

THE SERVILIAN TRIENS RECONSIDERED*

for Nicola Parise

«In ancient societies, greater value was attached to conspicuous consumption than to increased production, or to the painful acquisition of more wealth».

M.I. Finley (in HOPKINS 1983a, p. xiv)

In the second volume of *Studi per Laura Breglia*, published in 1987, French historian Hubert Zehnacker gave – for the first time – systematic consideration¹ to the meaning of a fascinating but challenging passage of Pliny the Elder's *Natural History*:

Unum etiamnum aeris miraculum non omittemus. Servilia familia inlustri in fastis trientem aereum pascit auro, argento, consumentem utrumque. origo atque natura eius incomperta mihi est. verba ipsa de ea re Messallae senis ponam: «Serviliorum familia habet trientem sacrum, cui summa cum cura magnificentiaque sacra quotannis faciunt. quem ferunt alias crevisse, alias decrevisse videri et ex eo aut honorem aut deminutionem familiae significare».
(Plin. *Nat.* 34. 38. 137)²

We must not neglect to mention one other remarkable fact related to copper. The Servilian family, so illustrious in the lists of magistrates, nourishes with gold and silver a copper triens, which feeds on both. I was not able to verify its origin and nature; but I will relate the very words of the story as told by old Messalla: «The family of the Servilii is in possession of a sacred triens, to which they offer sacrifice yearly, with the greatest care and veneration; they say that the triens sometimes seems to increase and sometimes to decrease, and that this indicates the honour or diminishing of the family».

Pliny thus concludes the first section of his thirty-fourth Book, dedicated to copper and its alloys³, with an extraordinary and miraculous tale (*miraculum*)⁴ that for all its difficulty of

* Unless otherwise stated, all the translations are mine. I wish to acknowledge William M. Short for his help in the English translation of this article.

¹ Cf. MOMMSEN 1860, p. 536; DE MARCHI 1896, p. 95; GRUEBER 1910, vol. 2, p. 280 n. 1; GALLET DE SANTERRE - LE BONNIEC 1953, p. 302; GEIGER 1973, p. 143; CRAWFORD 1974, p. 448 n. 1; none with detailed argumentation.

² The fragment of M. Valerius Messalla corresponds to *De familiis Romanis* fr. 2 Peter.

³ The second part of Book 34 is devoted to iron.

⁴ Also at Plin. *Nat.* 18. 46. 166, the transition from the section dedicated to grains to that dedicated to ploughing is marked by a miraculous account (*ostentum*): that of the grain which grew on the trees in the year Rome defeated Hannibal (201 BC); cf. GALLET DE SANTERRE - LE BONNIEC 1953, p. 301.

interpretation (*incomperta mihi est*) nevertheless appears worth repeating (*non omittemus*). The story concerns a copper triens that «feeds on», «consumes» (*consumentem*) gold and silver and is venerated by the Servilii, a family that had provided numerous important magistrates (*inlustris in fastis*) to the Roman state⁵. Unable to authenticate the *miraculum* in question, Pliny reports the words of *Messalla senex* – that is, of Marcus Valerius Messala Rufus, consul in 53 BC and offspring of one of the most celebrated patrician *gentes*, as well as author of the lost work *De familiis Romanis*. According to Messalla, the Servilii were in possession of a sacred (*sacrum*) triens to which every year (*quotannis*) cult activities were painstakingly devoted. In this cultic context – where the triens' portentous «feeding on» gold and silver presumably occurred – the triens was thought to have given predictive signs (*significare*)⁶: in Messalla's terms, the enlargement (*crevisse*) of the triens was believed to signify the family's *honos*, whereas any reduction of its size (*decrevisse*) was believed to predict the *familia's* shrinkage (*deminutio*) as well. The *miraculum* of the triens was something the Servilii spoke of (*ferunt*) as a present reality even in Messalla's time, as indicated also by his description using verbs of the present tense⁷. Most likely, as we will show later, the cult didn't exist any longer at Pliny's time, though.

1. HUBERT ZEHACKER'S THEORY

Zehnacker developed his theory of the Servilian triens based on this passage – the only evidence we possess of it – hoping to explain more precisely what the Latin word *triens* refers to in Pliny's text. Theoretically, a triens made of *aes* (the latter term referring both to copper and to the various bronze alloys in which this metal predominates) can correspond to three different things: 1) 1/3 of a pound (c. 109g) of copper-bronze; 2) 1/3 of an as (*as*), understood as a premonetary unit of value corresponding to a weight of 1/3 of a pound of copper-bronze, in use from the archaic period until the beginning of the third century BC⁸. During this time, commercial transactions were conducted using the *aes* as a general instrument of exchange, first in rough form, then in the form of ingots [Figs. 1-2] whose value was determined solely on the basis of weight⁹; or 3) 1/3 of an as (*as*), understood as a copper lenticular coin, minted at Rome from the beginning of the third century BC until 87-86 or 82 BC.¹⁰ The value of a lenticular coin being largely independent of its weight, a triens could thus correspond, at different times, to coins of different weights and dimensions [Figs. 3-4].

⁵ The first Servilian consul was, according to the sources, Servilius Priscus Structus, consul of 495 BC: BROUGHTON 1968, p. 13. The last was Q. Servilius Silanus, of AD 189: DE ROHDEN - DESSAU 1978, p. 229 n. 429. Cf. ZEHACKER 1987, p. 15.

⁶ The «prophecy» of the triens would thus be a *présage préfiguratif déterminant*, according to the classification of BAYET 1936, p. 27-51.

⁷ ZEHACKER 1987, p. 9.

⁸ Cf. Varr. *L.* 5. 36. 171, and below, n. 10.

⁹ SORDA 1976, pp. 65 and 72-73; PARISE 1987, p. 90; VIGLIETTI 2011, p. 289.

¹⁰ CRAWFORD 1974, p. 136 and 367 n. 350b/2; MARTINI 1988, p. 82. Cf. GRUEBER 1910, vol. 1, p. 8 n. 32, 284 n. 2207, and 288 n. 2237. The *terminus post quem* for the introduction of copper lenticular coins at Rome is 289-285 BC (on the basis of Liv. *Per.* 11 and Pompon. in *Dig.* 1.2.28): ZEHACKER 1973, pp. 66-67 and 222; VIGLIETTI 2010, pp. 209-210; cf. CATALI 1990, pp. 67-75.

Zehnacker settled on the third of these possible interpretations, taking the Servilian triens to have been a lenticular coin¹¹. This interpretation was also suggested by the expression *trientem aereum* which Pliny uses to describe this object. According to Zehnacker, in ancient sources that refer to copper used by weight, words denoting a quantity of metal (for example, *sextans*, *quadrans*, *triens* etc.) are always used in conjunction with *aeris*. If the Servilian triens had been a mass of metal of the weight or value of a triens, Pliny would therefore have used the expression *triens aeris* and not *triens aereus*¹². Having determined the nature of the Servilian triens in this way, Zehnacker then links the cult in which this copper object is featured to the fact that in Roman society, following the institution of the *census* in the archaic period, the status of a citizen and of his family was closely linked to a public appraisal of the wealth and prestige of the individual *patres familias* that was expressed in terms of thousands of asses of copper-bronze¹³. For a citizen's wealth to be reduced by fine, for example, would also have entailed a risk of that citizen falling on the community's social ladder, while, vice versa, increases of wealth might enable that citizen to climb to a higher social rank¹⁴.

The *miraculum* of the Servilian triens can be explained within this conceptual and ideological framework as constituting an analogue¹⁵ of the censors' assessment of the *familia Servilia inlustris in fastis*, reflecting its fortunes over time: «If it increases in size, the fortune and social rank of the Servilii will increase; if it decreases, they too will decrease. All that can be done is to make sacrificial offerings, in the hope of nourishing its prosperity»¹⁷. The worship of a coin made of copper and by «feeding» it gold and silver becomes explainable, that is, in the logic of a society where the «value» of a family's prestige and of wealth was expressed, through the *census*, in terms of copper asses. Thus, in consecrating precious objects to the triens, the Servilii hoped to render the very symbol of the *census* more favourable to them. This sociocultural dynamic also explains the fact that the sacred triens was venerated annually. Almost all of the magistrates of the Roman state were elected on a yearly basis, and the ability to obtain political offices (the *honores* of which Messalla speaks) represented a basic marker guaranteeing the prestige of a family like that of the Servilii.

Zehnacker concluded by proposing a further explanation of the ideology underlying the Servilian cult of the copper triens. According to him, the practice should be understood as «a traditionalist exaltation of the virtues of ancient premonetary copper, foundation of the hierarchy of the civic body»¹⁸. The family of the Servilii was an old one that could count among its members numerous consuls from the beginning of the fifth to the middle of the fourth century BC – but that up to the middle of the third century BC had gone through a phase of relative obscurity¹⁹. In this context, the Servilii can be seen as revitalizing an ancient practice by establishing a traditionalist cult of a lenticular coin that, however, «was certainly not treated as such»²⁰. Its

¹¹ Cf. n. 1.

¹² ZEHNACKER 1987, p. 10.

¹³ Liv. 1. 42. 5 / 43. 13; Dion. Hal. A. R. 4. 16-22; NICOLET 1980, pp. 50-56; PITTIA 2007, pp. 151-152.

¹⁴ ZEHNACKER 1987, p. 12.

¹⁵ On the category of the «double», see VERNANT 1983, pp. 303-320.

¹⁷ ZEHNACKER 1987, p. 14.

¹⁸ *Ibid.*, p. 17.

¹⁹ *Ibid.*, p. 16 and n. 20.

