suetonius' life of Augustus. (For a hypothetical reconstruction of the ideal seating arrangements envisaged in Augustus' law, see Figure 2.) One clause of the law

laid down that only senators could sit in the *orchestra*, forbidding in particular "delegates sent by free and allied nations" to sit alongside them, as had occurred in the past⁹. Augustus was worried that some of them were only freedmen and this would make a mockery of his relegation of freedmen who were Roman citizens to the upper rows of the auditorium (Suet. *Aug.* 44.1). Soldiers who had won the *corona civica*, a military decoration awarded to those who had saved the life of a fellow-citizen, were allowed to wear their decorations at the *ludi* and received special, honoured seats in front of the *equites* immediately behind the senators (Pliny *Hist. Nat.* 16.13).

The *equites* were differentiated more elaborately than they had ever been hitherto. Those who had served as military tribunes and who were holding office as one of the twenty junior magistrates known as the *XX viri* were rewarded for their public service by being allowed to occupy the first two rows of the

⁹ Ambassadors from Judaea and from the city of Aphrodisias in Caria had been allowed to sit with the senators at public spectacles at Rome in the 40s and 39 B.C.: see respectively Josephus *Ant. Jud.* 14.210; Reynolds 1982, 54-91, no. 8, lines 76-78.



















- | | | | |
|---|--|---|---|
|  | Women |  | <i>Paedagogi</i> |
|  | Slaves (standing) |  | <i>Apparitores</i> (assistants to magistrates) (& public slaves?) |
|  | Freedmen |  | <i>Equites : seniores</i> |
|  | Non-citizens |  | <i>Equites : iuniores</i> |
|  | <i>Pullati</i> (individuals in dark clothing) |  | Military tribunes & <i>XX viri</i> (junior magistrates) |
|  | The poor |  | Holders of the <i>corona civica</i> |
|  | Freeborn male Roman citizens |  | Senators |
|  | <i>Mariti</i> (married Roman citizens) |  | Vestal Virgins |
|  | Soldiers (& veterans?) |  | President's Tribunal |
|  | <i>Pueri praetextati</i> (boys wearing the <i>toga praetexta</i>) | | |

Fig. 2: Seating in the theatre and the ideals of Roman social organization according to the *lex Iulia theatralis* (J. Edmondson)

equestrian seats¹⁰. At some date before A.D. 19 and probably under Augustus the equestrians were still further divided into age groups (*seniores* and *iuniores*), for whom separate blocks of seats (*cunei*) were allocated. In A.D. 19 one of the *cunei iuniorum* was renamed the “*cuneus* of Germanicus” in Germanicus’ honour after his untimely death in that year (Tac. *Ann.* 2.83); and there were also *cunei* “of Lucius” and “of Gaius”, which were probably given these names after the deaths of Augustus’ grandsons, Lucius and Gaius Caesar, in A.D. 2 and 4 respectively. Equestrians whose wealth had slipped below the property qualification for equestrian status of 400,000 sesterces were banned from sitting in the XIV rows, but Augustus exercised some leniency towards those who had suffered financial losses during the civil wars (Suet. *Aug.* 40.1). Equestrians and senators who had taken up a profession adjudged inappropriate for persons of their rank (such as working as an actor, gladiator, gladiatorial trainer or pimp) and as a result been adjudged *infames* (“persons not to be spoken about”) formally lost their right to sit in the seats to which their privileged rank had once entitled them¹¹.

A number of seats were reserved for the official attendants of Roman magistrates (the clerks, heralds, messengers, assistants known collectively as *apparitores*) immediately behind the *equites* and in front of the ordinary citizens (the *plebs Romana*), which perfectly captured their liminal status on the boundary between low-ranking *equites* and high-ranking plebs¹². Behind them the *plebs Romana* was divided as never before. Soldiers and perhaps also retired veterans were separated out from the rest and given their own block of seats (Suet. *Aug.* 44.1). Further rows (*ordines*) were assigned to those of the plebs who were married (*mariti*) (Suet. *Aug.* 44.2). Boys who were still wearing the *toga praetexta* (i.e., those who had not yet assumed the toga of manhood, the *toga virilis*) sat in a special block of seats (*cuneus*), while their pedagogues (*paedagogi*) sat in an adjoining *cuneus* (Suet. *Aug.* 44.2). Many of the latter would have been slaves or freedmen, but they were being publicly honoured for their valued role in bringing up correctly the next generation of Roman citizens by being allowed to sit among the freeborn. Conversely, those of the plebs who came to the theatre wearing dark clothing (*pullati*) because they could not afford a proper white toga were relegated to the very back rows in the *summa cavea* (Suet. *Aug.* 44.2).

Women of all social ranks were required to sit in their own section of seats in the covered portico that ran around the very back of many theatres. The only exception were the Vestal Virgins, who were given a special enclosure directly opposite the praetor’s tribunal, where the president of the *ludi* sat (Suet. *Aug.* 44.2-3). Later some female members of the imperial family were granted the privilege of sitting with the Vestals at the theatre: Livia, for example, in A.D. 23 (Tac. *Ann.* 4.16), Caligula’s grandmother Antonia and his sisters Agrippina, Drusilla and Julia Livilla in 37 (Dio 59.3.4), Messallina, wife of Claudius, in 44 (Dio 60.22.2). This segregation of women was perhaps to prevent them gaining too close a view of the actors whose bodily gestures could be considered threatening to female modesty (*pudicitia*) and also to protect them from the wandering eyes of male spectators, who clearly felt that the festal atmosphere at public festivals and spectacles was ideal for seducing women¹³. Whether this was entirely successful is not clear, since even from their position at the very back of the theatre, upper-class women could be accused of seeking out lovers from among the sordid plebs, who filled up the back rows of the *cavea*, just below the portico where women of all ranks sat (Petronius *Satyricon* 126). Augustus banned women completely from attending *ludi* involving athletes, perhaps because they performed naked (Suet. *Aug.* 44.3).

Furthermore, Augustus’ law regulated the dress one had to wear to attend public spectacles. We have already seen how those who were not dressed in togas were relegated to very back rows. This is clearly related to Augustus’ attempt to make Roman citizens wear the toga on important public occasions and even whenever they entered the Forum (Suet. *Aug.* 40.5). Distinctions of dress further underlined the differences in social status among the assembled spectators. The president of the games was entitled to wear triumphal dress: that is, a purple and gold decorated toga (the *toga picta*), worn over a tunic with palm-branch designs (the *tunica palmata*). Current and past curule magistrates (i.e., consuls, praetors and curule aediles) wore the purple bordered toga (the *toga praetexta*); the rest of the senate the simple white toga, but over a tunic with the broad purple stripe (the *latus clavus*). Equestrians wore the same toga, but over a tunic with the narrow stripes (the *angusti clavi*) that was

¹⁰ Pseudo-Acro and Porphyry on Horace *Epod.* 4.15-16; Ovid *Fasti* 4.383-84; Rawson 1987, 104.

¹¹ Levick 1983; Edwards 1998, 85-90.

¹² Tac. *Ann.* 16.12.1; on their liminal social position, see Purcell 1983. Seats may also have been reserved for public slaves (*servi publici*): see Rawson 1987, 88-89.

¹³ Rawson 1987, 89-91; for the dangerous, seductive pleasures of the theatre, see Edwards 1993, 98-136.

the traditional mark of their rank. Emperors were entitled to wear triumphal dress, but sometimes preferred the simpler *toga praetexta*¹⁴.

