1

Human Property

In the early second century BCE, the curule aediles, who presided over markets at Rome, issued regulations for the sale of slaves. The aediles required that those selling slaves make clear a slave’s physical defects, his/her proclivity to run away or wander, and any legal liabilities (noxae) associated with the slave:\(^1\)

\[
\text{In edicto aedilium curulium, qua parte de mancipiis vendundis cautum est,}
\]
\[
\text{scriptum sic fuit: Titulus servorum singulorum scriptus sit curato ita, ut intel-
\text{legi recte possit, quid morbi vitiue cuique sit, quis fugitivus errove sit noxave solutus non sit. (Gell. 4.2.1)}
\]

In the edict of the curule aediles, in the part where it regulates the selling of slaves, it is written thus: See to it that the label for individual slaves be written in such a way that it may be rightly understood, what disease or fault there may be to each one, who is a runaway or wanders or is legally liable to noxal surrender.

\(^1\) On slave sale and the curule aediles’ edict, see Buckland 1908, 52–72; Daube 1956, 91–97; Nicholas 1962, 181–182 (putting the remedy in the spectrum of protections on sale); Watson 1971a, 1971b, 134–136; Jolowicz and Nicholas 1972, 293–294. On the date of the text see \textit{Dig.} 21.1.10.1, citing Cato, either Cato the Elder or his son, for a definition of \textit{morbus}. For a linguistic argument (the future imperatives) dating the text to the late third or early second century BCE, see Daube 1956, 91–97. On the influence of the edict on slave sale in south Italy already in the 50s BCE, see Hughes 2006, 239–261, esp. 249–254. On the influence of the edict throughout the Empire, see Crook 1984a, 180–186. The wording of the edict is repeated in an early text of slave sale in Britain, dating c. 75–125 CE (\textit{ea(m)que puella(m)que de qua agitur sanam tridi/tam esse erronem fugitivam non essel/praestari}), see Tomlin 2003, 41–51. The sale of the slave was already a topic of the law in 451/450, when the Twelve Tables prescribed that a Roman citizen could not be sold as a slave at Rome and must be sold across the Tiber (Tab. 3.7), see Crawford 1996, 625–629.
The edict coincides with the development of praetorian actions that gave a limited guarantee to the buyer of a slave: remedies for the return of defective slaves within six months (actio redhibitoria), for recovery of the difference in value for defective merchandise within one year (actio quanti minoris). The edict and the praetorian actions confirm the development of a public market for selling slaves at Rome and, once again, we see slave-holders harnessing the institutions of the state to guarantee their own economic interests, in this instance the buying and selling of slaves. In other words, the terms of slave law became a mechanism to extend the thinking of the slave society at Rome throughout the world where Roman law ruled. The edict also presumes a slave market in which slaves were being resold and implies the master’s rational calculation of the slave’s value as fungible chattel. The conditions that needed to be identified by the seller suggest not only less than honorable market practice by sellers, but also a range of behaviors by the slaves themselves that precipitated their resale. The listed behaviors describe classic modes of slave resistance: dallying at work; damaging or destroying property; running away. Frier has remarked the peculiar character of the edict and the praetorian remedies that did not depend on the buyer’s fault and assigned liability to the seller regardless of his own knowledge or fault. For Frier, Roman law facilitated market transactions by counter-balancing in favor of the buyer the unequal strategic advantage of the seller who knew better the slave merchandise. Yet the remedies relating to slave sale, like the noxal actions, accounted for the undesired behavior of slaves by assigning liability for that behavior to the master. Roman law, once again, seems to have been nuanced in order to account for actions by slaves without recognizing them as agents in their own right. What is important here is how hard the law worked to avoid acknowledging the slave’s capacity for autonomous action.

The edict and the praetorian remedies afford a tantalizing glimpse into the world of Roman slave sale and the process of enslavement in the late third and early second centuries BCE. They raise basic questions of logistics, e.g., where was the market at Rome, what did the market building look like, and what did the market process look like. Even more, they raise questions about the slaves themselves and how human beings accommodated

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2 On the remedies, see Buckland 1908, 59–65; Watson 1987, 47–52. On the penalties, see Buckland 1908, 63–65.
3 For a survey (ahistorical but with good summary of the literary sources), see Wallon 1879, 2.51–66. On the threat of resale, see Scelodrus in Miles 516–584 and for discussion, see Chapter 3. On slave traders, see Hughes 2006; Bodel 2005.
4 Frier, “Adverse Selection in Market Sales of Roman Slaves” (unpublished paper). For slave markets in the American South and the economic variables affecting sale (price, cost of maintenance, cost of transport, quality of slave, and productivity), see Greenwald and Glasspiegel 1983.
5 Cf. noxal liability, see Buckland 1908, 112–113.
themselves within a system that defined them as fungible chattel. In order for the slave society to endure, legal definitions had to become social realities.\(^6\)

In this chapter, exploration of Plautus’ plays seeks insights into the processes and interactions that quite literally made human beings into chattel.\(^7\) In Mercator Plautus conjures up the sale of a slave woman, where staging includes the audience as participants at the auction. He repeats the theatrical ploy in Persa. Both plays document the actions and thought processes whereby human beings become fungible chattel.

1 Sale

Free persons entered slavery through sale, an action that gave concrete expression of their definition as fungible chattel. Vernae (or “homeborn slaves”) exist in Plautus’ world, but rarely.\(^8\) Research on the Roman slave trade has identified places of slave sale, the self-representation of individual slave traders and their low, dishonored status within their communities, the architectural configuration of buildings identified with sale, the probable size of the slave population, or at least the recorded numbers of those enslaved.\(^9\) The research reflects the attempt to understand important features of the trade on a macro and micro level. But the architectural configuration of buildings and the low status of the dealers cannot tell us what the interaction of slave and buyer looked like, or how the audience at a slave sale reacted to the human merchandise, or how the slave responded to his or her purchase or enslavement, or when and in what circumstances a free person began to acquiesce in his or her own enslavement. Understanding the experience of slave sale requires exploring not only what the slave society did to the slave (how far the slave traveled, in what conditions, where the slave was sold, and so on), but also how the slave internalized and reacted to his or her enslavement.

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\(^6\) On the role of literature as well as other social institutions to inculcate and reproduce the foundational frameworks and thinking – ideologies – of a society, see Althusser 1994.

\(^7\) On the trade, see the perspicacious comments of Bradley 1992, 133: “Personal degradation and humiliation, cultural disorientation, material deprivation, severance of familial bonds, emotional and psychological trauma – these were, I believe, some of the results of the slave trade in Roman antiquity commonly experienced by countless numbers of slaves – men, women and children who remain for the most part, of course, anonymous to us – across a great span of time.” Plautine drama establishes a Roman awareness of these features.


\(^9\) On the trade, see Harris 1980; Scheidel 1997; Harris 1999. Harris’ (1980) chronological focus is later than the period of Plautus but his article offers a fundamental assessment. On the numbers and scale of Roman enslavements, see Scheidel 2007, esp. 7–8. On slave sale at the level of personal experience, see Bradley 1992. On slave dealers, see Hughes 2006. For a provocative assessment of work in ancient history and archaeology on the comparative study of slavery, see Webster 2008.
how many slaves were sold) but also how the larger society, individual masters, and slaves interacted to create the relationship of master and chattel.