²⁰ *Ibid.*, p. 17.

worship should be therefore be read as a critique, on the part of the Servilii, of the introduction of a lenticular monetary system into Roman society from Greece: «Counter to the emergence of a monetary system that was purely rational and mathematic, the ancient triens . . . would remind the Servilii of the unique role of copper in the creation of Rome's social structures, and of the religious and magic origins of the coin»²¹.

2. PROBLEMATIZING ZEHACKER'S THEORY: WHAT WAS THE TRIENS – AND WHEN?

The interpretation of the tale, and cult, of the Servilian triens that I would like to develop is based on two fundamental convictions: First, that Zehnacker's approach is basically correct in taking the Plinian passage seriously. The story of the Servilian triens is valuable evidence of a tradition belonging to one of the most ancient and important Roman families, and credibly expresses – in some measure at least – the system of values belonging to (a portion of) Roman society at a defined historic moment. Based on Zehnacker's discussion, it is also possible, however, to reread the *miraculum* fully according to the conceptual category of «myth». Matching Walter Burkert's definition of myth, the *miraculum* is in fact an account that is both traditional and – as I will show – full of historically situated cultural meanings²². What's more, it has that special blend of ambiguity, marvel and wonder that J.-P. Vernant²³ claimed is a basic characteristic of every myth. Furthermore, the fact that the Servilian triens was given annual sacrifice – an occasion on which all the members of this family came together – cannot be overlooked²⁴: the myth, therefore, has a rite inextricably associated with it, fully fitting the paradigm of the other gentilicial cults pertaining to the most ancient noble Roman families²⁵.

Second, precisely because Pliny's description of the *miraculum* is not a *storiella*²⁶ but an account thick with cultural meanings, its interpretation will require the integration of two hermeneutic instruments: philology, allowing us to understand the meaning of the Latin words that describe the myth and rite in question, and cultural history²⁷, helping us understand the historical and anthropological frame in which the *miraculum* was conceived and elaborated.

The chronological context of the story can be precisely identified thanks to the triens itself. Unlike Zehnacker, Mario Fiorentini (1988) and Carla Fayer (1994) suggest that the Servilian triens should be understood as «a piece of copper weighing one-third of an as»²⁸. Their reasoning is that if the triens had been a lenticular coin, the Servilian cult would have to be dated to a relatively recent period, contrary to what typically occurs for other ancient Roman families²⁹. Hypothesizing that the triens was a rough mass of metal corresponding to the weight and value of 1/3 of an *as* (and thus belonging to a so-called «premonetary» phase of Roman society),

²¹ ZEHACKER 1987, p. 17.

²² BURKERT 1993, p. 17; cf. BETTINI 2010, p. xxii. The term *miraculum* is often used in Latin to describe stories that we could call «myths», such as that of the she-wolf who suckled Romulus and Remus: Liv. 1. 4. 7; cf. Hor. *Ars P.* 144; Liv. 1. 45. 4; Ov. *Met.* 2. 193; Flor. 1. 10. 3; Min. Fel. *Oct.* 10. 3.

²³ VERNANT 1980, pp. 130-132 and 236-239.

²⁴ On the relationship between myth and ritual, see BURKERT 1979, pp. 56-58.

²⁵ DE MARCHI 1896, pp. 15-65; FIORENTINI 1988, pp. 120-127; FAYER 1994, pp. 88-95; SMITH 2006, pp. 44-46.

²⁶ CORSO 1988, p. 255 n. 137. 2.

²⁷ BURKE 2004.

²⁸ FIORENTINI 1988, p. 123; cf. FAYER 1994, p. 93. Neither scholar seems to know the work of Zehnacker, however.

²⁹ Numerous examples in FAYER 1994, pp. 89-93; on the Servilii, cf. CAPOGROSSI COLOGNESI 2009, p. 52.

Fiorentini and Fayer are able to relate the Servilian cult to the archaic age of Rome: in particular, in virtue of the aniconicity of this rough mass, Fiorentini³⁰ traces the beginning of its veneration back to the first two centuries of the city's history, a period in which images of divinities in bodily form are not thought to have existed at Rome³¹ and during which the Servilii were granted Roman citizenship following the annexation of the territory of Alba Longa in the seventh century BC³².

Since nothing excludes that the Servilii may have possessed other cults of which no evidence remains (either prior to or alongside that of the triens), the fact remains that Zehnacker's argument that the triens is a coin is not, in itself, very strong. The adjective *aereus* appears in collocation with coin terms in only eight instances in all of Latin literature³³, and in one of those instances the expression *aerei nummi* is clearly related to a phrase in which the worth of the instrument of exchange is described by weight and not by the kind of numerical value imposed on lenticular money³⁴. There are even some cases in which «name of the instrument of exchange + *aeris*»³⁶ (sometimes with *aeris* placed before) indisputably refers to lenticular money, making it difficult to accept Zehnacker's argument in its entirety. This does not prevent us, though, from agreeing with his conclusion that the Servilian triens is a coin, and for both historical and contextual reasons.

Historically, the original source of the «myth» is Valerius Messalla Rufus, who lived in the first century BC, when coins of the value of a triens were regularly minted by the Roman state (more precisely, the coins were minted until 87-86 or 82 BC, but were in circulation well after)³⁷. Thus, for the author of *De familiis Romanis*, and for his sources, the expression *aereus triens* without any other specification must have meant «copper coin of the value of 1/3 of an as». Contextually, in Pliny's account the Servilian triens always remains a triens, independent of its growing or shrinking in size. This must be because it is conceived as a lenticular coin, whose value is determined by the mark of value placed upon it by the minting authority. Because the value of a lenticular coin is not determined fundamentally by its weight or dimension, but by its stamp, the triens can increase or decrease in size and always remain a triens³⁸. If the Servilian triens had been a hunk of copper weighing a triens, any increase or decrease of size would have also changed its value; but this does not occur in our case³⁹.

³⁰ FIORENTINI 1988, pp. 123, 126, and 128-129.

³¹ August. *De Civ. D.* 4. 31; Plut. *Vit. Num.* 8. 14; Clem. Al. *Strom.* 1. 15. 71. Cf. FAYER 1994, p. 93 n. 267.

³² FIORENTINI 1988, p. 127. Cf. Liv. 1. 30. 2; Dion. Hal. *A. R.* 3. 29. 7; BADIAN 1984, pp. 58-59; CAPOGROSSI COLOGNESI 2009, p. 30.

³³ Beside the passage under discussion, cf. Vitruv. *De Arch.* 3. 1. 7; Plin. *Nat.* 34. 49. 165; Apul. *Met.* 8. 28, 9. 19; Gai. *Inst.* 1.122; SHA *Trig. Tyr.* 31. 3; Hist. *Aug. Prob.* 4. 5.

³⁴ Gai. *Inst.* 1. 122, «At one time only copper instruments of exchange were used . . . as we can understand from the Law of the Twelve Tables; their power and authority rested not in number, but in their weight . . . once those who gave money did not count it, but weighed it (*olim aereis tantum nummis utebantur . . . sicut ex lege XII tabularum intellegere possumus; eorumque nummorum vis et potestas non in numero erat, sed in pondere . . . qui dabat olim pecuniam non numerabat eam, sed appendebat*)». On the use of *nummus* to denote any «piece of metal produced for monetary uses (no matter what is its shape and intrinsic features)»: PERUZZI 1985, pp. 272-273 and PERUZZI 1989, p. 184.

³⁶ Gell. *NA* 5. 2. 2, *aeris* . . . *sestertia trecenta duodecim*; SHA *Heliogab.* 22. 3, *folles aeris*; SHA *Aurel.* 9. 7, *aeris denarios centum*; SHA *Tyr. Trig.* 15. 8, *aeris sestertium decies*; cf. 1 Sam. 17:5, *quinque milia siclorum aeris*.

³⁷ Bronze coinage was again struck by Caesar in 46-45 BC; MARTINI 1988, pp. 25-27; CATALLI 2001, p. 200.

³⁸ The Romans clearly distinguished between «numbered» and «weighed» coins: Paul. *Fest.* p. 229. 5-7L; cf. Cic. *De opt. gen. orat.* 1. 13; Vol. *Maec.* 44; VIGLIETTI 2010, pp. 210-214.

³⁹ Cf. FIORENTINI 1988, p. 123.

Every indication points, then, to the «myth» of the Servilian triens having been elaborated by the Servilii at a date later than the introduction of lenticular coinage to Rome – namely, at some point after the beginning of the third century BC and before its being recounted by Messalla Rufus at some date around 50 BC.

3. PLINY'S THEORY: COPPER VS GOLD AND SILVER

If Zehnacker is right in considering the Servilian triens a bronze coin, I cannot accept that the fact of the Servilii worshipping a coin with precise metallic and economic characteristics «has no impact»⁴⁰ on the interpretation of the historical and cultural sense of the account. Rather, I take this to be a decisive factor in its interpretation.

To begin to understand the myth, consider what market value the triens had in the later Republican period. With a good degree of certitude it can be established that the value of a triens was rather modest (albeit not very low) between the second half of the third and most of the second century BC – the period when, as we shall see, the Servilian «myth» was most likely elaborated – more or less equivalent to the price of one to two kilos of wheat, two measures of salt, some vegetables, or a boat trip across the Velabrum⁴².