Not all of the clauses of the law were successful. The ban on ambassadors sitting among the senators, for example, had lapsed at the latest by the reign of Claudius, when they are attested sitting once again with the senators in the *orchestra* of the theatre in Rome (Suet. *Claud.* 25.4; cf. Tac. *Ann.* 13.54, A.D. 58; Dio 69.15.2, reign of Trajan), while other clauses had to be reinforced by subsequent legislation. The municipal charter (*lex*) from Irni in Baetica, dated to A.D. 91, refers (ch. 81) to a series of “laws, plebiscites, senatorial resolutions, edicts and decrees” on the subject passed by no fewer than seven Roman emperors: Augustus, Tiberius, Claudius, Galba, Vespasian, Titus and Domitian. But even despite these challenges, the *lex Iulia theatralis* was a challenging piece of prescriptive legislation, which helped to publicize and reinforce many of the major elements of Augustus’ ambitious programme of social and moral reform.

First, the law in general terms emphasized the enormous importance of rank in Roman society and the need to maintain clear boundaries between the different *ordines*. In this way it was closely related to Augustus’ law of 18 B.C. which attempted to regulate the kinds of marriage that people of each social rank could contract: the *lex Iulia de ordinibus maritandis*. Secondly, it underlined the centrality to the Augustan programme of marriage and the production of legitimate citizen children by allowing married members of the plebs to occupy better seats than the unmarried, and it appears that at some point Augustus even excluded unmarried men and women from public games altogether¹⁵. Not surprisingly, it was at a public spectacle that he chose to present Germanicus as a model Roman father by parading his children in front of the crowd when the equestrians were complaining about the harsh terms of his marriage law (Suet. *Aug.* 34.2). By creating a separate and visible section of seats for boys wearing the *toga praetexta*, he drew the crowd’s attention to the importance to the Roman state of maintaining the birth-rate; and by honouring their pedagogues, who were often slaves, he made it clear to all just how much he valued the proper education of children in an appropriate disciplined manner.

¹⁴ For further details on dress, see Edmondson 1996, 84-86.

¹⁵ This can be inferred from the fact that in 12 B.C. Augustus had to have a special senatorial resolution passed to allow unmarried men and women to attend the ludi and banquets organized to celebrate his birthday (Dio 54.30.5; EJ2 30A; cf. Suet. *Aug.* 34.2).

¹⁶ For these new equestrian posts, see Demougin 1988, 275-392 (military), 702-751 (administrative); Eck 2000.

¹⁷ Rawson 1987, 86. For the depiction of just such a wooden amphitheatre on an unpublished relief from the Palazzo della Cancelleria, Rome, see Coarelli 2001, 46-47 & fig. 3 (photo).

Thirdly, his restriction of women to the back rows emphasized his general concern for women’s sexual modesty (*pudicitia*), which lay at the very heart of his laws of 18 B.C. that attempted to curb adultery and extramarital sex (the *lex Iulia de adulteriis coercendis* and the *lex Iulia de stupro*). Fourthly, his privileging of those equestrians who served the state by becoming junior officers in the army or by assuming various junior political posts in Rome corresponded closely with his creation of a whole series of administrative posts reserved solely for equestrians¹⁶. Finally, he gave soldiers and especially soldiers who had won distinctive honours a privileged place in the theatre, as in real life, where his reforms of military service emphasized the centrality of the army to the successful maintenance of peace throughout the Roman world. As Vergil so aptly phrased it, the Romans’ main talents lay in “bringing peace and adding morality to it, and in sparing the subjected and making vigorous war on the proud”:

...*pacique imponere morem
parcere subiectis et debellare superbos.*

(Verg. *Aen.* 6.852-853)

B) GLADIATORIAL PRESENTATIONS

Furthermore, Augustus attempted to extend these elaborate seating arrangements to the gladiatorial presentations put on in temporary wooden arenas that were still constructed in the Forum, as well as in the *Saepta* and occasionally from 29 B.C. in the small amphitheatre of Statilius Taurus¹⁷. Suetonius is explicit that “he would not allow women to watch the gladiators unless they sat in the very uppermost seats, even though it had been customary in the past for men and women to sit alongside each other to watch such displays” (*Aug.* 44.2). However, his attempt at enforcing segregation by sex does not seem to have been immediately successful, since Ovid in his mock didactic poem, the *Ars Amatoria*, written at some point between 9 B.C. and A.D. 2, could still recommend gladiatorial presentations in the Forum as an ideal occasion for young men to meet and seduce women (1.163-176). In this regard it was now much more promising than the theatre, where women do seem to have been restricted to the very back of the auditorium (Propertius 4.8.74-78; Ovid *Amores* 2.7.3-4).



Fig. 3: Flavian Amphitheatre, Rome: exterior

However, by the reign of Nero at least quite elaborate hierarchical seating arrangements were clearly in force at the amphitheatre as well as at the theatre. In one of his pastoral poems (*Eclogue 7*) Calpurnius Siculus describes in great detail the wooden amphitheatre that Nero had constructed in the Campus Martius. Calpurnius describes the *plebs sordida* (i.e. the plebs who chose not to wear their white togas) sitting at the very rear of the auditorium (*cavea*) near the section of seats reserved for women. From here a peasant visiting Rome looks down on the equestrians and the military tribunes sitting in their gleaming white togas. It would appear to confirm that various elements of Augustus' *lex Julia theatralis* were now fully operational in the amphitheatre: not just the segregation by rank, but also the restriction of women and those not wearing the toga (the *pullati*) to the very back rows of the audience.

Once the Flavian Amphitheatre (Figure 3), better known since the Middle Ages by its popular name, "The Colosseum", had been inaugurated by the emperor Titus in A.D. 80, the full complexity of the social distinctions laid down in the *lex Julia theatralis* became permanently enshrined in the seating plan of the building where all the most important gladiatorial presentations henceforth took place in the city of Rome. The main part of the auditorium (or *cavea*) was divided into four main sections of seating stretching up and back from the edge of the arena (see Figure 4 and, for a possible reconstruction of the seating arrangements, Figure 5). The first sector included the podium, a flat platform running around the arena on which the senators sat on moveable *subsellia*, and seven rows of seats for the *equites* and others specially authorized; these seven rows may have been conceived as the equivalent of the fourteen rows of the theatre, since the amphitheatre was in a sense a "double-theatre"; then the *maenium primum*; thirdly, the *maenium*

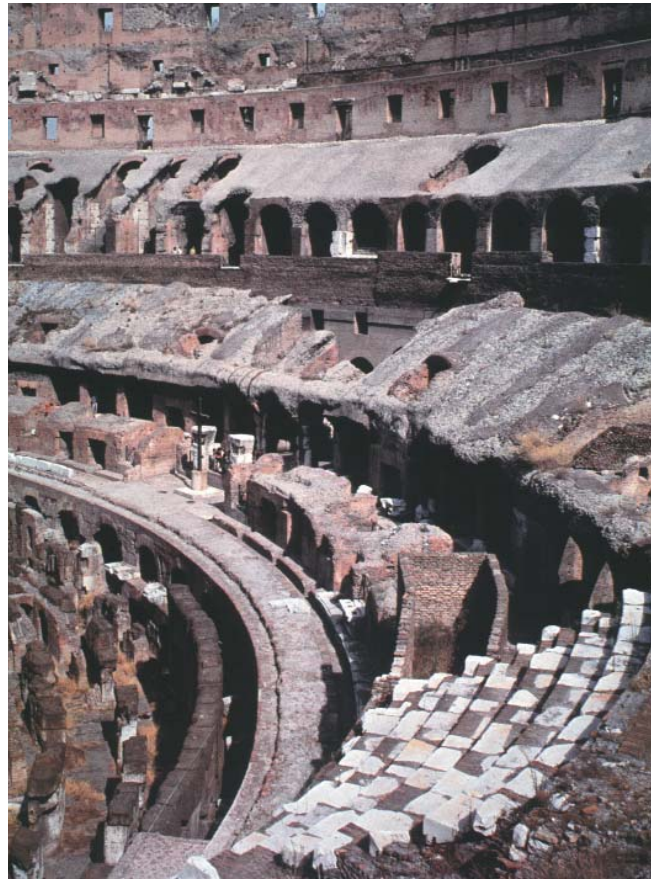


Fig. 4: Flavian Amphitheatre, Rome: interior. Photo: J. Edmondson

secundum imum; and finally, the *maenium secundum summum*. A fifth tier of wooden seats was set up in the gallery running around the very top wall of auditorium, the so-called *maenium summum in ligneis*. The Acts of the Arval Brethren, an aristocratic priestly college, for the year A.D. 80 refer to a number of these sections, in which seats were reserved for the guests of the priests in the "first Maenianum" (*maeniano I*) and for their dependants in the *maenium summum* and in the *maenium summum in ligneis* (CIL VI 32363 = ILS 5049).