Physical evidence for slave markets is limited. William Harris collected the evidence for sale in order to identify markets and document the multiple points of entry into the slave trade, although he rightly cautioned against oversimplifying the trade that comprised on a micro level the sale or transfer of the slave from one owner to another. At Rome archaeological or topographical evidence for the buying and selling of slaves is vaguely recorded and largely conjectural. In Plautus’ Curculio the choragus in monologue gives a brief tour of the Roman Forum to the audience and points out landmarks of mercantile exchange, mentioning places where slaves sold their services and where slaves themselves were sold in subsequent periods. The choragus refers to the marketing of older, male prostitutes, who could be of free or slave status, and general, vague business contracts in the area “sub basilica,” most probably the tabernae that stood in front and at the base of the “basilica”: *apud Cloacinae sacrum / dites, damnosos maritos sub basilica quaerito / ibidem erunt scorta exoleta quiue stipulari solent* (471–473). He singles out the temple of Castor for ill-defined business deals with dishonest businessmen who are quick to appear (*pone aedem Castoris, ibi sunt subito quibus credas male*, 481), perhaps the predecessors of disreputable slave traders whom Seneca identifies at the temple in the first century CE (*Dial.* 2.13.4) or the money-lenders mentioned by Cicero near the temple (*Quinct.* 4.17). Finally, he cites the street of the *vicus Tuscus* as the place to find male prostitutes, who again could be of free or slave status (*in Tusco vico, ibi sunt homines qui ipsi sese venditant*, 482). Plautus’ topographical tour of the Forum is clear about the dishonor of mercantile activities located there, but vague or silent about the activities themselves. The temple of Castor, where Seneca later located slave traders, was a public multi-use building, as were the tabernae at the base of the basilica where Plautus

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11 On the lines, see Moore 1991.
12 *Quiue stipulari solent* is too vague to include or exclude any particular business activity: Moore 1991, 348–350, interprets *stipulari* to refer to money-lenders, rather than business deals between prostitutes and customers (cf. *Cist.* 375); on *stipulari* and the sale of slaves, see Buckland 1908, 46. The term *scortum* could refer to male or female prostitutes (Williams 2010, 32–33 and n. 153) but *exoleta* or “grown up” suggests males; see Moore 1991, 348–350; Williams 2010, 83. On the *tabernae*, see Richardson 1992, 375–376, s.v. “tabernae.”
13 *Dial.* 2.13.4: *Num moleste feram, si mibi non reddiderit nomen aliquis ex bis qui ad Castoris negotiantur nequam mancipia ementes vendentesque quorum tabernae pessimorum servorum turba referterae sunt?* (“Should I take it badly, if someone does not return my greeting, one of those who do business at the temple of Castor, selling and buying worthless slaves, whose stalls are stuffed full with a crowd of the worst possible slaves?”). It is important to note that Seneca’s evidence dates after the temple of Castor lost its political use, both with the construction of the temple of the Deified Julius that cut into the area for political assembly in front of the temple and with the decline of the political assemblies under the Empire.
locates the sale of prostitutes’ services; and the temple served for public, deliberative, and voting assemblies of the *comitia tributa* as well as meetings of the Senate.\(^\text{14}\) The two locations conjure up contrasting circumstances for economic exchange: the somewhat private alcoves or stalls of the heavily trafficked *tabernae* and the public pedestal created by the stairs and high podium of a Tuscan temple. Near the Forum in the general area of the Argiletum, between the Comitium and the Basilica, stood a general market, or *Macella*, with its attached porticoes, or *Atria Licinia*, that served as an auction building for both public and private estate sales, although no slave sale is explicitly identified there.\(^\text{15}\) Both the auctioneers who managed the sales and the area itself were disreputable.\(^\text{16}\) Finally, Coarelli has proposed the auction of captives *sub corona* on the Capitoline after they took part in the triumphal parade that ended there.\(^\text{17}\) In sum, the evidence for places where slaves were sold at Rome is almost non-existent, but it yields two conclusions. First, evidence for the trade: the political community and individual elites at Rome chose not to spend money in order to build or outfit a durable building specifically for a business identified as dishonorable and practiced by individuals identified as dishonorable.\(^\text{18}\) Second, literary evidence of slave sale, particularly the public drama of Plautus, fills a gap.\(^\text{19}\)


\(^{18}\) The exception may be Delos in the late second century and the Agora of the Italians, see Coarelli 2005, esp. 209–212. The building consists of a large square surrounded by a colonnaded portico, an architectural design not unlike the peristyles of Roman houses and the later central squares of imperial *fora*; but the building also displays features that, according to Coarelli, facilitated its role as a slave market: two monitored entrances for security and surveillance; baths, a latrine, and a bakery for controlled access to life necessities in order to maintain living merchandise and ready slaves for sale; niches secured by grilles that would allow for the display of merchandise. Dating from the last third of the second century BCE, the special function building could reflect the volume of trade at the free port. On other buildings perhaps to be associated with the trade, see the survey of Fentress 2005. The identification of the Eumachia at Pompeii with the slave trade, particularly the cryptoporticus with barred windows for the detention of slaves about to be sold and the exterior niches on the Forum for the display of slaves for sale, faces logistical problems. The lack of a water supply or of a sewer system in the building makes it an unlikely location for all but very short-term retention of human merchandise. Lawrence Richardson reminded me that buildings identified as jails, or holding cells, at Pompeii, Praeneste, and Cosa did not possess barred windows, as are found in the cryptoporticus. On slavery – and the invisibility of slavery – in the material record, see the recent survey of George 2011.

\(^{19}\) The imaginary of the slave-holders runs as a constant refrain in the recent study of the American slave market, see Johnson 1999.
For the slave’s experience of sale, Keith Bradley has drawn attention to a story of slave sale in Lucian, the second-century CE author and rhetorician. His “The Sale of Philosophers” shows the gods Zeus and Hermes organizing a sale of philosophers who are slaves and made to describe the intellectual skills they might bring to the prospective buyers. The folktale of “Aesop” preserved in a version of the first century CE documents the popular perceptions of slave sale parodied in Lucian’s text: it chronicles the life of a slave named Aesop who is sold away from his native estate and purchased by a professor in the Hellenistic East. In its account of slave sale, the folktale presumes to relate the inner thoughts of a slave who stood on the auction block and reveals awareness of the slave’s necessary self-restraint amidst indignity:

πολλοὶ δὲ κατανοοῦντες τὰ σωμάτια, ὄρωντες τὸν Αἴσωπον πρὸς ἀλλήλους ἔλεγον “πόθεν τὸ κακόν τούτο; οὔτος καὶ τοὺς ἄλλους ἀφανίζει.” ὁ δὲ Αἴσωπος ὑπὸ πολλῶν σκωπτόμενος τολμηρῶς εἰστίκη.

“And many men observing carefully the slaves’ bodies and seeing Aesop said to the each other, ‘whence this evil? This one tarnishes the others.’ But Aesop, though mocked by many, stood fast.” (Aesopica, 21)

Like the Aesopic folktale, Plautus enlarges upon the popular conceptions of the slave trade in the early second century BCE, by staging slave sale as public entertainment and by illustrating the event and its immediate consequences, for the slave, for the master, and for the larger community.

Plautus’ Mercator focuses on the competition of father and son for the body of a female slave. A young man has gone abroad on business in order to free himself from a love affair (79–85); he is entertained at dinner by a family friend who also sends him afterwards a slave woman for sex (96–102); the young man falls in love with the slave woman and buys her (103–105); he returns home and claims to have bought the woman as a gift.

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20 Lucian, Philosophies for Sale 1 (slaves are groomed or dressed for sale), 2 (slave steps forward to be looked at or appraised), 6 (slave strips to show his body); see Bradley 1992, 126–127.