The rather low purchasing power of a triens seems to my eyes to have much to do with Pliny's motive for choosing to report the Servilian myth in so obvious and important a place in his work, at the end of the section in Book 34 dedicated to *aes*. It is probably not exactly correct to say, as Zehnacker does, that the sense of the story of the Servilian triens «totally escapes» Pliny⁴⁴. Pliny does not in fact describe the story as *obscurus*⁴⁵, but instead as *incompertus*, a term he uses to identify information that is he is unsure of not because it is totally inexplicable, but because it is difficult to verify⁴⁶. For the ancient author, however, the lack of an objective means of verification (very likely because the cult disappeared) does not preclude making an interpretive hypothesis, which in this case emerges quite clearly from the context. As we know, Pliny introduces that part of Book 33 of his *Naturalis Historia* dedicated to metals with a series of moralistic considerations that describe the extraction of metals as an act of violence against the earth, a sign of mankind's unstoppable greediness (*avaritia*)⁴⁷ that begets a desire for precious

⁴⁰ ZEHACKER 1987, p. 15.

⁴² According to Pliny (*Nat.* 18. 4. 17 cf. VON REDEN 2010, p. 210) in 250 BC a bushel (about 6.4 kg) of wheat cost one as. In 203-201 BC (*Liv.* 30. 26. 5-6, 31. 4. 6), the price of grain quadrupled, and then dropped to two asses a bushel between 200 and 196 BC (*Liv.* 31. 50. 1, 33. 42. 8). *Livy* (29. 37. 3) tells us that in 204 BC a sextans (half the value of a triens) bought a measure of salt in Rome and in most of Italy. The measure is probably a bushel (about 18.5 kg), which appears to be the standard quantity used for public doles (*Plin. Nat.* 31. 41. 89, referring to Ancus Marcius), commerce, and donations (*Plaut. Cas.* 538; *SHA Claud.* 14. 3); cf. the idiomatic expression *multi modii salis simul edere* (*Cic. Amic.* 19. 67). *Cato* (*Agr.* 132. 2; cf. *Paul. Fest.* p. 287. 11-13L) informs us that, in his times, for one as a citizen could purchase grains, fruit, and other agricultural products intended for sacrifice to Vesta (*assaria pecunia*). In the late second century BC (or perhaps somewhat earlier; cf. *Plaut. Capt.* 489, *Curc.* 482-484; GUIDOBALDI - ANGELELLI 1999, pp. 103-104), a traveller could purchase a trip by boat across the swampy zone of the Velabrum for a quadrans (1/4 of an as, a little less than a triens; *Lucil. fr.* 1272 Marx).

⁴⁴ ZEHACKER 1987, p. 9.

⁴⁵ Cf. *Cic. Rep.* 2. 18. 33; *Liv.* 6. 1. 1-2.

⁴⁶ Cf. *Plin. Nat.* 4. 23. 121, 12. 16. 32.

⁴⁷ *Plin. Nat.* 33. 1. 1-3 (and 2. 63. 158); cf. NENCI 1968, pp. 5-7; CITRONI MARCHETTI 1991, pp. 151-152, 209-215; VON REDEN 2010, pp. 189-191; VIGLIETTI 2011, pp. 291-294.

objects and aberrant uses of money⁴⁸. But if Pliny's moralism is vehemently against profane uses of gold and silver (defined as *vitae scelera, vitae pestes, insaniae*)⁴⁹, his attitude is more moderate vis-à-vis *aes*, presented at the beginning of Book 34:

proxime dicantur aeris metalla, cui et in usu proximum est pretium, immo vero ante argentum ac paene etiam ante aurum Corinthio, stipis quoque auctoritas, ut diximus. hinc aera militum, tribuni aerarii et aerarium, obaerati, aere diruti. Docuimus quamdiu populus Romanus aere tantum signato usus esset: et alia re vetustas aequalem urbi auctoritatem eius declarat, a rege Numa collegio tertio aerarium fabrum instituto. (Plin. *Nat.* 34. 1. 1)

Now we move on to an account of the ores of copper, which is next in practical value. Corinthian bronze is actually more valuable than silver and perhaps even gold. I have already mentioned it in respect to the money standard: this is why we speak of «military stipends (*aera militum*)», «tribunes of the treasury (*tribuni aerarii*)» and «the treasury (*aerarium*)», «debt bondsmen (*obaerati*)» and being «docked of pay (*aere diruti*)». I have also already mentioned for what length of time the Roman people used *aes* as money. There is another fact of some antiquity that proves its authoritativeness was equal to that of the city itself, namely that the third college established by Numa was that of the bronze workers.

Aes (excepting Corinthian *aes*), then, possessed in Pliny's time a commercial value (and a purchasing power when monetized) clearly inferior to that of gold or silver⁵⁰. Nevertheless, it is, according to Pliny's vision and classification, privileged among metals in virtue of two fundamental features: its great practical utility (*usus*) and its authority (*auctoritas*) deriving from the antiquity (*vetustas*) of its uses, attested already in the time of the first kings – that is, before greed, with the help of gold and silver, had contaminated the spirit of the Roman people.

Thus the Servilian triens with its «miraculous» behaviour seems to Pliny to be a perfect synthesis and, in a certain sense, the proof of his theory. One of the most ancient, authoritative, and valuable families of Rome consecrated gold and silver to a copper coin made of this material, showing that despite its relatively low commercial value the Servilii *inlustres in fasti* considered it more precious than those metals endowed with greater value.

4. THE «SERVILIAN THEORY», I: *AUGERE PATRIMONIUM NON EST NOBILITATIS*

We may perhaps understand better now why Pliny recounted the *miraculum* of the Servilian triens in so prominent a place. What remains to be seen is what reasons the Servilii of the Republican period might have had for elaborating the myth and the rite connected to their triens, and if such reasons can be identified elsewhere in the broader cultural history of Rome, and also in what way they relate to Pliny's ideas.

⁴⁸ Plin. *Nat.* 33. 2. 4, 33. 4. 8, 33. 13. 42, 33. 14. 48, 33. 31. 95; NENCI 1968, p. 5. Cf. Plin. *Nat.* 2. 63. 158, 25. 1. 3; ZEHACKER 1983, p. 119.

⁴⁹ Cf. above, n. 48. Similar terms are used by Ov. *Met.* 1. 141-142; cf. Sen. *Q Nat* 1. 17. 8, 5. 15. 1-4 (for whom the search for precious metals is a sign of *luxuria*); Serv. *in Verg. A.* 1. 448; CITRONI MARCHETTI 1991, pp. 161-163; VON REDEN 2010, pp. 189-190, 196.

⁵⁰ With Augustus' reform of the monetary system, the relationship between moneyed metals was: Au : Ag = 1 : 12. 25; Au : Cu = 1 : 560; Ag : Cu = 1 : 45; BALBI DE CARO 1993, p. 229.

Before continuing, however, I would like to clarify my own theory of what the Servilian triens represents. Unlike Zehnacker, I do not believe that this coin is the symbol of the censors' assessment as expressed in asses (and especially *le bronze patrimonial* valued by weight). In my opinion, the triens must be understood as a symbol of the *familia Servilia inlustris in fastis* and of its history, values, aspirations and fears.

To begin with, if this hypothesis is correct, the Servilii must have considered their own «economic value» – not coincidentally, the term *familia* has this precise meaning as well⁵¹ – to be moderate, like the triens'. But not only this. The strictly «monetary» dimension of the *familia* remained constant in time (the triens does not ever become, say, an as or a denarius, or a sextans), while positive or negative changes undergone by the Servilii, indicated by the increase or decrease of the coin's size, were apparently determined by factors that were not predominantly economic: namely, *honores* and *deminutiones*⁵².

Can these mechanisms, seemingly embedded in the behavioural logic of the triens, have anything to do with the mentality of the Servilii *inlustres in fastis* between the middle and late Republican periods?

Consider what is perhaps the most delicate aspect of the question: the relationship between the Servilii/triens and material wealth, or better the accumulation (or not) of such wealth. Rome's extraordinary military victories after c. 290 BC⁵³, and above all during the second century BC, had made the state, and many private citizens, conspicuously richer than they had been in the past⁵⁴. How to behave toward the astonishing plunder of men, money and lands, flowing to the city? One answer to this question is epitomized by the well known funeral discourse given by Quintus, consul of 205 BC, in honour of his father Lucius Caecilius Metellus, consul of 250 and 247 BC, as well as dictator, master of the horse, quindecimvir for the assignation of lands, and beneficiary of a famously opulent triumph in 250 BC following his victory over the Carthaginian Hasdrubal at Agrigento the year before⁵⁵.

Among the ten virtues making his father *optimus*⁵⁶, Quintus listed in eighth place that «he accumulated a lot of money honestly (*pecuniam magnam bono modo invenire*)» (Plin. *Nat.* 7. 45. 140). Caecilius Metellus accumulated money, and so enriched himself while increasing his

⁵¹ This sense of the term appears already in the Law of the Twelve Tables (5. 4); cf. Gai. *Inst.* 2.102; Pegas. in *Dig.* 36. 1. 15. 7-8 and pr. 17; Ulp. in *Dig.* 37. 1. 3. 2, 50. 16. 195. 1. On this theme, FAYER 1994, p. 81 n. 221; BRETONE 1998, pp. 26-44; CORBINO 2010, pp. 177-178.

⁵² Cf. GRUEN 1984, p. 292.

⁵³ Speaking of the victory over the Sabines in 290 BC, Fabius Pictor (fr. 27 Jacoby) states «The Romans experienced wealth then for the first time (Ῥωμαίους αἰσθέσθαι τοῦ πλούτου τότε πρῶτον)»; GABBA 1988a. Rome garnered numerous victories that brought booty and plunder into the city. Particularly important are the triumphs between the years 194 and 187 BC: GRUEN 1984, pp. 290-294; ROSENSTEIN 2010, p. 375.