These divisions were reinforced architecturally by marble balustrades (*balte*), just under 1 m. tall, that ran around the rear of the podium and along the front of each subsequent section of seating. These boundaries, both architectural and social, show up clearly on the coins struck by the emperor Titus in 80 to commemorate the opening of the amphitheatre (Figure 5) and also on the depiction of it on the Severan marble plan of the city of Rome (the so-called *Forma Urbis*). They were thus crucial to the official plan for, and perception of, the amphitheatre. Furthermore, the visual effectiveness of these architectural differentiating elements can be clearly seen whenever a public

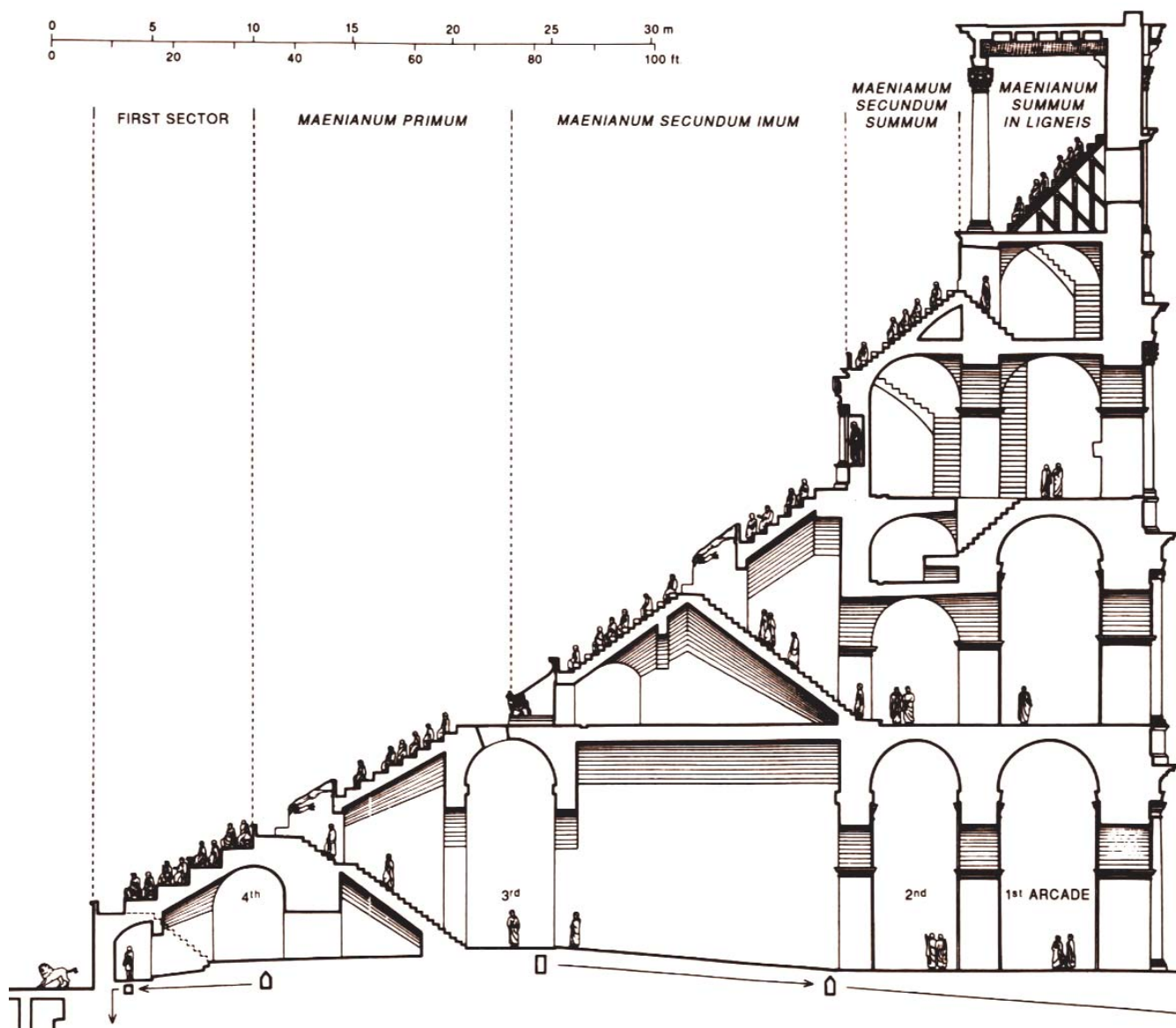


Fig. 5: Flavian Amphitheatre, Rome. Reconstruction of the seating, according to R. Rea. After E.M. Steinby (ed.), *Lexicon Topographicum Urbis Romae. I. A - C. Rome*, 1993, 366.

spectacle is held in a well-preserved Roman amphitheatre, such as the one at Nîmes in southern France when it is used for bull-fights (see Figure 6).

White marble seat-inscriptions dating to the Flavian or Trajanic period confirm that special places were reserved at the new amphitheatre for social groups that we know were segregated in the theatre by Augustus' *lex Iulia theatralis*: for example, those marked as "for Roman *equites*", "for *praetextati*" (that is, boys still wearing the *toga praetexta*) and perhaps "for

pedagogues of boys" (*CIL* VI 32098, b-d = *ILS* 5654, b-d). Further sections were reserved "for public guests" and "for clients" (*CIL* VI 32098, e-f = *ILS* 5654, e-f), while another very precise space (that amounted to twelve, thirteen or just possibly fourteen Roman feet) was "for those who have been granted the right to sit here in the theatre [i.e., amphitheatre] by law or by plebiscite" (*CIL* VI 32098, a = *ILS* 5654, a; see Figure 8). Interestingly there was also a section reserved "for people from Gades" (*CIL* VI 32098, l-m = *ILS* 5654, l-m)¹⁸. The poet Martial's

¹⁸ For further discussion, see Edmondson 1996, 90-95; Bomgardner 2000, 9-20; Orlandi 2001.



Fig. 6 Bronze sestertius of Titus, A.D. 80, showing Flavian Amphitheatre. Photo: courtesy of The Trustees of the British Museum, London

boast (*De Spectaculis* 3) that crowds flocked to Rome from all around the world to watch the spectacles that Titus put on to inaugurate the amphitheatre was clearly not completely hyperbolic.