21 Vita W 21 (p. 84 Perry). Hopkins (1993) recognized the long history of the folktale (“an anonymous accretive novella, composed and revised, as I suspect, over centuries,” 3), emphasized the historical value of a composite story (“For these purposes, I should stress, it does not matter so much whether these stories were true. It matters more that they were told and retold,” 8), and focused on its historical significance at the time when it was written (11 and n. 14). For an attempt to unravel the multiple layers of the Aesopic traditions, see Kurke 2011, appreciating Hopkins’ attempt to read Aesop for the ideology of slavery but faulting his narrow historical focus, along with that of Jack Winkler: “for both Winkler and Hopkins, the Life of Aesop is only a Roman text and nothing more” (25). Further on Aesop and slave speech, see Chapter 5.
purchased for his mother (199–202, cf. 349–350); the young man and his father compete over the slave woman. The identified moral conflict of the play (i.e., the wrongness of old men in love and the consequent domestic turmoil) is resolved, and the play ends with public proclamation of a law prohibiting old men from philandering and permitting the same behavior in a young male (1015–1024). The resolution restores the father to his social role as *paterfamilias* while permitting young men to have sex with slave women.  

Scholarly work has focused on the male roles, on the conflict of fathers and sons. But the dramatic plot of *Mercator* uses ideas of slavery to define and reinforce ideals of the proper slave-master and slave-mistress and, in so doing, it also tells a story about slavery and particularly about the slave trade. The violence of slavery is silenced in this play, because it is dressed up first as the comically deluded fantasies of an old man and second as the romantic love between a young master and a slave woman.

The slave woman’s body is not the thematic focus of *Mercator*, although it is the continual subject. The slave woman’s physical beauty is avowed as the cause of the young man’s love for her in his first, opening melodramatic monologue to the audience (99–103), whom he solicits as his confidants (3–8). Her beauty is reported to have elicited a wide-eyed gaze from the young man’s father (180–183, cf. 198–199, 393–394):

CHAR: *quid meum pater?*

CHAR: What did my father do?
CHAR: He saw her? Oh woe is wretched me. This
That I ask you, answer. ACAN: Okay, ask whatever you want.
CHAR: How could he see her? ACAN: With his eyes. CHAR: In what way?
ACAN: With his eyes gaping wide.

22 On the plot type and its social morality, see Konstan 1983, 51.
23 On the use of monologue, parallel lines, and asides to enact the competition of father and son for audience favor, see Moore 1998, 30–35. On Demipho’s dream, see Slater 1985, 170–171.
24 Cf. Hartman 1997, 79–103, analyzing the problem of will, desire, and sexual submission in the context of slavery.
25 James (2010, 40) counts fifteen changes of possession within the narrative of the play.
26 On *hio, biare* describing parts of the body, particularly the eyes (here *oculis*) see *TLL* 6.3 (1936–1942), s.v. “hio,” 2811.48–50.
The conventional dialogue between master and clever slave is standard humor: the clever slave answers the master’s concrete question (*qui potuit videre*, “how could he see her”) with a concrete answer (*oculis*, “with his eyes”), and he flags the humor of the verbal strategy by telling the master – and so the audience – that he has responded to the question he was asked (183–184). But the verbal flourish underscores the claim of the slave woman’s beauty and its eye-popping effect. Next, in the old man’s first appearance onstage, he claims in his own monologue to the audience that upon seeing the slave girl, he fell madly in love (260–265):

DEM: *atque ego illi aspicio forma eximia mulierem,*
*filiu’ quam advexit meu’ matri ancillam suae.*
*quam ego postquam aspexi, non ita amo ut sanei solent*
*bomines sed eodem pacto ut insanei solent.*
*amavi hercle equidem ego olim in adulescentia,*
*verum ad hoc exemplum numquam ut nunc insanio.*

DEM: And then I saw there a woman of extraordinary beauty,
Whom my son has brought as a maidservant for his mother.
As soon as I saw her, I fell in love not as sane men love,
But like a madman.
I’ve been in love, by god, when I was a young man,
But never in this crazy way as now.

The long monologues of father and son from the first lines of the play invite the audience as participants in their obsession with the slave woman and as judges of their competing claims. Finally, the old man, attempting to persuade his son to sell the woman, imagines that the slave woman walking the streets of the city will elicit similar obsession in the entire city (406–409):

DEM: *quando incedat per vias,*
*contemplent, conspiciant omnes, nutent, nictent, sibilent,*
*vellicent, vocent, molesti sint; occentent ostium:*
*impleantur elegorun meae fores carbonibus.*

DEM: Whenever she walked through the streets,
Everyone would eye her and look at her, they would nod, wink, whistle,
Pinch her, call her name, be a bother; they would serenade the entrance to our house,
And my doors will be blackened with graffiti professing love.

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27 On the significance of the slave’s verbal strategy, see Chapter 5.
28 On the long monologues by father and son and their function to create a humorous competition between father and son for the rapport of the audience, see Moore 1998, 33.
The old man thus universalizes his response to the slave woman as natural and inevitable. The slave woman is physical body and she is desire, within the household and in the larger community. The old man’s comments are humorous because they are self-incriminating: he has just confessed to the audience that he saw and fell immediately in love with the slave woman, and he is scheming to purchase her for himself; the young man’s slave reported that the old man gawked when he saw the slave woman and then began to touch her when he discovered she belonged to his household (203–204). But the slave woman is as yet unseen and exists only in the minds of the audience. She is a fantasy of male desire. Plautus has staged the objectification of a slave woman for public entertainment and consumption.

Both father and son evaluate the unseen slave woman as human merchandise, or chattel. Competing for the slave woman, the father carefully details the economic variables affecting her economic value. In arguing against the suitability of the girl for household service, the old man first argues that the beauty of a slave woman precluded her capacity for useful household work (393–399):

CHAR: eho an vidisti, pater?
DEM: vidi, verum non ex usu nostrost neque adeo placet.
CHAR: qui vero?
DEM: qui – *<quia>* non nostra formam habet dignam domo. 
nihil opust nobis ancilla nisi quae texat, quae molat, 
lignum caedat, pensum faciat, aedis vorrat, vapulet, 
quae habeat cottidianum familiae coctum cibum: 
horunc illa nihilum quicquam facere poterit.

CHAR: Oho! You saw her, father?
DEM: I did see her. But she is not for us, she really isn’t suitable.
CHAR: Why?
DEM: Because she has a beauty that isn’t respectable for our house. We have no need of a slave woman except to weave, grind grain, Cut firewood, work her measure of wool, sweep the house, be flogged, Cook the household’s daily food: That girl cannot do any of these things.

Second, the old man claims that the slave woman cannot serve as a personal slave to the *materfamilias*, because the attention she will draw to herself (405–411) will bring disgrace on her mistress (*quia illa forma matrem familias / flagitiium sit sei sequatur*, “Because it would cause scandal if such a beauty were the personal attendant of a Roman wife and mother,”

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29 On the fancy girls in the American South, see White 1999, 37–39.
The thinking parallels the legal definitions and social premises of Roman law, where the slave’s actions represent the extension of the master’s intentions and injury to the slave represented injury and a dishonor to the master. Third, the father claims that beautiful slave women only function for sex, that the sex trade is dishonorable, and that the family will be accused as purveyors of sex (*atque, ut nunc sunt maledicentes homines, uxori meae / mibique objetent lenocinium facere*, “And, as men now are so slanderous, they will accuse my wife and me of trafficking in beautiful slave women,” 410–411). The father thus evaluates the worth of the slave woman economically in terms of assumed productivity and socially in terms of the prestige or disgrace she would bring to the house, in order to pronounce her a bad investment.

The son assesses the value of the woman in terms of the Roman legal protections on slave sale, terms that ground the scene in Roman practice. The son claims to have bought the woman with a guarantee and so has the option to return the defective merchandise (*dixit se redhibere si non placeat, 419*), against which the father adduces the high social cost of litigation (419–423). The son claims that he did not buy the woman by the Roman legal practice of *mancipatio*, and the lack of legal title would diminish her resale value (449–450). Finally, the son claims that he has shared legal title and cannot legally alienate the slave woman (451–452, 455–456). The situation is theatrical, not a law court; but the repetition of Roman legal concepts grounds the dramatic action in Roman realities, and these surround Plautus’ staging of a fictive slave auction.