⁵⁴ CLEMENTE 1981, pp. 7-8; GABBA 1988a, pp. 19-21. According to Valerius Maximus (4. 3. 8), Lucius Aemilius Paulus' triumph in 167 BC «restored the ancient and hereditary *paupertas* of our city (*veterem atque hereditariam urbis nostrae paupertatem*)»; in 157 BC, the Roman treasury held 17,000 pounds of gold, 22,000 pounds of silver and monies worth over 6,000,000 sesterces (Plin. *Nat.* 33. 17. 55-56); cf. CITRONI MARCHETTI 1991, pp. 185-186. From 264 BC, gladiatorial games were held in Rome, which, however, only became «extraordinarily expensive» after 174 BC: ROSENSTEIN 2010, p. 375.

⁵⁵ Polyb. 1. 20. 1-2, 1. 39-40; Cic. *Rep.* 1. 1. 1; Diod. Sic. 23. 21; Liv. *Per.* 19; Plin. *Nat.* 8. 6. 16, 18. 4. 17; Frontin. *Str.* 2. 5. 4; Flor. 1. 18. 27; Eutr. 2. 24.

⁵⁶ After having praised him as an extraordinary soldier (*bellator*), excellent orator (*orator*), courageous triumpher (*imperator*), author of great things (*res*), magistrate of the highest order (*honor*), possessor of vast intelligence (*sapientia*), and senator of the greatest authority (*summus*): Plin. *Nat.* 7. 45. 139-140; PANI 1997, pp. 46-47.

family's patrimony⁵⁷. He did so, however, *bono modo* – that is, conforming to *bonitas*⁵⁸, the system of values commonly shared by the Romans that had among its components a sense of measure in respect to material desires (a concept expressed in Latin by words such as *modestia*, *moderatio*, *abstinentia*, and in particular *parsimonia*)⁵⁹.

Not long after Quintus Metellus' funeral discourse, Marcus Porcius Cato would become both a model of frugality and *parsimonia*, and an advocate of the social acceptability of increasing one's patrimony⁶⁰.

The model represented by Metellus and by Cato⁶¹ is not necessarily the only way the Roman aristocracy of the later Republic answered the question, however, of how to manage one's patrimony. In the second Book of *De oratore*, Cicero speaks of *dicacitas*, that is, of the sarcastic usage of humour in the courtroom as a strategy for besting one's adversary. In reporting some particularly relevant examples of this rhetorical skill, Cicero refers to the case of the famous orator Lucius Licinius Crassus, who between 102 and 94 BC defended Gnaeus Plancus against Marcus Junius Brutus, son of the famous orator of the same name. On the same day as the trial was being held, the funeral of Junia, ancestor of the charged Brutus and direct descendent of Lucius Junius Brutus, first consul of Rome, was also taking place. Crassus makes fun of Brutus *dicaciter* as a known squanderer of patrimonies, imagining him in the act of observing the coffin of his dead ancestor: «What would you have this old lady tell your father? What to all those whose statues you see carried by? What to your other ancestors? What to Lucius Brutus, who liberated this people from the tyranny of kings? What shall she say you are doing? What business, what glory, what virtue shall she say you are pursuing? That you are trying to increase your patrimony? But this is not something for nobles to do»⁶².

Brutus is the descendent of an ancient and prestigious family (which was, at the time of the trial, a little hard on its luck) that had provided to Rome, among others, its first consul, the man who had chased out the tyrant Tarquinius and established the Republic. None of his ancestor's

⁵⁷ On the meaning of *pecunia*, cf. DILIBERTO 1984, pp. 72-79, 85-87; BRETONE 1998, pp. 26-46. On the relationship between individual enrichment, the arrival of slaves to Rome, and maritime commerce between the third and first centuries BC, see GABBA 1981, pp. 31-43.

⁵⁸ According to Sallust (*Cat.* 7. 6), *divitiae*, to be culturally acceptable, must be *honestae*. The relationship between *bonitas* and *honestas* is evinced by Cic. *Off.* 1.5.15-17, 3.6.28, *Leg.* 1.18.48-49; LOTITO 1981, p. 97; cf. CLEMENTE 1990, p. 53. Polybius (6. 56. 3) notes: «To the degree the Romans consider gain by legal means to be honourable, they consider enriching oneself by illicit means equally dishonourable (καθ' ὅσον γὰρ ἐν καλῷ τίθενται τὸν ἀπὸ τοῦ κρατίστου χρηματισμὸν, κατὰ τοσοῦτο πάλιν ἐν ὀνειδίει ποιοῦνται τὴν ἐκ τῶν ἀπειρημένων πλενοεξίαν)». On the *honestas* of the Servilii, cf. Cic. *Rosc. Am.* 6. 15.

⁵⁹ GABBA 1988a, p. 25; ROSENSTEIN 2010, p. 374. The compatibility of the ancient practice of *parsimonia* with increasing one's patrimony is stressed by Cicero (*Off.* 2. 24. 87): «A family's patrimony needs to be procured by means that are absolutely correct and conserved with caution and *parsimonia*; with these same virtues, one must also increase it (*res autem familiaris quaeri debet iis rebus, a quibus abest turpitudine, conservari autem diligentia et parsimonia, eisdem etiam rebus augeri*)». Almost the same words at Cic. *Off.* 1. 26. 92.

⁶⁰ On Cato's attitudes toward the accumulation of riches: Plut. *Cat. Mai.* 21. 8; cf. *Cat. Agr. Praef.* 1-2, 4; ANDREAU 2004, pp. 73-79; ROSENSTEIN 2008, pp. 10-11; ROSENSTEIN 2010, p. 374. On Cato's *parsimonia* or *frugalitas*: *Cat. Orat. fr.* 93 Cugusi; Val. Max. 4. 3. 11; Gell. *NA.* 13. 24. 1-2; Plut. *Vit. Cat. Mai.* 4. 6; cf. LENTANO 1993, pp. 13-14; DONDIN-PAYRE 2004, p. 57. For a later age, Col. *Rust.* 1.Praef.7 and 10. On the partial originality of Cato's point of view on the accumulation of riches also through commercial means, see GABBA 1980, pp. 92-101.

⁶¹ GABBA 1981, pp. 27-31; GABBA 1985, p. 71; GABBA 1988a, pp. 25-26.

⁶² Cic. *De orat.* 2. 55. 225-226, *quid illam anum patri nuntiare vis tuo? quid illis omnibus, quorum imagines duci vides? quid maioribustuis? quid L. Bruto, qui hunc populum dominatu regio liberavit? quid te agere? cui rei, cui gloriae, cui virtuti studere? patrimonione augendo? at id non est nobilitatis. Sed fac esse, nihil superest: libidines totum dissipaverunt.*

noble spirit remains for Brutus, however – whom Crassus represents as a figure totally inadequate to the rank pertaining to him, as someone totally incapable of emulating ancestors who can only be ashamed of him. In lashing his adversary with rhetorical questions, Licinius Crassus evinces the two things that should be expected of Brutus as head of a lineage: that is, obtaining glory and practicing virtuous behaviour (*gloriae . . . virtuti studere*)⁶³. The orator also adds a third item, «increasing patrimony (*patrimonio augendo*)», before immediately reversing himself: «but this is not something for nobles to do (*at id non est nobilitatis*)».

Licinius Crassus thus reveals a second, different attitude that the Roman *nobilitas*⁶⁴ held in respect to the question of wealth: an indifference to every desire of accumulating material riches (of which the spendthrift Brutus represents, in some measure, the paradoxical and grotesque aftermath). The same behavioural model is recognizable in Cicero's oration before the Senate that would become the first *Philippic*, where he addresses the consuls Marcus Antonius – not present in the courtroom – and Publius Cornelius Dolabella (consul *suffectus* in that year and Cicero's son-in-law) regarding three laws proposed by Antonius that would have notably contributed to an increase of his personal power. In Cicero's opinion, those laws are unjust and represent a serious deviation from good Republican tradition, and he tries to reconcile Dolabella with these words (*Phil.*1. 12-29): «I believe that you both, being men of high birth and great ambition, have been eager to acquire not money (as some credulous people have suspected), something which has always been disparaged by men of honour and respect; nor power and authority, which if acquired through violence the Roman people cannot possibly endure; but love of your countrymen, and glory»⁶⁵.

Again the refrain that *nobiles homines* should always disparage money-making (*pecuniam . . . quae semper . . . contempta est*). Instead, the *amplissimi* and *clarissimi* ought to aspire to good will towards other citizens and glory (*caritatem civium et gloriam*) – that is, to looking out for the community's welfare by means of action in the public sphere⁶⁶.

«Moderate accumulation» and «indifference» seem, then, to represent the two modalities through which the Roman elites of the later third to first century BC related to the theme of wealth and the increase of patrimony. They are quite different modalities, but both modalities which, in reality, appear to be coherent with the traditional *habitus* imposing on citizens an attitude of moderation in respect to material goods, as well as countering and limiting any

⁶³ For the relationship between these terms and the guiding role in military affairs that was expected of aristocrats: ROSENSTEIN 1990, pp. 264-265; ROSENSTEIN 2010, pp. 366-367, 370-371.

⁶⁴ The Servilii are called *nobilissimi* by Cic. *Rosc. Am.* 6. 15. The Latin word *nobilitas*, which etymologically indicates «recognizability», designates a relatively vague social reality. From Cic. *Mur.* 7. 15-8. 17 it would seem that only those descending from consuls could be counted as *nobiles*, while elsewhere *nobilis* seems to refer to the descendants of senators. The question is debated: cf. BRUNT 1982, pp. 1-17; MILLAR 1984, pp. 10-11; FLOWER 1996, pp. 61-70; ROSENSTEIN 2010, p. 377. The Servilii are called *nobilissimi* by Cic. *Rosc. Am.* 6. 15.