C) THE CIRCUS

The Circus Maximus (see Figures 8 and 9), like all other spectacle buildings, was affected by the senatorial resolution of 26 B.C. reserving the first row of seats for senators (Suet. *Aug.* 44.1). According to the historian Cassius Dio (55.22.4) in A.D. 5 the senate passed a further resolution, probably at Augustus' instigation, to the effect that the *equites* should be segregated at the circus from the rest of the population, i.e. from the senators, who already had been segregated, and from the plebs. However, this does not appear to have taken hold, for when Tacitus reports that under Nero equestrians finally did receive separate seats in front of those of the plebs (*Ann.* 15.32), he comments that "up to that day they had entered the circus unsegregated (*indiscreti*) because the *lex Roscia* only applied to the XIV rows [sc. in the theatre]". In A.D. 41 Claudius reportedly assigned a specific section of seating to senators, which would suggest that hitherto no particular area of the seating had been permanently reserved for their use. At the same time he allowed senators, if they did not wish to wear full senatorial dress, to sit among the lower-ranking spectators (Dio 60.7.4)¹⁹. Finally, Nero took the logical next step in 63 by designating a fixed section of seating for the equestrians (Tac. *Ann.* 15.32; cf. Suet. *Nero* 11.1). This involved a certain amount of restructuring of the *cavea*, with new seating built for



Fig. 7: Amphitheatre at Nîmes, being used for bull-fight, May 1994. Photo: J. Edmondson



Fig. 8: Seat-inscription from Flavian Amphitheatre. Photo: courtesy of Soprintendenza Archeologica di Roma

the senators over the water-channel (*euripus*) that ran around the edge of the arena, while the equestrians occupied the existing seats behind these new ones (Pliny *Hist. Nat.* 8.21, with Humphrey 1986: 647, note 240). In stark contrast to the theatre and amphitheatre, no attempt was made, it appears, to separate men and women at the circus (cf. Ovid *Amores* 3.2, *Ars Amatoria* 1.135-162; Juvenal *Satires* 11.202).

V. THE EMPEROR'S PLACE AT PUBLIC SPECTACLES

Not surprisingly, the emperor took up a very visible and prominent position at public spectacles. If he was presiding at *ludi* in the theatre, he would legitimately sit on a *sella curulis* on the tribunal over the main entrance (the *aditus maximus*) to the *orchestra*, where the presiding magistrate traditionally sat (see

¹⁹ This is confirmed by the report that in 59 the elephants pulling the wagon (*tensa*) carrying the statue of the Deified Augustus paraded as far as "the senators' seats": Dio 61.16.4.



Fig. 9: Circus Maximus, Rome, with Palatine behind. Photo: J. Edmondson

Figure 2). This was where Augustus, for example, was sitting at the *ludi* inaugurating the Theatre of Marcellus when his *sella curulis* collapsed, sending him crashing unceremoniously to the ground (Suet. *Aug.* 43.5) or Claudius at the games with which he rededicated the Theatre of Pompey in A.D. 41 (Suet. *Claud.* 21.1; Dio 60.6.8). When he was not presiding, the emperor seems to have sat among the senators. So, for example, the emperor Commodus was criticized for kissing his lover Saoterus “even in the *orchestra*” (SHA *Commodus* 3.6). Emperors’ wives and other female relatives, as we have seen, were occasionally granted the right to sit with the Vestal Virgins. This highly publicized association with the Vestals helped to emphasize the crucial role the female members of the *domus Caesaris* played in ensuring the well-being of the Roman state.

Some emperors broke with tradition. Nero, for example, liked to watch *ludi* in the theatre “from the top of the *proscenium*”, where he occasionally departed still further from the normal practice by watching from a sedan chair (*sella gestatoria*) (Suet. *Nero* 26.2). Julius Caesar had already demonstrated the problems this could cause. When dictator, he had been heavily criticized for having a raised platform (*suggestus*) set up in the *orchestra*, so that his seat would stand out from those of the senators who surrounded him. According to Suetonius (*Div. Iul.* 76.1), this was one of the excessive honours that made him unpalatable to members of the senatorial order and led shortly thereafter to his assassination.

At the amphitheatre the emperor sat on the podium in the front row. Augustus, it is reported, once led some Parthian hostages across the middle of arena at a *munus gladiatorium* in Rome and then sat them down in the second row of seats

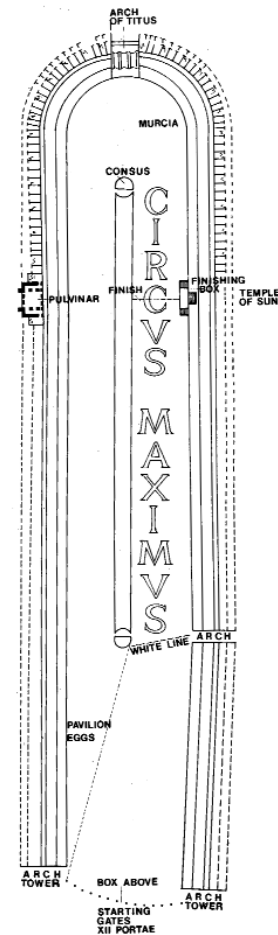


Fig. 10: Plan of Circus Maximus. After J.H. Humphrey, *Roman Circuses: Arenas for Chariot Racing*, London, 1986, 120, fig. 54.

(*subsellio secundo*) behind his own seat (Suet. *Aug.* 43.4). Over time the emperor and his chosen entourage sat in a special enclosure (the *pulvinar*), thus segregating him from the senators who sat around the rest of the podium. Again emperors like Nero could flout tradition by preferring, it is alleged, to watch from a *cubiculum* closed off with curtains placed on the podium presumably of the wooden amphitheatre erected on his instructions in the Campus Martius (Suet. *Nero* 12.2). At the Flavian Amphitheatre the imperial *pulvinar* became enshrined in the monumental architecture, located astride the centre of the minor axis of the arena on the north side directly opposite the enclosure in which, it has been suggested, the female members of the imperial family and the Vestal Virgins sat, along with the president of the *munus* and the consuls.²⁰

²⁰ See Golvin 1988, 178.

At the Circus Maximus a similar enclosure or *pulvinar* became the normal place for the emperor to watch the chariot-races, but in this venue alongside the female members of his family (Suet. *Aug.* 45.1; cf. Suet. *Claud.* 4.3; *Res Gestae* 19). From here he was in full view of the crowd, and for this reason Augustus was adamantly opposed to allowing the young Claudius, his grandnephew, to sit in full view of the masses (Suet. *Claud.* 4.3: since Claudius was born on 1 August 10 B.C., this presumably dates the incident to sometime c. A.D. 1-5, when it would have been normal for a young member of the imperial family to be introduced to the Roman people). Occasionally Augustus and later Tiberius preferred to watch the races beyond the gaze of the crowd by using the balconies of the houses of friends or imperial freedmen, which must have lined the street that ran behind the long side of the Circus Maximus (Suet. *Aug.* 45.1; Dio 57.11.5). Domitian, however, adopted the practice that Nero had used in the amphitheatre by sitting in a covered *cubiculum* on a raised platform (*suggestus*). Trajan consciously avoided this example and returned to an open *pulvinar*, which he had reconstructed in the midst of the senatorial seating (Pliny *Panegyric* 51.4-5).

Again the place from which the emperor viewed public spectacles was crucial to his public image. Furthermore, if he was seen to disdain the entertainments loved by the masses, this could cause political embarrassment, as Julius Caesar and Marcus Aurelius learnt when they tried to attend to state business while watching the *ludi circenses* (Suet. *Aug.* 45.1; SHA, *Marc. Aur.* 15.1). The emperor was expected to relax and enjoy the pleasures of the theatre, amphitheatre and circus together with his fellow-citizens.

VI. CHALLENGING THE SOCIAL HIERARCHY

We have already noted how in the chaotic years of the civil wars at the end of the Republic, certain individuals, especially wealthy freedmen, tried to lay claim to higher status by simply occupying the equestrian seats in the theatre; and we have also seen that when the Frisian leaders Verritus and Malorix felt they belonged alongside other honoured delegates in the *orchestra* in the Theatre of Pompey, they simply moved down and sat there, to the massive approval of the crowd. These actions demonstrate clearly how effective the theatre and amphitheatre were for defining one's social status publicly in front of the large crowds who gathered to watch the entertainments put on there.