The play invites the audience to witness and participate in a bidding war over the slave woman who has yet to appear onstage. The scene begins as deception, as both father and son claim to be representing the interests of other interested buyers of the girl, in paired lines with identical phrasing (426–428):

DEM: *tace modo: senex est quidam qui illam mandavit mihi ut emerem – ad istanc faciem.*

CHAR: *at mihi quidam adulescens, pater, mandavit ad illam faciem, ita ut illa est, emerem sibi.*

DEM: Silence now. There is a certain old man who asked me To buy him a girl of her appearance.

CHAR: But a certain youth, father,

Asked me to buy him a girl of exactly her appearance.

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30 On the legal principle see Gai. *Inst.* 3.222 and the commentary of Frier 1989, 188.

31 On *mancipatio*, see Nicholas 1962, 63 (“the mere handing over of a slave, for example, even in pursuance of a valid sale, would not transfer ownership according to the civil law”).

32 On *filiusfamilias, paterfamilias*, and the *peculium*, see Nicholas 1962, 68–69; Saller 1994, 118–126.
Father and son then compete at offering staggering sums they claim to have been commissioned to promise for the girl (429–430):

DEM: *viginti minis opinor posse me illam vendere.*
CHAR: *at ego si velim, iam dantur septem et viginti minae.*

DEM: I think I can sell that girl for twenty minae.
CHAR: But if I want, twenty-seven minae are already on offer.

They interrupt each other with their competing offers (431):

DEM: *at ego –*
CHAR: *quin ego, inquam –*

DEM: But I –
CHAR: But I, I say –

At this point, father Demipho moves the auction from the stage and into the audience, as he claims to represent the interests of a member of the audience (431–436):

DEM: *ah, nescis quid dicturus sum, tace. triis minas accudere etiam possum, ut triginta sient.*
CHAR: *quo vortisti?*

DEM: *ad illum qui emit.*
CHAR: *ubinamst is homo gentium?*

DEM: *eccillum video. iubet quinque me addere etiam nunc minas.*
CHAR: *hercle illunc di infelicient, quisquis est.*

DEM: *ibidem mihi etiam nunc adnutat addam sex minas.*

DEM: Ah, you don’t know what I was about to say! Quiet. I can add three more minae, for a total offer of thirty.
CHAR: Where are you turning?

DEM: To that buyer of mine.
CHAR: Where on earth is he?

DEM: Look! I see him. He just now ordered me to bid five more minae.
CHAR: Whoever he is, may the gods curse him!

DEM: Just now
He signaled me to add six minae more.

Charinus, for his part, claims to have got the nod to increase the price again (*septem mihi*, 437). The acceleration of the dialogue, moving from two lines per interlocutor to one line to interrupted lines, conjures up both the competition and excited bidding between father and son (cf. 436–440), even as Plautus creates a metatheatrical identification of his audience with the
bidders in the slave sale. Two important points emerge from this dialogue. First, the scene suggests logistical features of slave auction including proxy bidders, as Rauh has shown for auctions generally, and action on an elevated platform or stage, features that made the bidding tense and exciting. Second, the slave girl has yet to appear onstage. The audience participates in a fantasy within the fantasy of the play. Father, son, the imagined community within the play, and now the audience are drawn into the fierce competition over a beautiful slave girl who exists only in their mind’s eye. The slave woman thus is quite literally an objectification conjured up only in the minds of the audience for the first half of the play, as she is purchased, fought over, and repurchased.

For a brief moment in the play, when she first appears onstage, the female slave Pasicompsa is romanticized as a beautiful innocent. She is weeping and following the old man’s friend Lysimachus (501), and in her first words, punctuated by a hesitation, Plautus’ female slave asks to know why (qur emeris me, “why have you bought me?” 504). Plautus thus introduces the slave woman with the fragility of slave existence and the unpredictability of life experience, although, as Moore has reminded us, the iambic septenarii in Pasicompa’s scene – a meter connected with prostitutes in Roman comedy – would cue Pasicompsa’s identity as a prostitute and undercut any impulse to empathy. The slave woman needs to know not why she was sold but what her new master wants. She receives a generic exhortation to obedience and then a sexual innuendo (504–505), after which the scene of the immediate effect of slave sale develops not in terms of the young woman’s tears but as a series of jokes about sex. Nevertheless the fragility of the female slave recurs again, as we shall soon see, in Persa in another, longer scene of staged slave sale, where repetition suggests that Plautus knew female vulnerability made great entertainment, at the theater and at the auction.

The slave woman shows herself naturally promiscuous and complicit in her own commodification. The slave woman proclaims her willing obedience to her new master (505–506) but professes inexperience and ignorance of household work (508–509):

\[
PAS: \text{non didici baiiolare} \\
\text{nec pecua ruri pascere nec pueros nutricare.}
\]

35 On the master’s wants as his strategic asset, see Harris 2001, 317 n. 1, and infra Chapter 2 and Chapter 5.
36 On the objectification of the slave woman in the American South, see White 1999, 27–46. For an attempt to connect the myths of the female slave with the ideology and self-conception of the male plantation owner and slave traders, see Baptist 2001.
PAS: I didn’t learn how to carry burdens,  
Nor to graze herds in the country, nor to nurse children.

In denying her capacity for work she is made to fulfill the earlier representation of the beautiful slave girl as useless for anything but illicit sex (lenocinium). She is further made to indicate her readiness to defy moral standards, a trait which she associates with her gender, not with her status as slave (510–513):

LYS: *bona si esse veis, bene erit tibi.*  
PAS: *tum pol ego perii misera.*

LYS: *qui?*  
PAS: *quia illim unde hoc advecta sum, malis bene esse solitumst.*  
LYS: *quasi deicas nullam mulierem bonam esse.*  
PAS: *haud equidem deico,*  
*nec mos meust ut praedicem quod ego omnis scire credam.*

LYS: If you are willing to be good, it will be well for you.  
PAS: Then I will perish wretchedly.

LYS: Why?  
PAS: Because in the place where I was brought from, it’s the bad girls who have a good time.  
LYS: Are you saying that no woman is good?  
PAS: Oh no, I don’t at all say that.  
It is not my way to proclaim a fact I believe all know.

Finally, she claims proficiency in wool-working, in a series of lines where editors have assumed a sexual innuendo, although no evidence exists to document a sexual meaning for the specific language (518–520):

LYS: *possin tu, sei ussus venerit, subtemen tenue nere?*  
PAS: *possum.*  
LYS: *sei tenue scis, scio te uberius posse nere.*

LYS: Are you able, if occasion demands, to weave a thin woof?  
PAS: I can.  
LYS: If you know to weave a fine one, I know you can weave a coarser one.

The slave woman indeed defines the accessibility of her body for sex as her particular form of wool-working, thereby misappropriating the badge of the respectable matron and contrasting the two types of women.37 Plautus

37 On the highly charged images of wool-working indicating familial honor, see Dixon 2001, 118.
writes an entire scene making humor of the perceived unsuitability of the beautiful female slave for domestic work and, more important, her avowals of her own promiscuity and submissiveness.

The play dresses up the exploitation of the slave woman as romance. When she learns that the old man Lysimachus has not bought her for himself but for another male, the slave woman expresses relief in the trustworthiness of her lover (529–532):

\[
PAS: \textit{deic igitur quaeso, quoia sum?} \quad \text{LYS: \textit{tuo ero redempta’s rusum;}} \\
\textit{ego te redemi, ille mecum oravit.} \quad \text{PAS: \textit{animus redit,}} \\
\textit{sei mecum servatur fides.} \quad \text{LYS: \textit{bono animo es, liberabit}} \\
\textit{ille te homo: ita edepol deperit, atque bodie primum vidit.}
\]

PAS: Tell me then, whose am I? LYS: You have been bought again by your own master. I bought you; he asked me to. PAS: I can breathe again, If he keeps his word to me. LYS: Cheer up. He will free you, He will: He’s dying for you and he saw you today for the first time.