⁶⁵ *credo enim vos nobilis homines magna quaedam spectantis non pecuniam, ut quidam nimis creduli suspicantur, quae semper ab amplissimo quoque clarissimoque contempta est, non opes violentas et populo Romano minime ferendam potentiam, sed caritatem civium et gloriam concupivisse.*

⁶⁶ GRUEN 1984, pp. 306-307: «true *nobiles* despise money; their goal is *gloria* and the affection of fellow citizens»; cf. GABBA 1981, p. 42.

inclination not toward enrichment in and of itself but toward its display in socially unacceptable forms lacking a sense of measure⁶⁷.

We have little evidence about the historical Servilii's attitude towards money and riches, but two extant examples may prove very interesting. The patrician Cnaeus Servilius Caepio (*cos* 141 BC), as censor, in 125 BC condemned the augur Lepidus Porcina for having rented out a house at the exorbitant price of 6,000 sesterces (*Vell. Pat.* 2. 10. 1)⁶⁸ – thus censuring Porcina's *vitium* of greediness. Later, Publius Servilius Vatia Isauricus⁶⁹ was used by Cicero as an advocate of *optimi mores* (in contrast to Verres's *cupiditas*) because, following a victory, as consul, at Olympus in Pamphylia in 78 BC, he kept none of the spoils (which included works of art and other precious objects) for himself, but consigned the entire haul to the archive of the Roman treasury⁷⁰.

These two examples of Servilian material sobriety seem perfectly consistent with the «working» of the Servilian triens, which does not ever change in commercial value and reveals itself to be a symbol of «indifference» vis-à-vis the accumulation of wealth. And perhaps not by chance. Looking closely at the advocates of «moderate accumulation», we see that this is an ideology of families of quite recent *nobilitas*. Caecilius Metellus, a plebeian, was only the second in his family to reach the consulship – and the first, Metellus Denter, had obtained this position only shortly before, in 284 BC. Cato, as is well known, was a *homo novus*⁷¹. By contrast, the examples of «indifference» toward the increase of patrimony are a descendent of Lucius Junius Brutus and a Cornelius, that is, two members of families which had from ancient times been deeply involved in governing Rome; this is particularly true of the Cornelii. It is not difficult to conjecture, then – and the behaviour of the triens seems to justify this claim – that the Servilii, who according to tradition were accepted into the patriciate and the Roman senate in the Regal age, and who in 495 BC gave the city of Rome the first of a long series of consuls⁷², developed an attitude toward the increase of patrimony comparable to that of the Junii and Cornelii.

This attitude, on closer inspection, finds its explanation in the *census* system itself, which sorted the citizens in the classes and centuries not only – as Livy⁷³ stresses – on the basis of their wealth (*fortuna*), but also of their *dignitas*, an abstract noun signifying the greater or lesser

⁶⁷ The sumptuary laws of the third to second centuries BC, the laws *de modo agrorum*, the anti-usury laws and, to some degree, the *lex Claudia* of 218 BC all seem to have these characteristics; cf. NICOLET 1980, p. 80; GABBA 1981, pp. 31-35, 38-41; GABBA 1988a, p. 25; CLEMENTE 1990, pp. 8-14; GARGOLA 1995, pp. 144-145; TCHERNIA 2007, pp. 267, 271-273; RICH 2008, pp. 563-564; VIGLIETTI 2011, pp. 191-207. On the historical relativity of what was considered indicative of *avaritia* and *luxuria*, or of *moderatio* and *parsimonia*, see ROSENSTEIN 2010, pp. 375-378; ZANDA 2011, p. 1 (specifically on *luxuria*).

⁶⁸ ZANDA 2011, pp. 44-45.

⁶⁹ Although a plebeian, Vatia was of patrician descent (a great grandson of P. Servilius Geminus *cos* 252 and 248; BRUNT 1982, p. 16; BADIEN 1984, pp. 49 and 51), and likely an advocate of the traditional *mores* of the family, as the plebeian, but noble, Servilii, were: *Enn. Ann. frg.* 282-284 Skutsch; CASSOLA 2000, p. 18.

⁷⁰ *Cic. Verr.* 2. 1. 56-57, 2. 3. 210-211.

⁷¹ BRUNT 1982, pp. 7-9. In this light, the behaviour of citizens of recent nobility has some points of contact with that of common *cives* who, after the third century BC, are described in the sources as desirous of being enlisted in view of the monetary gain that might follow a military victory: GRUEN 1984, pp. 289-295; cf. GABBA 1980, p. 93; GABBA 1985, p. 76.

⁷² The Servilii were also prominent representatives of the *optimates* faction (BADIEN 1957, p. 36; ROMAN 1994, pp. 386-389).

⁷³ *Liv.* 1. 42. 4; cf. ANDREAU 1998, pp. 221, 247-248.

capacity to realize what *deceat*⁷⁴ – in other words, what is prescribed within the behavioural code of Roman society at a given period⁷⁵. And an individual's *dignitas* was determined by two basic criteria: the magistracies he has obtained (not by chance also called *dignitates*) and the prestige of the family from which he descends (*dignitas familiae, generis*), which in turn is strongly conditioned by the magistracies obtained by his ancestors⁷⁶.

In the calculus of the *census*, then, *fortuna* became a more decisive factor for reaching the first class for citizens belonging to obscure or lesser known families, since a citizen could only appeal to his own individual (rather than familial) *dignitas*⁷⁷. For those belonging to families of great antiquity and tradition it was a very different story: If one was a Cornelius or a Servilius, the store of *dignitas familiae*⁷⁸ was such that even with a paltry or, in any case, not increasing patrimony one could participate in the first class of the census steadily over time, with the possibility of gaining important governmental positions⁷⁹. To sum up, for families like the Servilii, more than money was important to «accumulate familial virtues through the practice of good customs» (*virtutes generis meis moribus accumulavi*), especially when holding magistracies – as we can read on the sepulchral inscription of the patrician Gnaeus Cornelius Scipio Hispanus⁸⁰, dating to c. 135 BC (*CIL I*², 15).

And this leads us back to what Pliny, *via* Messalla, says.

5. THE «SERVILIAN THEORY», II: *HONOS AND DEMINUTIO*

From what we have seen so far, the Servilian cult of the triens does not appear to have much to do with the increase or decrease in size of the *bronze patrimonial*, but with the affirmation on the part of this family of its basic indifference to the accumulation of material wealth.

⁷⁴ ERNOUT - MEILLET 1959⁴, pp. 166-167. Cf. NICOLET 1976, p. 21; PANI 1997, p. 54.

⁷⁵ Michel Humm (2010, p. 314) defines *dignitas* as «Adequate behaviour according to circumstances, the conforming of acts or of activity to the . . . social position or the . . . rank of the citizen». Cf. NICOLET 1976, esp. pp. 20-26; NICOLET 1980, p. 318.

⁷⁶ *Dignitas* referring to the *familia* of belonging: Cic. *Sull.* 77, *Phil.* 10. 25, 13. 7, *Fam.* 5. 1. 1; Sen. *Controv.* 10.Praef.16; Quint. *Decl.* 269 p. 99. 27 R; Suet. *Tib.* 1; Ulp. in *Dig.* 25. 4. 1. 13; FERRARY 1982; PANI 1997, p. 55. For *dignitas generis*, cf. Cic. *Mur.* 7. 15.

⁷⁷ PANI 1997, p. 55. Two famous cases of *homines novi* of the beginning of the third century BC who disparage wealth are M' Curius Dentatus (consul in 290, 275, and 274 BC, *suffectus* in 284 BC) and C. Fabricius Luscinus (consul in 282 and 278 BC). In their cases, however, to obtain goods, money and power, they would have had to betray Rome by aiding the Sabines or Pyrrhus. Accepting gifts from the enemy, they would have enriched themselves in a way that was *inhonestus*. For this reason, they preferred to remain loyal to Rome living in a state of *paupertas*: VIGOURT 2001, p. 126; cf. BERRENDONNER 2001, pp. 101-105. Curius Dentatus even refused 50 acres of *ager publicus* given to him by the Senate, considering 7 (or 14) adequate compensation. These behavioural models appear at stake among emergent families, and the *homines novi* (but not, it seems to me, among the most ancient aristocratic families), from the middle of the third century BC onwards: GABBA 1981, pp. 28-29; GABBA 1988a, pp. 23-24.

⁷⁸ For example, P. Servilius Vatia Isauricus, ex-consul (as holder of a triumph) and ex-censor (as well as known adherent of the faction of the *optimates*) contributed to the condemnation of a citizen (sometime after 55 BC) by recalling that this citizen, riding on horseback, had not alighted when they happened to meet. By this act, the accused had disrespected Servilius' *amplitudo* and *dignitas*: Val. Max. 8. 5. 6. Cf. Plut. *Vit. Pomp.* 14. 5.

⁷⁹ On the *paupertas* of outstanding personages like Publicola, Cincinnatus and Camillus, see VIGLIETTI 2011, pp. 161-163, 169-71. On L. Aemilius Paulus, cf. Polyb. 18.35.4-5. On the abundant presence of non-wealthy aristocrats in Roman society up to the third century BC (and into the second and first centuries BC), see GABBA 1988a, pp. 19-20.

⁸⁰ The sepulchral inscriptions of the Cornelia Scipiones were outside of Porta Capena on the Via Appia, alongside of which stood those of the Servilii (cf. Cic. *Tusc.* 1. 7. 13); COARELLI 1972, p. 39; FAYER 1994, p. 95. On the ambiguous relationship between the Servilii and Scipiones at the end of the third century BC, see CASSOLA 1962, pp. 411-416.