Augustus' far-reaching attempt at regulating the seating helped to make this social definition even sharper. However, it would be a mistake to assume that every aspect of his legislation was universally and everlastingly successful. The evidence that successive emperors had to pass legislation on the subject suggests that this was always a contested issue, with the rules constantly being challenged and then reinforced by further legislation. Furthermore, bad emperors were accused of trying to undermine the distinctions of rank made manifest in the theatre. Caligula, for example, allegedly loved to stir up discord between the *equites* and the plebs at *ludi scaenici* by inducing the plebs to sit in the equestrian seats (Suet. *Calig.* 26.4). Even if this is a malicious story invented to malign Caligula's reputation, it is still valuable, for it reveals the entrenched Roman mentality that distinctions of rank ought to be carefully observed at public spectacles.

The whole issue was clearly at the forefront of the poet Martial's mind when he was composing his fifth book of epigrams around A.D. 90, two years or so after the emperor Domitian as censor had reasserted the law regulating seating at public spectacles. In no fewer than eight poems in this book (poems 8, 14, 23, 25, 27, 35, 38 and 41) Martial poked fun at people who tried to pass themselves off as equestrians by sitting in the equestrian seats only to be expelled by the vigilant and tough imperial attendants. Many of these characters bear Greek names (Phasis, Chaerestratus, Euclides, Calliodorus), which make them sound distinctly like freedmen. Others, Martial claimed, tried to solidify their claim to equestrian status by wearing brightly coloured and expensive looking clothes, but the gaudy (and now outlawed) tones only drew attention to the fact that they were not real equestrians (poems 8, 23, 35). The fact that this question so exercised one of the major satiric poets of the period illustrates very graphically the potential of the theatre for defining and even for redefining social status.

VII. SOCIAL RELATIONS: HONOURING THE ELITE

In addition to the seating arrangements, public spectacles helped to define and reinforce existing social relations in a number of other ways. Since the elite played an important role in funding the games and gladiatorial presentations, this was an ideal opportunity for them to publicize their financial generosity towards the community and to solidify their honoured position in Roman society.

The fact that gladiatorial presentations were termed *munera*, “offerings” or “gifts”, suggests that the Romans conceived of these events as major acts of patronage on the part of the elite. By accepting such gifts, the plebs were *ipso facto* accepting that the existing social relationship between themselves and the elite would remain in force. And they often expressed their joy in accepting such gifts in very vocal terms, by rhythmically acclaiming their generous benefactor and in so doing, enhancing his social authority considerably. The sheer magnificence of the gladiatorial presentations sponsored by the emperors (or by members of his family) took this a stage further. The increase in the number and variety of gladiators, the development of wild-beast hunts (*venationes*) to include more and more exotic beasts and the breathtaking stage-effects of some of the public executions that filled up the programme around noon underlined the widening social gap between the highest members of the Roman elite (the *domus Caesaris*) and the Roman plebs. It would be virtually impossible for anyone else in Roman society, even the highest-ranking senator, to outdo such magnificence. It simply confirmed the emperor as the greatest benefactor of all.

For *ludi scaenici* and *ludi circenses*, there was some state financial funding available, but it was increasingly necessary for the magistrates who had responsibility for them to contribute significant funds of their own. During the Republic this economic outlay, made with the distinct hope of political and hence social advancement, fell largely upon the aediles, members of the Roman senate who were usually in their early thirties and ambitious later to gain election to the really prestigious and powerful magistracies of the Roman state: the praetorship and consulship. As political competition became more intense after 150 B.C. and the range of possible spectacles was now much more elaborate and varied, they competed even more keenly to outdo their predecessors in the splendour of their games and so ensure their subsequent election to higher office. Augustus saw the dangers of such competitiveness and gave control of the *ludi* to the praetors, whom he allowed to contribute some of the funding, but only so long as no praetor outstripped a colleague in his financial generosity (Dio 54.2.3-4).

Such very public acts of generosity were interwoven into a complex sequence of ritual acts, whereby a reciprocal dialogue developed between elite and plebs. This dialogue helped to reinforce the existing relationship between each social group and did much to entrench the elite in their position of social ascendancy. Early in his magistracy, or in some cases even earlier when he was still campaigning for office, an aedile, praetor

or consul would make a solemn promise (*pollicitatio*) to his fellow-citizens regarding the precise type of entertainments he would provide at the *ludi* during his tenure of office. The plebs would react to this promise, usually praising the magistrate or candidate for his generosity. During the celebration of the *ludi* the magistrate would receive further lavish and very public praise from the plebs: first, at the various processions (*pompae*) that took place before many of the events that made up the *ludi*; secondly, during the actual staging of the theatrical shows or chariot-races, when the magistrate presided in front of large crowds, whose acclamations would boost further his prestige; and then finally after the event was over as the plebs ritually thanked the magistrate and offered him honours to commemorate his civic-minded generosity.

These rituals of reciprocity can be seen even more clearly in the municipalities of Italy and the Roman provinces. An honorific text from a statue-base set up in the later second century A.D. at Palermo in Sicily (*CIL X 7295 = ILS 5055 = Buonocore 1992, 81-83, no. 53, with photo*) illustrates well the complexity of the process. The opening lines are lost, but must have contained the honorand's name and details of at least one of his public offices at Palermo. It continues:

... which (office) he administered with unadulterated loyalty, [and at the same time] curator of the duty imposed on goods arriving at the port, which he carried out with singular [diligence]..., praiseworthy *munerarius*, who thanks to [the sacred] indulgence (of the emperor) exhibited a *munus* which lived up to all expectations [and for all the citizens] gave in return a most pleasing production, at which over [...] days the pleasure of the theatre occupied [the people for many] hours and [they all] in their joyfulness passed [from there into the arena] at mid-day. In the arena they marvelled at the very distinguished [accoutrements prepared] for the show [and every] type of herbivore and numerous Oriental [wild beasts]; and from midday in both auditoria [they took delight in] the varied programme. And again thanks to the sacred indulgence (of the emperor) he proved particularly worthy [in summoning] all of his fellow-citizens to an elegant [banquet, which he had prepared] with most abundant splendour. [And when the people demanded] with very frequent requests that statues of him in a two-horse chariot (*biga*) be set up in his honour by centuries (i.e., in all the districts of the city) to increase [the dignity of this excellent man] on account of the pleasures that he had splendidly provided, in modesty [he was content] with two chariot-statues and [?three] equestrian [statues] ...

From this we see that the local worthy had put on a series of public spectacles in the theatre and amphitheatre, followed by a public banquet. As a result, the citizens of Palermo made “very

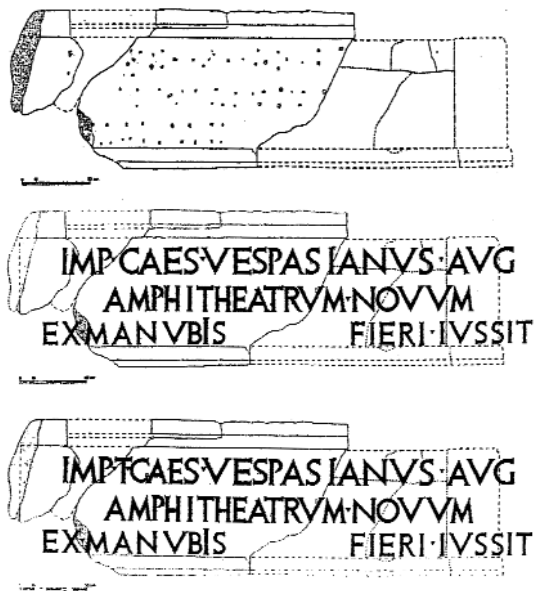


Fig. 11: Dedicatory inscription of Flavian Amphitheatre as reconstructed by G. Alföldy. After A. La Regina (ed.), *Sanguis arena*, Rome, 2001, 325, cat. no. 13.

frequent requests” of the local town-council, we may presume, that his generosity be commemorated with various honorific statues throughout the town. As often, the generous benefactor boosted his social worth still further by modestly accepting only some of those offered. From other similar monuments, it is clear that to mark the dedication of such statues, the honorand often sponsored further public spectacles, to make the occasion that much more memorable. This occurred, for instance, at Castulo in Hispania Tarraconensis when L. Cornelius Bellicus put on *ludi circenses* to mark his dedication of a statue honouring a local benefactress and her son (*HAE* 1462; D’Ors & Contreras 1956, 119-121, n^o. 1) or at nearby Torredonjimeno, where *ludi circenses* and a banquet were put on by Annia Severa when she set up a statue of the emperor Marcus Aurelius to mark her husband’s holding of a local priesthood (*CILA Jaén*, no. 69; see below, catalogue, n^o 42).