She avows that they had sworn loyalty to each other (535–537), and she uses the language of marital relations:

\[
PAS: \textit{et inter nos coniuravimus, ego cum illo et ille mecum:} \\
\textit{ego cum viro et ill’ cum muliere, nisi cum illo aut ille mecum,} \\
\textit{neuter stupri caussa caput limaret.}
\]

PAS: And we promised each other solemnly, I him and he me: As husband and wife, that I am only for him and he is only for me, Neither one of us to dirty ourselves with unchastity.

The scene becomes a joke about mistaken identity, because Pasicompsa misconstrues the neighbor’s responses to mean that she was purchased for her lover, the son of the old man; and the neighbor misconstrues her answers to refer to the old father. Yet she also identifies her relationship with her lover as a site of pure sentiment. Comparison of \textit{Mercator} and the concubines of New Comedy, studied by Konstan, reveals a similar theme of “love relations across status boundaries,” with an important distinction: slavery. \textsuperscript{38} Plautus stages the relationships of power in slavery as comic romance for the Roman audience, but, unlike the plot of New Comedy, the dramatic action does not lead to recognition and marriage or even the briefly promised freedom (530). The female slave in \textit{Mercator} remains a slave, defined as body and carnal desire, and perpetually excluded from social or familial definitions.

\textsuperscript{38} Konstan 1993, esp. 154.
Indeed Plautus emphasizes the objectification of the beautiful slave woman and romance with her as a product of the master’s imagination of himself as free. The son Charinus already at the beginning of the play introduces his father as a moral exemplar, raised with hard work in the country (61–72) and a successful merchant by his hard work (73–77). The old man in monologue to the audience represents the beautiful slave woman as his private moment of pleasure, a secret moment apart from his normal social constraints of wife and son (544–548, cf. 1003–1004). Similarly the young man repeatedly asserts the young woman as a secret to be kept from his father (106–107, 341–342, 360–361). Both men imagine to keep the woman excluded from the social relationships that define them as citizens. Thus Plautus shows freeborn males desiring and buying the beautiful slave woman to fulfill images of themselves as sexually virile men, free from the constraints of marriage and wife. Plautus seems to know that men instrumentalize slave women for fantasies of their own sense of self.  

The remainder of the play stages the isolation of the beautiful slave woman within the slave household primarily as farce. But the dramatic action creates the overwhelming judgment that the slave woman, who has been consistently represented and judged as desire and sex, is a problem for the family and for the state. When the next door neighbor’s wife and her slave attendant Syra return from the country, they discover the beautiful slave in the house and immediately identify her as purchased for sex (mulier meretrix, 685), but they mistakenly identify her as purchased for sex by the father. Syra, who had arrived grumbling about the conditions of her slavery (673–675), immediately identifies her mistress’ misfortune as her own (681–688). The females of the house, both the wife and her female attendant, thus ally against the slave woman. The vertical, household hierarchy of slave-mistress and maid trumps slave status in determining lines of alliance among women. The slave-mistress is angered and offended by the presence of the slave woman in her house. She asks her husband to whom the woman belongs (720), informs him that she will not endure the insult of a slave woman brought into the house for sex (785–786), and summons her father to aid her (787–788). In a monologue to the audience, Syra universalizes the experience of her mistress as a wrong done by men, who are husbands, to their wives (819–820, 824–825):

SYRA: nam si vir scortum duxit clam uxorem suam
di si rescivit uxor, impunest viro . . .

39 It is important to note where the narrative does not go: Plautus shows no awareness of slave women manipulating male desire as a source of power.
40 On the characterization of Syra, see Starks 2010, 51–64. On grumbling as a form of resistance, see Scott 1990, 154–156.
41 On the lack of a collective slave consciousness, see sources cited at Introduction n. 48.
**Human Property**

nam uxor contenta est quae bona es uno viro:
qui minu' vir una uxor e contentus siet?

SYRA: For if the husband, without his wife’s knowledge, has brought home
a prostitute,
If the wife finds out, the husband goes unpunished . . .
For a wife who is good is content with one husband;
Why should a man be less content with one wife?

The unusual staging of the monologue by a female slave, whose role is
otherwise a series of literary clichés, draws attention to its content, that
men who bring slave mistresses into the house represent an egregious sexual
violation of the marriage.\(^{42}\) The monologue is moral, and contrasts the
chaste wife with the intemperate husband. The monologue also seeks to
win the audience to the side of the wife in the slave society.\(^{43}\) The beautiful
slave woman is the problem for which male morality in marriage is the
answer. We can see however where the dramatic action does not go: the
play fails to universalize the intemperance of the husband as a product of
the objectification of the slave woman, which would provide the spring-
board for abolitionist critiques of slavery in the American South.\(^ {44}\)

The combined judgment of *Mercator* is overwhelming: beautiful slave
women naturally and necessarily function only for illicit sex, and they natu-
 rally and necessarily evoke desire in freeborn men, both young and old. The
slave woman is body and is desire. But the slave woman represents a
problem for the social institution of marriage and for the political life of
the state, and so the play imagines a time before marriage as appropriate
for the sexual liaisons of free men and slave women and imagines a law
that would prohibit old men from consorting with them. *Mercator*
shows
the female slave instrumentalized as body in the service of the male master.
The play naturalizes that view of the slave woman and invites the audience
vicariously to enjoy the experience of desiring, bidding for, and imagining

\(^{42}\) On the staging, see Moore 1998, 164–165. On Syra’s roles as grumbler, *servus currens*,
and “ultimate other,” see Starks 2010, 60–62. On the passage and the morality of Roman
marriage, see Treggiari 1993, 462–463.

\(^{43}\) On the dramatic function of the monologues in *Mercator*, Moore 1998, 30–33.

\(^{44}\) The canonical text is Harriet Jacobs, *Incidents in the Life of a Slave Girl. Written by Herself*
(1861), edited by Nell Irvin Painter; see Jacobs 1861/2000, 30–33, 39–40, where she speaks
of her master’s desire to use her for sex as a contest for domination (30–31) and an assault
that separated her from her natal family (31–32), from other slaves within the slave household
(31), and from her own self-conception as a moral being (39–40). The bibliography on this
text is enormous; for an assessment of slavery, gender, and sex in the autobiography, see
Hartman 1997, 101–112. On the difference between American slave experience and abolition-
ist slave narratives, see Johnson 1999, 10. On the use of American slave material, cf. Bradley
2011b, 370–372.
the beautiful slave woman. The play suggests the experience for the female slave: the forced migration from one household to another, the exclusion by members of the household, both free and slave, who imagine that because of her beauty she functions only for sex. The play thus conjures up the experience of repeated and perpetual deracination and isolation; in other words, it conjures up the experience of slavery. Finally, the play stages the objectification inherent in slavery, that the master defines not only what the slave woman does but what the slave woman is. Plautus seems then to see the objectification inherent in slavery, what Bontemps has emphasized as a crucial element in the coercive violence of slavery.\(^{45}\) By contrast with the free woman, the female slave is shown to be twice objectified, by gender and status.\(^{46}\) But the expressed moral critique of the play focuses on male behavior in marriage and disregards the moral problem of objectification, the process that made human property.