What the Servilii were actually interested in seems to be explained again by the myth of the triens, since that coin has need of obtaining *honores* to «grow» (*crescere*) and also of avoiding any *deminutio familiae* lest it «shrink» (*decrecere*).

To what does the term *honor* refer? As we have just mentioned, in order to preserve, and grow, the *dignitas* of a family, it was crucial to attain, thanks to popular election, magistracies, and possibly the most important one, the consulate which allowed its holder's name to appear *in fastis*. The Roman elite of the Republican period, especially from the end of the fourth century BC onward⁸¹, was, in fact, not a hereditary elite but an «aristocracy of office»⁸², strictly related to magistracies – called primarily *honores*⁸³ –, which were mostly appointed annually, like the Servilian cult's recurrence.

While *honores* conserved and increased the *dignitas* of a family (as well as its *honor*, understood as «honour, honourability»)⁸⁴, a family that had not obtained *honores* for a number of generations – usually three – risked seeing its prestige greatly diminished⁸⁵, and its members «having to work like a *homo novus* (*aeque ac novo homini laborandum fuit*)» (Asc. fr. 23c Lewis = p. 23 Clark)⁸⁶, as in Aemilius Scaurus' (*cos* 115 BC) case, or being directly likened to a *homo novus* (Cic. *Mur.* 7. 16), as happened to Servius Sulpicius Rufus (*cos* 51 BC)⁸⁷.

In one case, in the third century BC, also the Servilians risked to see their honour diminish because of a long disappearance of their members from the list of the Roman consuls. According to Zehnacker⁸⁸ no Servilius was elected as a consul between 342 (Quintus Servilius Ahala) and 253 (Gnaeus Servilius Caepio) BC – that is, for three generations. The French scholar decided to overlook the figure of Gaius Servilius Tucca, *cos* 284 BC, since his name appears only in «inaccurate sources»⁸⁹. Actually for that year we have no testimony of Livy, and the epigraphic *fasti* show a fracture. Nevertheless, all the other consular lists indicate the presence of a Servilius, albeit with variants as to the *cognomen*⁹⁰. In any case, even if the Servilian consul of 284 BC was a historical figure, and necessarily a patrician (his colleague, Lucius Caecilius Metellus Denter, was a plebeian), nevertheless the Servilii did not attain the most important *honor* for some sixty years (342 to 284 BC), that is two generations, a very long time for a family of such rank and antiquity.

Along with the lack of *honores*, even more formidable for the Servilii was the possibility of suffering *deminutio familiae*. This expression used by Messalla seems to have, in that context, no economic connotation and does not seem to refer directly to any reduction of patrimony due to

⁸¹ MILLAR 1984, pp. 1-2; FLOWER 1996, p. 63.

⁸² MILLAR 1984, p. 19. FLOWER 1996, p. 60; cf. HOPKINS 1983b, p. 31-32; HÖLKEKAMP 1987, pp. 241-258; NORTH 1990, pp. 280-281; ROSENSTEIN 1990, p. 256; PANI 1997, p. 53.

⁸³ MILLAR 1984, p. 10; cf. Plaut. *Bacch.* 438.

⁸⁴ On the different meanings of the word *honor*/-s, see LENDON 1997, pp. 273-274; ROSENSTEIN 2010, p. 371.

⁸⁵ THOMAS 1986, pp. 206-209; BELTRAMI 1998, pp. 7-11.

⁸⁶ Cf. HOPKINS 1983b, pp. 37-39; MARSHALL 1985, p. 139; BELTRAMI 1998, pp. 8-10.

⁸⁷ BRUNT 1982, p. 14-15; HOPKINS 1983b, p. 39.

⁸⁸ ZEHNACKER 1987, p. 16 and n. 20.

⁸⁹ ZEHNACKER 1987, p. 15 n. 6.

⁹⁰ The *cognomen* Tucca is restored from the forms readable in the Chronographers: *Tucco* (in the ablative, Chr. 354), *Tacio* (in the ablative; Fast. Hyd.); *Τακίου* (in the genitive; Chr Pasc.); *C. Servilius* (Cassiod.); BROUGHTON 1968: vol. 1, 187 and n. 1.

finis, as Zehnacker⁹¹ claims. Rather, the term seems to refer to the important Roman juridical and sociocultural concept of *capitis deminutio*. The jurist Gaius (*Inst.* 1. 159-162) explains:

est autem capitis deminutio prioris status permutatio. eaque tibus modis accidit: nam aut maxima est capitis deminutio, aut minor, quam quidam mediam vocant, aut minima. maxima est capitis deminutio, cum aliquis simul et civitatem et libertatem amittit; quae accidit incensus, qui ex forma censuali venire iubentur . . . minor sive media est capitis deminutio, cum civitas amittitur, libertas retinetur; quod accidit ei cui aqua et igni interdictum fuerit. minima est capitis deminutio, cum et civitas et libertas retinetur, sed status hominis commutatur; quod accidit in his qui adoptantur, item in his quae coemptionem faciunt, et in his qui mancipio dantur quique ex mancipatione manumittuntur; adeo quidem, ut quotiens quisque mancipetur aut manumittatur, totiens capite deminuatur. nec solum maioribus capitis deminutionibus ius agnationis corrumpitur, sed etiam minima.

By *capitis deminutio* is meant an alteration of one's former status. It occurs in three ways: it is either of the highest degree, of the lesser degree (which some call the intermediate degree), or of the lowest degree. It is of the highest degree when a man loses both citizenship and freedom, as happens to those who have intentionally avoided being registered in the censors' lists, and consequently, by censorial law, are ordered to be sold as slaves . . . There is lesser or intermediate *capitis deminutio* when citizenship is lost, but freedom is retained; this happens to those who are interdicted by fire and water. The lowest degree occurs when both citizenship and freedom are retained, and only the legal status of the individual is changed. This happens in the case of those who are adopted, of women who undergo *coemptio*, and of those who are given *in mancipium* and later manumitted; in fact, every time someone is mancipated or manumitted, a *capitis deminutio* is incurred. The right of agnation is destroyed not only with the higher degrees of *capitis deminutiones*, but also with the lowest.

Gaius states that *capitis deminutio* entails a change of legal status for the citizen⁹². There were three possibilities: *capitis deminutio maxima* not only guaranteed a Roman's loss of citizenship (as well as *capitis deminutio media*), but also made him a slave to be sold on the market⁹³. The less severe *capitis deminutio minima* conserved a citizen's freedom, but altered his agnatic rights (which evidently disappeared even in cases of more serious *capitis deminutio*)⁹⁴. It should be clear, then, that *capitis deminutiones* would represent, in many cases, a grave harm to a family of high status⁹⁵. A member of a family undergoing *capitis deminutio maxima* – as a consequence, for example, of being stricken from the census rolls (*incensus*) – would have had to have demonstrated his total separation from the community and lack of respect toward social rules and collective laws, perhaps irreparably damaging his family's prestige⁹⁶. No differently, the member of family suffering *capitis deminutio media* would have had to have committed crimes

⁹¹ ZEHNACKER 1987, p. 12.

⁹² Cf. Cic. *Top.* 4. 18 (and Boeth. *ad Cic. Top.* 4. 18); Gai. in *Dig.* 4. 5. 1; Paul. in *Dig.* 5. 4. 11; Paul. *Fest.* p. 61. 25-28L; ALBANESE 1979, pp. 311-313.

⁹³ VOLTERRA 1956, pp. 301 and 306.

⁹⁴ *Ibid.*, p. 303; ALBANESE 1979, pp. 313 and 324-330.

⁹⁵ BRETONE 1998, pp. 179-180.

⁹⁶ VOLTERRA 1956, pp. 303 and 306.

against the public interest so grievous as to necessitate his both legal and ritual exclusion from the community by means of *aqua et igni interdictio*.

A high-ranking family such as the Servilii must have feared even *capitis deminutiones minimae*, which were likely frequent occurrences. *Capitis deminutio minima* modified the status of a citizen in respect to his family: for instance, an adoption or a marriage *cum manu* through *coemptio* transferred the *filius* or *filia familias* into the agnatic line of the adopter or spouse, removing them from the family of origin. As Gaius notes, *capitis deminutio minima* had an effect on kinship relations even in cases of temporary sale through *mancipatio*, for instance the sale of a *filius familias* to some third party by a cash-strapped *pater familias*, who, up to the third sale exclusive, would be able to reacquire his son by *manumissio*. The damage caused by the *mancipatio* of the *filius familias*, breaking the relationship of *adgnatio* with his father for the entire period in which he was subject to the power of another *pater*⁹⁷, was particularly grave for kinship groups organized in the form of a *gens*⁹⁸. Mucius Scaevola, pontifex maximus, claimed, according to Cicero (*Top.* 6. 29), that «members of a *gens* are those who share the same *nomen*. But this is not sufficient; they must be born from free parents. Nor is this enough; their ancestors must never have been slaves. And something else is required; they must never have undergone a *capitis deminutio*. This, perhaps, is adequate»⁹⁹.

Scaevola makes clear that *gentiles* belonged to a fairly exclusive kinship organization, in which only those bearing the same *nomen* were recognized – provided they were also descendants of Roman citizens of full rights (*ingenui*), and that the agnatic line had never included slaves¹⁰⁰. But not even this was guarantee enough. Only those whose ancestors had never suffered any form of *capitis deminutio* could be called *gentiles*. Such rigid criteria for the determination and preservation of a *gens* meant that not all Roman citizens – in fact, only a very restricted minority of Roman citizens – belonged to a *gens*.