The Roman elite could also enhance its prestige by providing the funds to construct buildings in which public spectacles could take place. During the Republic each year in Rome the magistrates responsible for the *ludi* or the noble families who offered gladiatorial *munera* to the people had to construct temporary wooden theatres or amphitheatres for their spectacles. Some of these were famous for their lavishness and technological ingenuity: for example, the wooden theatre of M.



Fig. 12: Amphitheatre at Alba Fucens, Italy: general view. Photo: J. Edmondson

Aemilius Scaurus, built in 58 B.C., with its 3,000 bronze statues and its stage-building (*scaenae frons*) adorned with 360 columns of marble, glass (!) and gilded wood (Pliny *Hist. Nat.* 36.113-116) or the revolving double-theatre of C. Scribonius Curio, built for a gladiatorial *munus* in honour of his deceased father in 52 or 51 B.C. (Pliny *Hist. Nat.* 36.24). Eventually permanent spectacle buildings started to appear in the urban landscape, and these were funded by dominant political leaders such as Pompey, by trusted generals of Augustus such as T. Statilius Taurus, who built the first stone amphitheatre in Rome, inaugurated in 29 B.C. (Dio 51.23.1), or L. Cornelius Balbus, the last man from outside the imperial family to be granted a triumph. Thereafter, it was exclusively the emperor himself who erected such building: for example, the lavish wooden amphitheatre constructed by Nero in the Campus Martius (see Calpurnius Siculus *Eclogue* 7) or the Flavian Amphitheatre, begun by Vespasian and completed by his sons Titus and Domitian, and funded from the spoils of the Jewish War (*ex manubi(i)s*), as emphasized on its dedicatory inscription, that initially commemorated the work of Vespasian, but whose name was soon replaced by that of the emperor Titus, who had succeeded his father by the time the amphitheatre was inaugurated in A.D. 80 (*CIL* VI 40454a; see Figure 10).²¹

In the municipalities of Italy and the provinces, it was the local elites, the *domi nobiles*, who were responsible for the construction of permanent theatres or arenas, as, for example, at Alba Fucens, where an amphitheatre (Figure 11) was constructed from the funds bequeathed in his will by one of the town’s most famous sons, Q. Naevius Sutorius Macro, Prefect of the Vigiles and then Praetorian Prefect in the last years of Tiberius before he was forced to commit suicide in A.D. 38 after

²¹ For the ingenious reconstruction of the text, see Alföldy 1995; cf. La Regina 2001, 325, cat. no. 13.

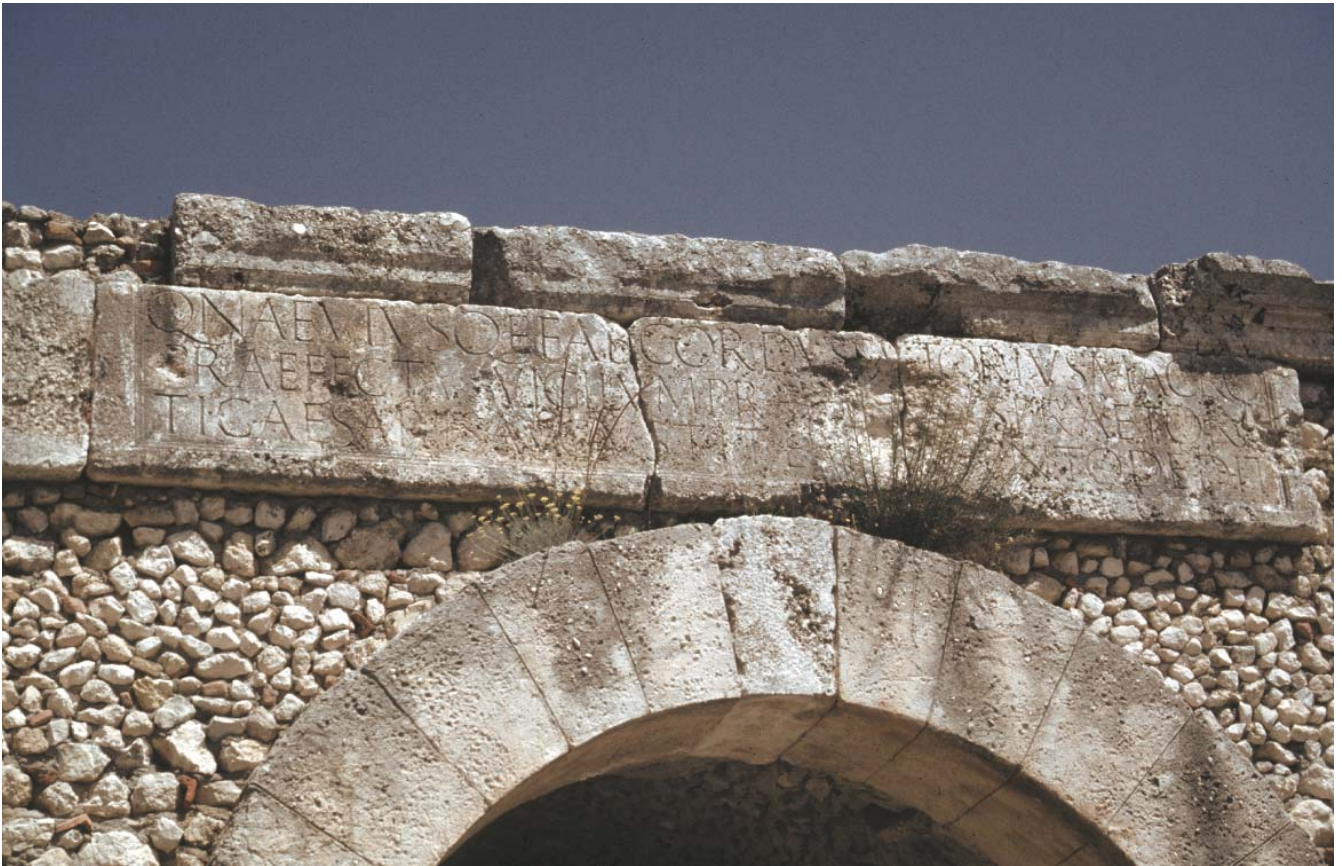


Fig. 13: Dedicatory inscription of Q. Naevius Macro, amphitheatre at Alba Fucens. Photo: J. Edmondson

the accession of Caligula. Two copies survive of the same dedicatory inscription commemorating Macro's posthumous generosity, which were set up over the arch of the southern entrance to the arena, one on the inside, the other on the outside of that entrance (*AE* 1957, 250 = Buonocore 1992, 110, no. 75; see here Figure 12). It announced:

Q. NAEVIUS Q.F. FAB. CORDVS SVTORIVS MACRO
PRAEFECTVS VIGILVM, PRAEFECTVS PRAETORII
TI. CAESARIS AVGVSTI TESTAMENTO DEDIT.