In *Persa* Plautus stages slave sale at the micro level, the private purchase of one slave from an individual who for that moment works as a slave trader. Once again, tears and the corporal vulnerability of the female slave are shown to be essential elements of slave merchandising. *Persa* stages the fantasy – or nightmare – of slaves taking vengeance on the slave-owners for whom they are fungible chattel.\(^ {47}\) A cash-strapped male slave needs to raise money in order to buy his slave girlfriend and save her from being sold away by a pimp.\(^ {48}\) He gets the money from a slave friend, but in order to repay the friend and take vengeance on the pimp, who was about to sell

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\(^{45}\) See Bontemps, 2001, esp. 3–26, who describes a “noise of objectification” (5) that distorts references to black slaves in order to disregard their subjectivity and humanity.

\(^{46}\) Bibliography on the object-ness of ancient women is enormous. For a survey of questions and methods, see Richlin 1992b, and especially her judgment (xix): “I would direct the reader’s attention most strongly to the examples of objectification of the female, shared by almost all our sources... I suggest that the woman-objectifying content of these texts is essential to them and typical not only of their society but of all narratives produced within hierarchy.” For her recent views, see Richlin 2010. The female slave, like the male slave, must be oriented in terms of biology and status. On the principles categorizing sexual experience, see Parker 1997.

\(^{47}\) On the rebellion against the socially disreputable and disdained pimp, see McCarthy 2000, 158.

\(^{48}\) On the Roman-ness of *Persa*, see the exhaustive survey of Lefèvre 2001b, esp. 13–57, evaluating plot and characterization by similarity with Greek New Comic norms, expressions of Roman values and similarity with documented Plautine features of the play. For a survey of the deception plots and mechanisms of Plautine comedy, see Cole 1920, esp. 52–144. On the scene of slave sale, Lowe 1989 argues that Virgo’s speaking role is Plautine, because her dialogue represents a self-contained episode that holds up an already decided purchase (392–393), second because the dialogue contains a different version of the scam (393), third because her characterization as a trickster who speaks with military metaphors diverges from her earlier characterization as modest maiden (393–395), and the scene prolongs and underscores the deception scene (395–396). Cf. Stärk (1991, 146–149, 159–160) ascribing the kernel of the scenes to a Greek original.
his girlfriend, he orchestrates a fraudulent sale, where the corporal vulnerability of the female slave who is new to slavery persuades a seasoned businessman – a pimp – to purchase a slave without warranty and against his better judgment. Staging slave sale as a play within the play allowed the Roman audience to witness slave sale as a staged merchandising event and to hear the private thoughts of a recently enslaved freeborn female. In staging the imagined experience of the female slave, Plautus evokes the discourse of female vulnerability, and of rape, which has been studied with respect to female captives in the ideology of Roman militarism. More basically the play suggests the ideological frameworks of the slave society, that slaves were human merchandise whose emotional response to sale indicated a sense of their earlier freedom that made them more valuable as merchandise.

In order to conjure up his fraudulent slave sale, the slave Toxilus needs merchandise, which he identifies by enjoining the free but poor male Sagaristio to volunteer his daughter for sale as the price of a meal. The Roman audience thus watched a slave disregarding the expected protections of a freeborn woman and commodifying her as human merchandise, but they also saw a patriarch failing to protect his daughter. The slave seems to understand the thinking of the slave society, and he evaluates the free-looking form of Virgo – who has no name, apart from her status designation – as an important merchandising asset that will make her attractive to the slave dealer (130: *quia forma lepida et liberali est*). He instructs the father to rehearse with the woman a story of enslavement including her place of origin and parents, as well as her capture (147–151):

TOX: *propera, abi domum; praemosta docte, praecipe astu filiae, quid fabuletur; ubi se natam praedicet, qui sibi parentes fuerint, und' surrupta sit. sed longe ab Athenis esse se gnatam autumet.*

TOX: Hurry now! Go home! Give your daughter learned directions and teach her artfully Her story, where to claim she was born,

49 Scheidel 2007 demonstrated the importance of Roman militarism for the slave supply. It is conspicuous that Plautus repeatedly identifies kidnap as the source of slaves, on which see further Chapter 2, at notes 88, 89, 92. On the ideology surrounding captives in the Principate, see Bradley 2004. For female experience in war and the “culture of rape,” see Phang 2004, esp. 213–217.

50 On female names in the plays of Plautus, see Packman 1999. Packman (1999, 246) identifies *Virgo* as “Lucris,” the name she gives herself (624), although both her father (336) and Toxilus (617) name her by her status designation as *virgo*, the name by which she is identified in the manuscript tradition.
Who her parents were, where she was stolen from.
But she must say that she was born far from Athens.

He prescribes that she weep as she gives the account of her enslavement (152):

TOX: *Et ut adfleat quom ea memoret.*

TOX: And she’s to weep when she recounts her story.

He further prescribes her costume (157–158):

TOX: *et tu gnatam tuam ornatam adduce lepide in peregrinum modum.*

TOX: And bring your daughter
Elegantly costumed in foreign attire.

The slave thus translates the unnamed and freeborn *virgo*, whose social role was to be marriageable, into human chattel, with a story, a costume, and an expected emotional response to her predicament; and the sale of a slave becomes a marketing event and a theatrical performance. He creates a presumably plausible slave narrative in which a freeborn woman is captured, sold into slavery, and weeps at her misfortune. Tears are part of the plan to make the sale look authentic and to demonstrate the female as recently enslaved.

A letter, composed by the slave Toxilus but ascribed to his master, stages the slave’s understanding of the slave market and trade. The letter introduces a slave dealer from the Persian campaigns in Arabia and orders the hospitality of the household to be extended to him, as a return of *hospitium* among friends (506–512):

*Chrysopolim Persae cepere urbem in Arabia,*
*plenam bonarum rerum atque antiquorum oppidum:*
*ea comportatur praeda, ut fiat auctio*
*publicitus; ea res me domo expertem facit.*
*operam atque hospitium ego isti praehiberi volo*

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51 Cf. Auhagen 2001, 96 n. 7, noting the metatheatrical flourish, when Toxilus (*Persa* 159–160) instructs Saturio to get Virgo’s costume from the *choragus* in charge of theatrical performance.

52 Similar value is accorded to new male slaves who have known freedom in *Captivi*, suggesting that the consciousness of freedom increased the value of all slaves, irrespective of gender. On female fear and attractiveness, see Richlin 1992c, 162. Virgo’s father had chided her fear at the prospect of sale (357).
The Persians have taken the city of Chrysopolis in Arabia,
A city full of good stuff and an ancient town;
This booty is being gathered together, to hold
A public auction. This business keeps me away from home.
I wish assistance and hospitality to be extended to the man
Who brings you this letter. Take care for his every wish,
For he treated me with the greatest honor in his own home.

The letter explains the visitor’s merchandise, a beautiful freeborn maiden
stolen and transported for sale far away from her home in Arabia (520–522):

\[ \text{‘ist’ qui tabellas adfert adduxit simul} \]
\[ \text{forma expetenda liberalem virginem,} \]
\[ \text{furtivam, abductam ex Arabia penitissuma;} \]

The man who brings this letter has brought with him
A freeborn virgin of exceptional beauty,
Stolen, abducted from deepest Arabia.

Finally the letter indicates that the girl will be sold without guarantee (523–525):

\[ \text{eam te volo curare ut istic veneat.} \]
\[ \text{ac suo periclo is emat qui eam mercabitur:} \]
\[ \text{mancipio neque promittet neque quisquam dabit.} \]

I want you to take care that she is sold there.
The buyer is to buy her at his own risk:
No guarantee will be promised or given.

The letter, ostensibly from the master, develops a plausible narrative of the
slave trade simply as business, that is, the kidnap or capture during wartime,
forced migration, and private sale of a freeborn woman.\(^{53}\) Staging reinforces
the manipulation in the scene and its humor: thus the slave Toxilus refuses
to read the letter, as he claims to say nothing (500), thereby forcing the
slave dealer to read aloud the contrived letter.\(^{54}\) The comic contest between

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\(^{53}\) For a synthetic, synchronic discussion of Roman market practices, see Bodel 2005, 186–193, emphasizing the diversified commodities of the traders and their merchandising practices.