Certainly, judging from the sources, during the part of the Republican period we are dealing with, all patricians belonged to *gentes* and, together with them, the members of a few plebeian families¹⁰¹. It is not difficult to imagine that the Servilii who participated in the cult of the triens were the members of the patrician *gens Servilia*¹⁰². The word *familia* used by Pliny, particularly in light of the specification *inlustris in fastis*, appears in fact to be used in the case of the Servilii, as frequently occurs, to denote the *gens*¹⁰³ whose different branches joined together in order to share myths and communal rites¹⁰⁴.

⁹⁷ Gai. *Inst.* 1. 15. 3, «But the right of *adgnatio* is frequently destroyed with all types of *capitis deminutio* (*sed adgnationis quidem ius omnibus modis capitis deminutione plerumque perimitur*)»; cf. Liv. 8. 28; Val. Max. 6. 1. 9, FAYER 1994, pp. 29-32 and 221-222.

⁹⁸ In cases of *capitis deminutio minima*, «it is certain that the loss of *adgnatio* included even that of gentilicial ties»: ALBANESE 1979, p. 313 n. 9; cf. FAYER 1994, pp. 29-30.

⁹⁹ *gentiles sunt inter se qui eodem nomine sunt. non est satis. qui ab ingenuis oriundi sunt. ne id quidem satis est. quorum maiorum nemo servitute servivit. abest etiam nunc. qui capite non sunt deminuti. hoc fortasse satis est.*

¹⁰⁰ On the passage, see SMITH 2006, pp. 15-17. Cf. Paul. Fest. p. 83. 20-22L. *Gentiles* were recognized, moreover, on the basis of their common descent from an ancestor, often mythic or divine: Varr. *L.* 8. 2. 4; FAYER 1994, pp. 77-79; SMITH 2006, pp. 2-15.

¹⁰¹ BRUNT 1982, pp. 2-3; HOPKINS 1983b, pp. 52-53; FALCONE 1994, pp. 613-621; SMITH 2006, pp. 39, 49, 51-63, 331-332.

¹⁰² Cf. also ZEHACKER 1987, p. 16.

¹⁰³ The *gens* is an aggregate of many *familiae* (Sall. *Iug.* 95. 3; Liv. 9. 29. 10, 38. 58. 3; Val. Max. 1. 1. 17; Suet. *Iul.* 6. 1, *Ner.* 1. 1; Paul. Fest. p. 83. 25-26L), but often the term *familia*, when referring to lineages of particular importance,

With this in mind, it is clear why the *gentiles* Servilii would have judged any *deminutio familiae* negatively, and as a dramatic cause of their «decrease». First, in many cases – and always when it is *maxima* or *media* – *deminutio* is the result of improper behaviour on the part of some member of the *gens* towards the collective, putting the prestige of the family at grave risk. Second, in each case, *capitis deminutio* corresponds literally to a «lessening by one head» of the total number of members of the *gens* – in other words, a reduction of those able to obtain magistracies and so to increase the prestige of the family, as well as of those who share common *maiores*, rites, tombs, and gentilicial rights¹⁰⁵.

If we look at the history of the patrician Servilii, we can find two famous cases of *capitis deminutio*.

In c. 220 BC, Gaius Servilius Geminus, son of the patrician Publius (*cos* 252 and 248), performed a *transitio ad plebem* – perhaps the first in Roman history¹⁰⁶ – consequently suffering, by means of an *adrogatio* (the adoption of a *sui iuris* citizen) a *capitis deminutio minima*. By the *transitio*, Gaius, and his descendants, left the patrician branch of the Servilii, losing their gentilicial rights and common cults, which were formally abandoned through the *detestatio sacrorum* held in connection with the *transitio*¹⁰⁷. Nevertheless, the *capitis deminutio* did not alter Gaius Geminus' *dignitas*, and thus not his *nobilitas*, in any way¹⁰⁸. With him, and his descendants, however, the most noble branch of the Servilii evidently suffered a dramatic «reduction of the family», and lost the possibility of accumulating the prestige, for instance, of Gaius Geminus' sons, who became consuls in 203 and 202 BC¹⁰⁹.

Even more remarkably, in 106-105 BC the patrician Quintus Servilius Caepio, one of the most prominent members of the *optimates* faction and a former *triumphator* in Lusitania¹¹⁰, was involved in, or protagonist of, two controversial, and partially unclear, events – first (106 BC), when he was consul and commander of the army, the disappearance of the gold portion of the Toulouse plunder; then (105 BC), when he was proconsul, the resounding defeat at the battle of Arausio after behaving disrespectfully towards the consul, a *homo novus*, Gnaeus Mallius

actually denotes the *gens* (Liv. 1.7.12, 9.29.9; Tac. *Ann.* 6.5.1; Ulp. in *Dig.* 50.16.195.4); RADIN 1914, p. 238; BRUNT 1982, p. 2; FAYER 1994, p. 76 n. 203; HÖLKESKAMP 2004, p. 118.

¹⁰⁴ Cf. Cic. *Rosc. Am.* 6.15.

¹⁰⁵ Cf. ALBANESE 1979, pp. 313 n. 9 and 321-323. On *sacra gentilicia* (which are always *sacra privata*: Fest. p. 284. 21-22L), see FAYER 1994, pp. 88-94; SMITH 2006, pp. 44-46. *Gentiles* were expected to always respect their *sacra gentilicia*, or run the risk of incurring censorial penalties: Dion. Hal. *A. R.* 20. 13. 3; cf. Liv. 5. 46. 2-3, 5. 52. 4; Val. Max. 1. 1. 11; Flor. 1. 7. 16; Appian. *Celt.* 6; FAYER 1994, pp. 94-95. It is worth recalling that in cases of *adrogatio*, the adoptee, upon leaving his former kinship group, had to complete a process known as *detestatio sacrorum*, disavowing the *sacra* of his ancestors. On *sepulchra gentilicia* and *mores*, see SMITH 2006, pp. 1-9. The rights of the *gens* pertain to acquiring the patrimonies of individuals of the same *nomen* who have died intestate and without direct heirs and close agnates (Tab. 5. 4-5; for an historical example, cf. Cic. *De or.* 1. 39. 176; SMITH 2006, pp. 52-54), and the protection of mentally incapacitated members (Tab. 5. 7a); FAYER 1994, pp. 80-82 and 87; CORBINO 2010, pp. 178-182. *Gentiles* were also expected to support themselves in the event of judicial proceedings or penalties of various kinds: Liv. 3. 58, 5. 32. 8, 6. 20; Dion. Hal. *A. R.* 13.5; Appian. *Hann.* 28.

¹⁰⁶ On the complex problem, and the name of the possible adopter, see FEIG-VISHNIA 1996, pp. 287 and 294-296. On the date of the *transitio*, Liv. 27. 21. 10, 30. 19. 9; BADIEN 1984, pp. 49-50. MORA 1999, p. 113, considers Geminus' *transitio* a retrojection of later events.

¹⁰⁷ Cf. above n. 105; FAYER 1994, pp. 295-296 n. 16; SMITH 2005, p. 105.

¹⁰⁸ Cf. *Inst. Iust.* 1. 16. 5; SIIMET-GROSS 2010, p. 229.

¹⁰⁹ BADIEN 1984, p. 50; on the problem of the Servilian consuls of 203 and 202, cf. MORA 1999, p. 113.

¹¹⁰ *Eutr. Brev.* 4. 27. 5; ROMAN 1994, p. 383.

Maximus –¹¹¹, which caused him to undergo a trial in Rome in which he was eventually exiled, losing his citizenship and personal patrimony, and to suffer a *capitis deminutio media*¹¹². The patrician *familia Servilia* suffered a *deminutio* depriving it of a prominent member and, by the condemnation, of some of its ancient reputation and honour – along with, in this specific case, a part of their property¹¹³.

In fact, after the *transitio ad plebem* of Servilius Geminus and the *capitis deminutio* of Quintus, only a very reduced branch of the Caepiones remained to represent the patrician group of the Servilii around 100 BC.¹¹⁴ When Valerius Messalla Rufus picked up the story of the Servilian triens, in the 50s BC, only two Caepiones were actually living: i.) Quintus, a legate of Pompey, a creditor of Cicero's brother, and the prospective, but unsuccessful, husband of Caesar's daughter Iulia, who died shortly after 58 BC; ii.) his adoptive son Marcus (from the family of Iunii), the most famous Caesaricide¹¹⁵.

In the light of these events, the logic that stands at the base of the miraculous «behaviour» of the triens again appears fully coherent with the expectations and fears that the members of the «shrinking» Servilian *gens* of the later Republican period would have shared.

6. THE *MIRACULUM* REVEALED?

It is now possible to draw certain new conclusions regarding the meaning of the Servilian triens within the historical, cultural and social context in which its myth and rite were conceived. If, as everything said so far leads us to believe, the triens symbolizes the *familia Servilia inlustris in fastis* between the late third and the mid first centuries BC, the fundamental meanings that the triens conveys are basically three:

1. The Servilii are not overly interested in increasing the patrimony of the members of the *gens*, which in fact seems not very large¹¹⁶ – just as the triens, a coin of modest value, changes in size over time, maintaining unaltered its economic value. The «size» of the family, owing to the *dignitas familiae*, is not in fact predominantly conditioned by strictly economic factors.

2. «Increasing» the *gens*, like the triens, is determined by its publically recognized *honos*, which can be measured year by year on the basis of the election of its members to the magistracies (*honores*) of the Roman state.

¹¹¹ Poseid. fr. 33 Jacoby; BAUMAN 1970, pp. 38-41; ROMAN 1986; ROMAN 1994, pp. 382-383 and 388-389.