Quintus Naevius Cordus Sutorius Macro, son of Quintus, of the Fabian voting tribe, Prefect of the Night Watch, Prefect of the Praetorian Guard of Tiberius Caesar Augustus, gave this in his will.

By funding such buildings, these members of the elite, whether in Rome, Italy or the provinces, reinforced their social position in their own community, while the buildings themselves

stood as a permanent memorial of their (and their family's) high social status and public generosity.

Even for those members of the elite who did not fund new buildings, the sponsorship of spectacles in the theatre, amphitheatre or circus was often the high point of their civic benefactions, so much so that they chose to commission mosaic floors for their urban residences or rural villas which depicted the sorts of public spectacle that their generosity to the community had made possible. Whenever they entertained guests in their homes, they were able to remind them of their past acts of munificence.²² So the owner of a villa at Zliten in modern Libya chose particularly graphic scenes of gladiatorial combats, wild-beast hunts and executions by means of wild-beasts for the outer frieze of a mosaic that was laid in one of the main reception rooms of his impressive villa (Figure 13). Sometimes, they went further and arranged to have their tombs decorated with painted or sculpted representations of the *ludi* or *munera* they had sponsored. So, for example, at Teate Marrucinorum (modern

²² For mosaics, see Dunbabin 1978, ch. 5 (amphitheatre), 6 (circus); Brown 1992 (amphitheatre); López Monteagudo 1994 (circus and amphitheatre in Hispania).

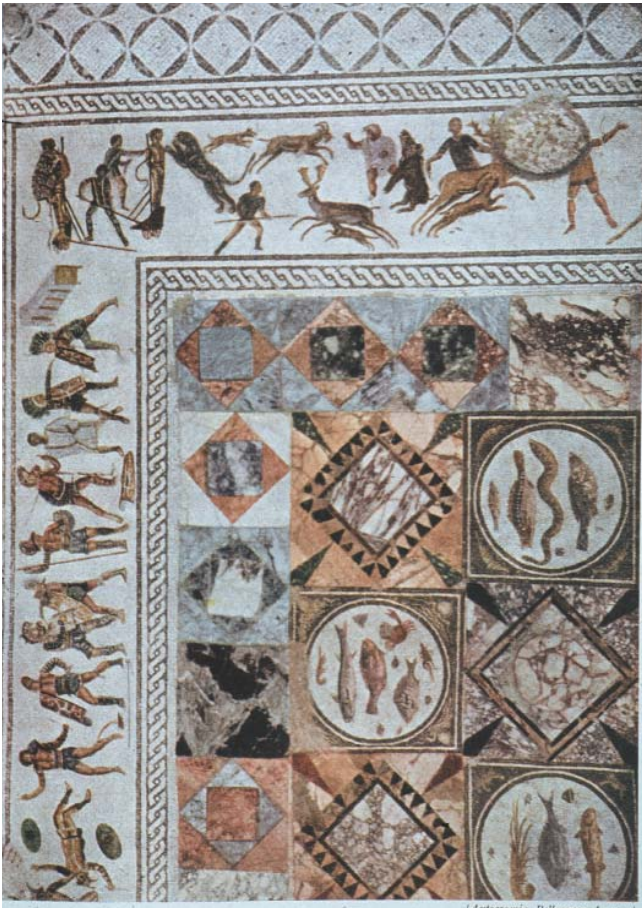


Fig. 14: Part of mosaic with gladiatorial combats, *venationes* and executions from villa at Zliten, modern Libya. After S. Aurigemma, *I mosaici di Zliten*, Milan, 1926

Chieti) in Italy the facade of the tomb of the freedman C. Lusius Stora, a *VI vir Augustalis* (priest of the imperial cult), incorporated panels of relief sculpture depicting the variety of gladiatorial spectacles that he had sponsored as *VI vir*, while its pediment showed Stora himself presiding at his *munus*, proudly dressed in a *toga praetexta*, surrounded by his fellow priests of the imperial cult (Figure 14).²³ For Stora, the sponsoring of this gladiatorial *munus* was the most enduring memory of his life that he wished to convey to posterity.

VIII. SOCIAL RELATIONS: DEGRADING THE PERFORMERS

Ludi publici also forced Romans to confront the social values of the community as they sat watching the performers at their work. For the performers were drawn from a range of different social backgrounds and were themselves ranked hierarchically. The

largest percentage of actors, gladiators and charioteers were slaves. As a result, these professions came to be thought of as “servile” – well below the dignity of respectable Romans. The freeborn members of the audience, therefore, even those low in the social hierarchy, would draw satisfaction from the fact that they were being entertained by slaves even lower in class than themselves and without any civic rights.

However, this seemingly natural equation of public performance on the stage or arena with slavery was occasionally shattered when free-born Romans decided to take up careers as actors, gladiators or charioteers. As soon as they chose to perform for pay in the public arena, they sacrificed any social standing that they had ever possessed. In the eyes of Roman law, they became *infames*, “persons of whom one should not speak”. Just like prostitutes, with whom they were often conceptually connected, they had sold their bodies to others (either to the owner of a theatrical troupe or to a gladiatorial trainer, *lanista*) and were no longer able to act of their own free will. The wording of the oath, the *auctoramentum*, that all gladiators had to swear to their *lanista* made this dramatically clear. For they swore “to endure burning, bondage, flogging, death by the sword, or anything else that the *lanista* ordered” (cf. Petronius *Satyricon* 117). Gladiators and actors were also denied burial in the same cemeteries as the respectable on the assumption that their remains would pollute the other tombs (e.g. *CIL* I² 2123 = IX 6528 = *ILS* 7846, Sassina).

These freeborn volunteers surrendered all of the theoretical protections that Roman citizenship brought: in particular, they were now liable to suffer corporal punishment at the hands of Roman magistrates. Indeed actors who stepped out of line often received very dramatic punishment, sometimes even being flogged successively at each of the three theatres of Rome (Suet. *Aug.* 45.4). Even the lowest-ranking members of the Roman plebs were safeguarded, in theory at least, by their Roman citizenship from such indignities until the mid-second century A.D. when it had already started to lose some of its protective force.

Charioteers, it seems, were held in higher regard and, if freeborn, do not appear to have suffered *infamia*, but even they were debarred from rising to the equestrian or senatorial orders, from serving on local town-councils and from holding local magistracies (Tertullian *De Spectaculis* 22).

Every time, then, that a Roman watched a freeborn fellow-

²³ Tomb of Stora: La Regina 2001, 357, cat. no. 72 (with earlier bibliography). Note also from Pompeii the tomb of Umbricius Scaurus and the gladiatorial relief from a tomb in the so-called Maritime Necropolis: La Regina 2001, 350, no. 66 and 259, no. 74 respectively (with bibliography).