\(^{54}\) Slater 1985, 47–48.
two men subsumes a narrative of the freeborn female kidnapped and commodified as fungible chattel.

Virgo is objectified by her own father. As the free but poor parasite escorts her onstage he makes a prayer for his belly and repeats his intention to sell his daughter (329–336):

\[ q\ae\ res\ bene\ vortat\ mihi\ et\ tibi\ et\ ventri\ meo \]
\[ perennitati\que\ adeo\ buic,\ perpetu\o\ cibus \]
\[ ut\ mihi\ supersit,\ suppetat,\ superstitet. \]
\[ sequere\ hac,\ me\ gnata,\ me,\ cum\ dis\ volentibus. \]
\[ quois\ rei\ opera\ detur\ scis,\ tenes,\ intellegis; \]
\[ communicavi\ tecum\ consilia\ omnia. \]
\[ ea\ caussa\ ad\ hoc\ exemplum\ te\ exornavi\ ego. \]
\[ venibis\ tu\ hodie,\ virgo. \]

May this business turn out well for me and for you and for my belly,
And may there be in perpetuity food without end,
To surpass its needs, supply it, and surfeit it.
Follow me, my daughter, this way, and may the gods be with us.
You know what business needs done, you grasp it and understand it.
I have informed you of all our plans.
This is the reason I have costumed you in this fashion.
You will be sold today, my virginal young woman.

Virgo speaks with her father and so with the audience about her imminent sale. She challenges the self-interested profit he imagines will come from her sale: *tuin ventris caussa filiam vendas tuam?* ("Will you sell your own daughter for the sake of your belly?" 338). She makes explicit and challenges her father’s treatment of her as fungible chattel: *utrum pro ancilla me habes an pro filia* ("Do you consider me your maid servant or your daughter?" 341). She likens her imminent sale to the threatened physical assault of the master’s whip (361–364). Finally she admonishes her father that he cedes his reputation and integrity (347–348), repeatedly suggests the enduring

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55 On the scene as a Plautine invention, see Lefèvre 2001b, 44. Cf. Lowe (1989, 394–395) who believes that the moralizing character of the discussion preserves the original characterization of the *virgo* and that her later role is a Plautine addition.

56 On the uniqueness of Virgo’s role, see Sherberg 2001; cf. Slater 1985, 45 and n. 8: "I confess that I do not quite know what to make of her moralizing either here or in her portrayal of the Persian girl ... It is not a stock attribute of the *virgo*, but functions here as her chief characteristic." Lowe (1989, 390–399) attempts to disentangle Greek and Plautine elements and suggests – perhaps – a Greek model here, because Virgo serves as "foil to the cynicism of her father" (394); but Sherberg (2001, 142–149) emphasizes the verbal contest, the decisive importance of *patria potestas* in the contest, and the derisive portrayal of the father resembling the *palliata*. On the rarity of the female voice in comedy, see Stärk 1991, 147.
public shame he will incur for his action (347, 351, 371–372), and predicts the shame she will incur because of his decision (necessitate me mala ut fam facis, “you are forcing me to become a bad woman,” 382). This second narrative of enslavement, developed by the female under the protection of her father, correlates the freedom and sexual purity of citizen women with the morality of the male who protects them. Roman political ideology connected the protection of wives and daughters from male sexual aggression with male honor and Roman state formation: the tyrant Tarquin rapes the chaste Lucretia, who commits suicide, and her husband and uncle oust the tyrant and serve as the Republic’s first consuls in 509; the tyrannical decemvir Appius Claudius, in order to rape the chaste Roman Verginia, arranges and then validates a false legal claim that she is a slave, whereupon her plebeian father L. Verginius, in order to thwart the rape, kills her, stirs the army to overthrow the tyrannical decemvirs, and Verginia’s father and her fiancé are elected to the restored Republican office of tribune of the plebs.

As Joshel has emphasized (1992a, 124), the myths, embedded in an annalist historical tradition taking form in the late third and early second centuries BCE, together establish the paradigm of the patriarch, whether of patrician or plebeian status. With characteristic doubling and mirroring of the dramatic action, Virgo, the freeborn female unprotected by her intemperate father who fails as a patriarch, is made to play her doubled and mirrored self, the freeborn female Arabian captive who is unprotected by family and put up for sale. Comparison of the two roles reveals commonality: the commodification of the freeborn female and the moral narrative correlating the failure of the freeborn male to protect the female body.

Plautus uses the mechanism of the staged fraudulent sale to allow the Roman audience to witness the corporal vulnerability of a freeborn female unprotected by family, as the anticipated profit from her body convinces an experienced businessman to act against his better judgment. The pimp initially shows himself uninterested in purchasing the slave woman, perhaps as a ploy to limit the price, certainly as a dramatic device to add suspense to the scene. He avows that he relies upon the market protections that come with formal legal sale, where the reference to mancipium conjures up a Roman context (nisi mancipio accipio, quid eo mihi opust mercimonyo? “unless I receive the merchandise by formal, Roman legal sale, what need have I of it?” 532, cf. 531). He announces himself risk-averse from experience (534–535, cf. 539–540):

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57 On the Roman associations of fides and social standing or dignitas, see Hölkeskamp, 1987, 217 and n. 26.
58 On Roman myths of rape (Lucretia) or attempted rape (Verginia) and state formation, see Joplin 1990; Joshel 1992a; Arieti 1997. On the date of the annalist traditions, see Joshel 1992a, 114–115.
metuo hercle vero, sensi ego iam compluriens,
neque mi haud inperito eveniet tali ut in luto haeream.

By god, I am afraid, for a fact, for I already have much experience,
And it will not happen to me unknowingly, that I am caught in such a mire.

The initial ambivalence of the pimp underscores the strategic and effective merchandising of Virgo as a human chattel.

The fraudulent purchase of Virgo depends not on her beauty but on the imagined profit from recently enslaved women. When Virgo is first physically apprised, Toxilus identifies her as of startlingly free bearing (specie quidem edepol liberalist, 546), while the pimp looks at Virgo and judges her “beautiful enough” (sat edepol concinnast facie, 547). His comment prompts Toxilus’ aside about his arrogance (ut contemptim carnufex, 547), suggesting that the pimp’s judgment was dismissive, which would underscore again his initial reluctance to purchase her. Toxilus furthermore claims that she will profit the dealer (ex tuo, inquam, usust: eme hanc, 563), because as a recently enslaved woman she will attract free, elite men as customers (564–568):

TOX: si hanc emeris,
di immortales! nullus leno te alter erit opulentior.
evortes tuo arbitratu homines fundis, familiis;
cum optumis viris rem habebis, gratiam cupient tuam:
venient ad te comissatum.

TOX: If you do buy her,  
Good gods! No pimp will be richer than you.  
You will turn men out from their estates and households at your own discretion.  
You will do business with the leading citizens; they will desire your favor.  
They will come to you for their carousing.

He further claims, with increasingly comic exaggeration, that free men will not be able to resist the slave woman, and her owner will profit socially in the recognition (gratia, 567) of elite men who will invest the slave dealer’s house and burn his doors (569). Comic hyperbole aside, the imagined economic profit and the imagined social advantages of owning the freeborn slave woman begin to persuade the pimp to purchase her (cf. 624–627), even without a guarantee (589–590). When the pimp begins to muse about

59 The idea that slaves look like slaves and the free show forth their free status in their appearance repeats as a refrain in Plautus (Bacchides, Rudens).
buying her, the slave Toxilus again offers the opinion that she is freeborn and will be profitable (651–652):

DOR: *emam, opinor.*

TOX: *etiam ‘opinor’? summo genere esse arbitror; divitias tu ex istac facies.*

DOR: I will buy her, I think.