¹¹² Timagenes fr. 11 Jacoby; cf. Liv. Per. 67; Val. Max. 6. 9. 13; Gell. NA. 3. 9. 7; Strab. 4. 1. 13; Dio Cass. 27 fr. 90; Justin. 32. 3. 9. 9-11; Oros. 5.15.25; BAUMAN 1970, pp. 38-58; ROSENSTEIN 1990, p. 263; ROMAN 1994, pp. 383-389; cf. CRIFÒ 1984, esp. p. 493.

¹¹³ BAUMAN 1970, p. 44; ROMAN 1994, p. 388.

¹¹⁴ The Servilii Prisci are not attested as holders of magistracies after 369 BC (*Q. Servilius Q. f. Q. n. Priscus Fidenas*: BROUGHTON 1968, vol. 1, p. 111); the Servilii Structi, after 368 BC (*Sp. Servilius C. f. C. n. Structus*: BROUGHTON 1968, vol. 1, pp. 111-112); and the Servilii Ahalae, after 342 BC (*Q. Servilius Q. f. Q. n. Ahala*: BROUGHTON 1968, vol. 1, p. 133). For other patrician families that shrunk or disappeared during the mid and late Republic, see Cic. *Brut.* 62; Suet. *Aug.* 2. 1; Zonar. 7. 15; HOPKINS 1983b, pp. 69-119; NORTH 1990, p. 281; cf. Cic. *Dom.* 34. On different calculations of patrician *gentes* existing in the Republican period, see RICHARD 1986, pp. 106-108.

¹¹⁵ GEIGER 1973, pp. 150-151. The former, son of the Marian praetor of 91 BC, was more likely the source of the story of the Servilian triens for the philo-Caesarian Messalla (cf. SYME 1986, pp. 227-229, 329). It is not impossible that Messalla received his meager and incomplete information about the cult of triens from the plebeian and philo-Caesarian P. Servilus Vatia Isauricus (*cos* 48 and 41).

¹¹⁶ The later Republican Servilii were surely not poor (which does not mean very rich), if a Caepio (very likely Q. Servilius Caepio) is mentioned in 58 BC as a creditor of Q. Cicero (Cic. *Q. fr.* 1. 3. 7); GEIGER 1973, p. 151.

3. Any «decreasing» of the *gens*, like the *triens*, is a measure of the *capitis deminutiones* suffered by its members, which reduce the family's prestige and, simultaneously, reduce the number of potential magistrates, putting at risk the lineage's ultimate survival and its chances of influencing the political scene in the future.

At further glance, there is another meaning of the Servilian *triens*, recalling what struck Pliny about its cult – namely, that a humble coin of copper was venerated with precious gifts of gold and silver. Zehnacker and, later, Fiorentini¹¹⁷ emphasized the propitiatory dimension of the cult: in their view, consecrating gold and silver to the *triens* would have facilitated the family's political and economic success. Yet adhering closely to the text and to the arguments developed so far suggests something quite different. The *triens* is in fact limited to anticipating the future and not to influencing it *per se*. The *Servilii* consecrate precious metals to this coin not, fundamentally, because it possesses a kind of magic power, but because, as Messalla states, it is a sacred (*sacer*) object for all members of the family¹¹⁸. Precisely because this modest coin was considered something sacred by the *gentiles Servilii* (and considered so only by them), they granted it the same reverence, and even opulence, owed in Roman society to a god and otherwise prohibited to men respectful of moderate traditional customs¹¹⁹. This reverential and «luxury» treatment includes the possibility of the coin's receiving («feeding on», «consuming») gifts of gold and silver, exactly as occurs in the case of ancient effigies of Roman gods, which were sometimes constructed of materials more humble even than copper (such as terracotta: Prop. 4. 1. 5), but to which sacrifice and the sumptuary destruction of riches were nevertheless addressed. As the *triens* was the *Servilii*, the symbol of the system of values they believed in, that small piece of stamped copper was for them truly more precious than gold or silver. From this point of view, Pliny had understood very well the meaning of the myth and ritual of the Servilian *triens*.

Cristiano Viglietti

e-mail: viglietti@unisi.it

¹¹⁷ ZEHACKER 1987, p. 14; FIORENTINI 1988, pp. 121-123.

¹¹⁸ On the meaning of *sacer*, see FIORI 1996, p. 71; cf. ERNOUT - MEILLET 1959⁴, p. 587.

¹¹⁹ ZANDA 2011, pp. 10-11. On the «wealth» of the gods: Plaut. *Men.* 218; Varr. *L.* 5. 17. 92; Ov. *Fast.* 1. 223-224 (referring to gold); Mart. 8. 26. 6. It is worth noting that during the third and the early second centuries BC, whereas individuals owning too many objects in precious metals were punished (for instance, the former consul P. Cornelius Rufinus was banned from the Senate in 275 BC for owning ten pounds of silver vessels: Ov. *Fast.* 1. 208; Plin. *Nat.* 33. 50. 142; DONDIN-PAYRE 2004, pp. 46-47), Roman magistrates frequently used the money acquired from public fines to purchase gold or silver artefacts to adorn Roman temples: Liv. 10. 23. 11-13, 35. 10. 11-12, 38. 35. 5-6; GARGOLA 1995, p. 135.

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FIGURES

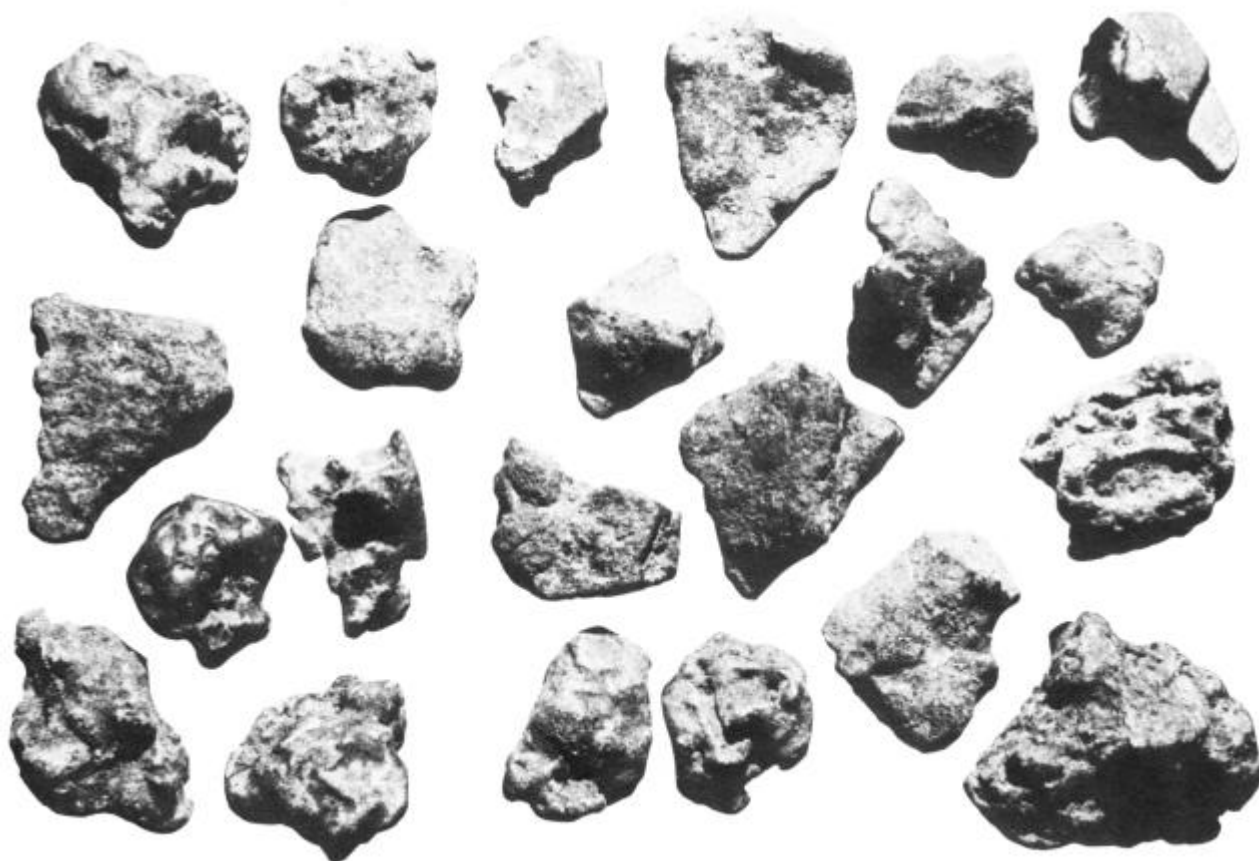


Fig. 1

Copper/bronze *aes rude/rauduscula*.
From THURLOW - VECCHI 1979 (pl. 2).



Fig. 2

Rome, end of the 4th century BC.

Bronze ingot: Eagle on fulmen/Pegasus, in ex. ROMANOM; theoretical weight g 1,635; mm 165 x 95; CRAWFORD 1974: n. 4/1a (280-242 BC).

From THURLOW - VECCHI, 1979 (fig. AS13).



Fig. 3

Rome, central decades of the 3rd century BC. Bronze triens, reduced libral series.

r Head of Minerva, in ex. four dots.

v ship-prow, in ex. four dots.

Avg. weight g 89.44; Ø mm 45.

CRAWFORD 1974: 35/3a (225-217 BC); CATALLI 2001: n. 31/3.

From CATALLI 2001 (fig. 31/3).



Fig. 4

Rome, c. 91 BC. Bronze triens. Uncial series.

r Head of Minerva, in ex. four dots.

v ship-prow, in ex. four dots and ROMA.

Theoretical weight g 4.5; Ø mm 21.

CRAWFORD 1974: n. 338/3 (c. 91 BC); CATALLI

2001: n. 468/2.

From CATALLI 2001 (fig. 468/2).