Fig. 15: Tomb of C. Lusius Storax, Teate Marrucinorum, with reliefs of Storax as president of the munus and scenes of gladiatorial combat. From R. Bianchi Bandinelli, *Roma: il centro del potere*, Rome, 1970, fig. 62.

citizen performing on the stage or in the arena, she or he would be forced to contemplate the importance of social status in Roman culture. This was further emphasized by the fact that the performers were themselves ranked. Mime actors, for example, were ranked “chief mime” (*archimimus*) (e.g. *ILS* 5209, 5209a, 5211, 5213) or “second mime” (*secundus mimus*), as the freedwoman Cornelia P.I. Nothis, *secunda mima* of Solemnis and Halyus, was labelled on her tombstone set up at Emerita (Mérida) (*AE* 1993, 912; Saquete Chamizo and Márquez Pérez 1993, 70-71, no. 10; here catalogue, n° 18). Charioteers normally started their careers driving two-horse chariots (*bigae*) before moving up to the four-horse variety (*quadrigae*) once they had gained sufficient experience. Moreover, their career statistics were widely publicized, which allowed a clear hierarchy to develop with at its apex the star charioteers, who commanded extremely high salaries and garnered very impressive amounts of prize-money.²⁴ Gladiators were even more hierarchically organized. They were classified according to a series of ranks: beginners (*tirones*) and then numbered ranks (*quarti pali*, *tertii pali*, *secundi pali*) culminating in the most successful and most

honoured (and most highly paid): the *primi pali*. Gladiatorial statistics were also widely promulgated with the number of fights, victories, victory crowns and victory palms all meticulously recorded. Those at the upper end of this hierarchy were much higher in status in the eyes of the public, and their fights more eagerly awaited.

Occasionally the freeborn performers were drawn from the very highest social ranks: equestrians and even senators. This may have originated in the fact that the Roman elite sometimes gave demonstrations of their martial prowess at public spectacles to emphasize their military courage. Rome, we must remember, was a military culture, in which single combat on the battlefield involving its elite continued well into the late Republic (the last attested case occurs in Spain during the Munda campaign in 45 B.C.).²⁵ So long as the elite performed “for the sake of demonstrating their courage without receiving pay” (*virtutis ostendendae causa sine mercede*) in Roman legal parlance (*Digest* 3.1.1.6), the Roman authorities were not concerned; it only was when a senator or equestrian bound himself to a *lanista* and started to accept pay for his performances (*quaestus causa*) that he had crossed the line and suffered *infamia*, moral and legal loss of status (*Digest* 3.2.2.5). Augustus and Tiberius, anxious to maintain and even sharpen the distinctions between the various Roman social ranks (*ordines*), tried repeatedly to prevent this, but the fact that legislation had to be consistently reintroduced suggests that it was far from effective.²⁶ Indeed Augustus and Tiberius even occasionally bowed to the inevitable and officially permitted equestrians to perform in the arena in A.D. 11 and 15 respectively (*Dio* 56.25.7-8; 57.14.3).

In conclusion, theatre-shows (*ludi scaenici*), chariot-races (*ludi circenses*) and gladiatorial presentations (*munera gladiatoria*) were very much more than mere entertainments that kept the Roman plebs amused and politically quiescent; they served as very important occasions for articulating in a highly visible and public manner the component elements of the Roman social order. This was most of all displayed in the seating arrangements whereby the crowd came to be organized hierarchically first in the theatre, later at gladiatorial presentations and eventually to a lesser degree in the circus. Where one sat

²⁴ For young *bigarii*, note *CIL* VI 10078; *ILS* 9348. For stars, the Lusitanian charioteer C. Appuleius Diocles is perhaps the best known. During his 24-year career for the Whites, the Greens and, most of all, the Reds (from A.D. 122-145) he won no fewer than 1,472 races and won prize money of almost 36 million sesterces (HS 35,863,120 to be precise): see *CIL* VI 10048 = *ILS* 5287. On charioteers, see Horsmann 1998.

²⁵ Oakley 1985.

²⁶ On this, see in particular the SC from Larinum of A.D. 19, with Levick 1983; cf. Edwards 1998.

and the dress one wore at a public spectacle marked out immediately to one's fellow-citizens precisely where one belonged in the Roman social hierarchy. As these social distinctions came to be increasingly regulated in a series of laws, senatorial resolutions and imperial decrees, they invited challenge. As a result, public spectacles also provided occasions for some Romans to attempt to lay claim to a higher social position than the one to which they were strictly entitled. Such fraudulent usurpations of rank led the Roman authorities in the city of Rome and in the provinces to further attempts at regulation.

In addition, existing formal relationships between the various social ranks (*ordines*) were repeatedly reinforced and confirmed at public spectacles. The sponsorship of the *ludi* and *munera* by the elite and the rituals that such acts of euergetism engendered reminded both elite and lower orders alike of their respective place in an essentially conservative social order, while the way in which performers on the stage and in the arena (though not, it seems, charioteers) were stigmatized and relegated to the margins of Roman society helped to reinforce on a regular basis in the minds of the spectators just what it meant to belong as an accepted member of the Roman social order. Finally, it is no surprise that as Roman legal, social and cultural norms spread to the provinces of an expanding Empire, public spectacles took on an increasingly important role in articulating social relationships and social hierarchies first in the municipalities of Italy and later in colonies and municipalities throughout the Roman Empire. But even towns of non-Roman status seem to have adopted some elements of the "distinction between ranks" (*discrimina ordinum*) that the seating arrangements allowed. So even before it was promoted to municipal status under the Flavians, the small town of Irni in Baetica had already developed its own system of segregated seating at the theatre, which a specific clause of its municipal charter allowed it to retain (Lex Irnitana, ch. 81). As a result, every time a citizen of Rome or a provincial subject decided to enjoy the pleasures of the stage, the gladiatorial arena or the chariot-races, he or she came to gain a much sharper understanding of where he or she belonged in the Roman social universe.

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For *ludi* in general, see Clavel-Lévêque 1984; for the Republican period, note also Bernstein 1998. For the theatre at Rome, see Dupont 1985; Beacham 1991; Landes 1992. The fullest

treatment of gladiators and *munera gladiatoria* in Rome, Italy and the western provinces remains Ville 1981; for the Greek East, see Robert 1940, with an excellent illustrated catalogue of inscriptions (which needs updating). For other recent studies, see Hopkins 1983; Wiedemann 1992; Domergue, Landes & Pailler 1990; Golvin & Landes 1990; Junkelmann 2000; Nogales Basarrate, 2000; La Regina 2001. For much valuable commentary on gladiatorial inscriptions from Italy and the western provinces, see the volumes of the series *Epigrafia anfiteatrale dell'Occidente romano* (5 volumes have appeared since 1988). For the circus, the fundamental work is Humphrey 1986; see also Cameron 1976; Landes 1990; for chariot-racing in the Republican period, note Rawson 1981. For athletics and gymnastic competitions, see Thuillier 1996.

For a series of interesting studies on various types of Roman public spectacle, see Bergmann & Kondoleon 1999; Slater 1996. For public executions as spectacle, see Coleman 1990, Vismara 1990. For an excellent synthesis regarding spectacles of all types in the city of Rome, see Coleman 2000.

For the architecture of Roman theatres, amphitheatres and circuses, see respectively Ciancio Rossetto & Pisani Sartorio 1994-1996, Golvin 1988 and Humphrey 1986; for an excellent summary, Gros 1996, 272-307 (theatres), 317-345 (amphitheatres), 346-361 (circuses and stadia).

For the regulation of seating, see further von Ungern-Sternberg 1975 on the changes of 194 B.C.; on the *lex Roscia* of 67 B.C., see Demougin 1988, 796-802; Pociña Pérez 1976; on Augustus' *lex Iulia theatralis*, Rawson 1987. For a brief summary of Augustus' social and moral legislation, see Treggiari 1996. For seat-inscriptions from the Flavian amphitheatre, see Orlandi 2001; for seat-inscriptions from theatres and amphitheatres around the Roman world, Kolendo 1981 is still valuable, but needs updating in the light of more recent evidence.

For the sponsorship of *ludi* and *munera* by the elite, the most important study remains Veyne 1976.

On actors, Leppin 1992 is fundamental, as is Horsmann 1998 on charioteers. For gladiators, see Ville 1981, 227-344; Robert 1940. On the low regard in which performers (especially actors and gladiators) were held, see Edwards 1993 and 1998.

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