TOX: Still “I think”? I believe that she is from an elite family.

You will make lots of money from this one.

Virgo’s particular value is consistently derived, not from her beauty, but from her previous freeborn status, which is commodified as the imagined desire of freeborn men to have sex with her, as the imagined economic profit of the pimp who controls access to her body, as the imagined social advantage of the pimp who owns a freeborn captive.

The staged sale of Virgo allowed the Roman audience to imagine participating at a slave sale and hearing a female’s response to her experience of enslavement.60 When Virgo first appears as the captive woman for sale, the slave Toxilus invites the would-be buyer and the entire audience to join him in appraising her physical form (548, *taciti contemplemus formam*, “let’s be quiet and consider her appearance”; cf. 564). The metatheatrical invitation to gaze at Virgo establishes the audience as participants at the private sale and emphasizes her lack of corporal integrity as she is subjected to a communal gaze considered shaming according to Roman standards.61

The questioning of Virgo follows the expectations of the aediles’ edict, insinuating Roman elements in a scene ostensibly set in Athens (549–550, cf. 619–620). When the pimp begins to question Virgo about her homeland, she asserts first that slavery prohibits her from questioning what happens to her or judging her life experience (619–621):

DOR: *nolo ego te mirari, si nos ex te percontabimur aut patriam tuam aut parentes.*

VIR: *qu r ego hic micer, mi homo? servitus mea mi interdixit ne quid micer meum malum.*

DOR: Don’t be surprised, if we ask you about
Your country or your parents
VIR: Why should I wonder, sir?
My enslavement has forbidden my being surprised at anything that befalls me.

60 Cf. Bradley 1994, 8. Plautus’ *Persa* and then *Captivi* answer the real lacuna identified by Bradley for evidence of the personal effects of slavery on the individual.
61 On the vulnerability and shame brought by the gaze, see Parker 1999, 163–168. The shaming gaze of slave sale is also a theme in the folktale of Aesop, supra n. 21.
She avows that her past life has been made dead by slavery (635–638):

DOR: at ego patriam te rogo quae sit tua.
VIR: quae mihi sit, nisi haec ubi nunc sum? DOR: at ego illam quaero quae fuit.
VIR: omne ego pro nihilo esse duco quod fuit, quando fuit:

DOR: But I ask you, what is your homeland.
VIR: What is my homeland, except where I am now? DOR: But I am asking what it was?
VIR: I consider everything that was and when it was as nothing.

She likens her experience to death (638):

Tamquam hominem, quando animam ecflavit, quid eum quaeras qui fuit?

Like a man, when he has breathed his last, why would you ask who he was?

Finally she claims that slavery has defined her new homeland (639–641):

TOX: ita me di bene ament, sapienter! atque eo miseret tamen.
sed tamen, virgo, quae patriast tua, age mi actutum expedi.
quid taces? VIR: dico equidem: quando hic servio, haec patriast mea

TOX: May the gods love me, she is sagacious! And I pity her.
But come, though, virgin, tell me right away, what is your homeland.
Why are you silent? VIR: Indeed I am telling you: since I am a slave, this is my country.

The scene is funny because Virgo has assumed the dramatic role of the clever slave (or servus callidus), posing first as a philosopher to discourse on political virtues (550–560) and here responding to her interlocutors’ questions without actually answering them. Nevertheless Plautus seems here to remark the loss of personal and social identity created by enslavement and enforced migration. Virgo’s words make explicit the deracination that Moses Finley emphasized as key to enslavement, that is, the forcible removal of the slave from natal language, community, and family. Her words also seem to allude to the perpetual exclusion and dishonor or “social death” that Orlando Patterson identified as key to the slave’s status

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62 See Moore 1998, 187 and n. 27, comparing Virgo with the servus callidus Philocrates (Capt. 284). Fontaine 2010, 92–97, uncovers Plautus’ subtle characterization of the clever Virgo who replies truthfully and ambiguously and the pimp who fails to hear subtlety in language.


within the slave community. Most remarkably, Plautus describes the dilemma of social and personal identity as a personal experience for the slave whose capacity for autonomous action was systematically denied and appropriated. Indeed, Virgo makes explicit the need not to respond to or retaliate against her enslavement. Her necessary reticence, when acting the role of a slave woman, contrasts with her deliberate – even if unsuccessful – outspokenness with her father (368). Plautus seems then to have recognized the dilemma of identity and the problem of action for forcibly subordinated individuals, and he stages the slave’s strategic silence.

Finally, tears clinch the sale of the slave woman. Plautus stages two sets of tears during the slave sale. Tears accompany Virgo’s initial questioning by the pimp (619–621), where the slave Toxilus’ aside informs the audience that her weeping serves to conjure up authenticity in the sale (622–623):

DOR: *noli flere.*

TOX: *ab, di istam perdant, ita catast et callida.*

*ut sapiens habet cor, quam dicit quod opust?*

DOR: Don’t cry.

TOX: Ah, blast that woman, how shrewd and clever she is.

She is keen-witted and knows how to say what is necessary.

But she weeps again during her further questioning, when she imagines her redemption first by her father and then by family friends (653–655), i.e., by the networks that normally protected the female:

VIR: *iam hoc tibi dico: actutum ecastor meu’ pater, ubi me sciet venisse, ipse aderit et me aps te redimet.*

TOX: *Quid nunc?*

DOR: *quid est?*

TOX: *audin quid ait?*

VIR: *nam etsi res sunt fractae, amici sunt tamen.*

VIR: I say this to you now: directly, by god, my father, when he knows That I have been sold, he himself will come and buy me back from you.

TOX: What now?

DOR: What is it?

On “social death” see Patterson 1982, 1–14. On current archaeological work critiquing Patterson’s idea of the socially dead slave in the American slave society, see Webster 2008, 108. The conception of slavery as death recalls the much later Roman equation, recorded in the *Digest,* of slavery as an alternative to death (*servi autem ex eo appellati sunt, quod imperatores captivos vendere iubeat ac per hoc servare nec occidere solent,* Dig. 1.3.3).

TOX: Did you hear what she said?
VIR: For although my family fortunes are broken, nevertheless we have friends.

Virgo weeps, and again the responses to her tears suggest their significance. The pimp consoles her that she will earn her freedom quickly through sex-work, and he decides to buy her (656–657):

DOR: *ne sis plora; libera eris actutum, si crebro cades.*

*vin mea esse?*

VIR: *dum quidem ne nimi’ diu tua sim, volo.*

DOR: Don’t cry, please. You will be free soon enough if you lie down for sex often. Do you want to be my slave?
VIR: So long as I am not your slave very long, I wish it.

Toxilus sees the tears as an indicator of her free status and another proof of the great profit to be made off of her (658):

TOX: *satin ut meminit libertatis? dabit haec tibi grandis bolos,*

TOX: Does she remember her freedom enough? This woman will give you great profit.

Virgo’s value derives from her prior free status and her attempts to claim or maintain that status increase her value as chattel. Plautus has created a play that shows a sympathetic character (Marshall 2006, 189–190) momentarily trapped within the stark objectifying system of slavery. This is the dilemma of slavery for the slave: within the objectifying system of slavery, the slave’s particular value as fungible chattel increased because of his/her awareness of freedom and therefore of domination.

Once again Plautus seems to have recognized the objectification inherent in slavery as a system of domination and especially in the slave market. Slave dealers imagine slaves as future profit, and men buy slaves imagining the female body. Plautus also seems aware of the dilemma of reconciling past and present personhood for the enslaved person. The play within a play allows Plautus to stage the sale of a freeborn female, whose freeborn status and resistance to enslavement made her more valuable within the system of domination that defined her as commodity. Plautus thus seems to recognize the problem for the slave of how best to respond to slavery. Captivi gives insight into slaves negotiating that dilemma.