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Slums, Sanitation, and Mortality in the Roman World

In recent years a great deal has been written about life expectancy and mortality in the Roman empire, but very little has been said about the possible or probable causes of what by contemporary western standards must be regarded as a very low average life expectancy at birth of c. 25 years, an estimate which now appears to be generally accepted by many classicists.¹ It is true that some writers hint that low levels of sanitation and poor standards of public health at Rome and in other large cities in the Roman empire are in some way to blame for a high mortality rate.² Frier, for example, refers in passing to “fetid metropolises”,³ but leaves his readers to imagine the details for themselves.

The aim of this paper, then, is to try to estimate, as accurately as available evidence permits, how sanitary or insanitary Roman towns were. Particular attention will be paid to fundamental inadequacies in various types of Roman housing, deficiencies in the disposal of human and animal wastes, and legal shortcomings which virtually ensured that large numbers of destitute and near-destitute inhabitants of Rome lived in squalid conditions which were well known to high-status Romans, but which were ignored by successive imperial administrations.

¹ To cite only the most recent estimates: P. A. Brunt, *Italian Manpower 225 B. C. – A. D. 14*, Oxford 1971, 133; K. Hopkins, Brother-Sister Marriage in Roman Egypt, in: *Comparative Studies in Society and History* 22 [1980], 319; W. V. Harris, Towards a Study of the Roman Slave Trade, in: J. H. D'Arms – E. C. Kopff (edd.), *The Seaborne Commerce of Ancient Rome*, Rome 1980, 118 (134 n. 12); T. Molleson, What the Bones Tell Us, in: S. C. Humphreys – H. King (edd.), *Mortality and Immortality*, London 1981, 21; K. Hopkins, Death and Renewal, Cambridge 1983, 71; B. W. Frier, Roman Life Expectancy: Ulpian's Evidence, in: *HSCP* 86 [1982], 249 assigns a shorter “average life expectancy at birth of 21.11 years, and an infant mortality rate of 466.9 per thousand.”

² Brunt (n. 1) 134, 385f.; for a more general account of the living conditions of the urban plebs in Late Republican Rome, see P. A. Brunt, *The Roman Mob*, in: *Past and Present* 35 [1966], 3–27 revised versions of which appear, in: M. I. Finley (ed.), *Studies in Ancient Societies*, London 1974, 74–101; H. Schneider (ed.), *Zur Sozial- und Wirtschaftsgeschichte der späten römischen Republik*, Darmstadt 1976, 271–310; Z. Yavetz, The Living Conditions of the Urban Plebs in Republican Rome, in: *Latomus* 17 [1958], 500–517 (repr. in Schneider 549–553); for the imperial period, see M. Mazza, Sul proletariato urbano in epoca imperiale, in: *Siculorum Gymnasium* 27 [1974], 237–278; a short discussion of disease and public health in Roman Africa is given by J. M. Lassère, *Ubique Populus*, Paris 1977, 549–553; cf. also L. A. Thompson, Development and Underdevelopment in the Early Roman Empire, in: *Klio* 64 [1982], 398 and n. 85.

³ Above n. 1, 250.

Despite the shortcomings of Roman urban hygiene which emerge when comparisons are made with standards of public health in modern western industrialized societies, it must be said that the Romans achieved a remarkable level of standardization in the provision of certain basic facilities such as public latrines and baths. These, as will be seen, had some serious deficiencies, but credit should be given to the Romans for some degree of progress in the sphere of public hygiene. References to hygiene-criteria established by modern authorities have been included in this paper mainly because of a lack of critical Roman evidence in this field. The modern criteria referred to in this paper serve primarily to provide the discussion with a structural framework. They are not intended to give a negative aspect to Roman achievement, though negative inferences will sometimes inevitably arise.

The difficulties involved in such an undertaking are not to be underestimated. Archaeologists rarely concern themselves with either latrines or sewers. Hence the extent of the underground sewer-networks of Pompeii⁴, Ostia⁵, and Rome⁶ are still very imperfectly known. Nor is the current lack of archaeological reporting in this area counterbalanced by a sufficiency of evidence in ancient literary sources. Vitruvius has much to say about such subjects as salubrious sites for villas and the purity of domestic water supplies,⁷ but he has virtually nothing to say about the disposal of human and other wastes in houses or cities.⁸ Perhaps decorum precluded discussion

⁴ By far the most comprehensive study of all aspects of hygiene at Pompeii (ventilation, water supply, drains, latrines, etc.) is by H. Mygind, *Hygienische Verhältnisse im alten Pompeji*, in: *Janus* 25 [1921], 251–281, 385–324, 353–383, a study which has not received the attention it deserves (hereafter cited as Mygind). On p. 270 Mygind says the underground sewer network is insufficiently known, a remark repeated by H. Eschebach, *Pompeji – Straßenbau in der Antike*, in: *Antike Welt* 9 [1978], 10; cf. also Mygind's *Die Wasserversorgung Pompejis*, in: *Janus* 21 [1917], 294–351 and Eschebach's *Die Gebrauchswasserversorgung des antiken Pompeji*, in: *Antike Welt* 10 [1979], 3–24.

⁵ R. Meiggs, *Roman Ostia*, Oxford 1973, 586 (hereafter Meiggs). Both Pompeii and Rome are situated on sloping sites; a circumstance which enabled engineers to construct street drains with a steep fall, discharging in the case of Pompeii into the Sarno, in the case of Rome into the Tiber (though, as will be seen, the *Cloaca Maxima* did back up in its lower stretches near the river, see p. 413 below). By contrast Ostia was built on a comparatively level site with a high water-table which made it relatively easy for engineers to construct water wheels to supplement with ground water aqueduct supplies which were inadequate for the full needs of the *thermae* (Meiggs 144). This combination of a level site with a high water table possibly resulted in drains becoming water-logged. For example the main sewer of the Baths of Mithras "is filled with water and is perhaps still connected with the Tiber"; I. Nielson, *The Water System in the Baths of Mithras in Ostia*, in: *Analecta Romana* 9 [1980], 155; cf. also R. Étienne, *Maisons et hydraulique à Volubilis*, in: *Service des Antiquités du Maroc, Publications* 10 [1954], 200 for observations on the steep fall of the main street drains at Volubilis.

⁶ Brief discussion by R. Lanciani, *Ancient Rome in the Light of Recent Discoveries*, Boston 1889, 49–73; H. Jordan, *Topographie der Stadt Rom im Alterthum* I. 1, Berlin 1871 (repr. Rome 1970), 441–451; although parts of the *Cloaca Maxima* have been sporadically explored (see S. B. Platner – T. Ashby, *A Topographical Dictionary of Ancient Rome*, Oxford 1929, 126f.) the fabric of the entire collector with all its tributaries has never been systematically studied. The start of such a project was announced by S. Picozzi, *L'Esplorazione della Cloaca Massima*, in: *Capitolium* 50 [1975], 2–10.

⁷ For a somewhat perfunctory discussion, see A. Söllner, *Die hygienischen Anschauungen des römischen Architekten Vitruvius*, Jena 1913.

⁸ At 1. 1. 10 Vitruvius says architects must be acquainted with *iura . . . cloacarum*, but neither here nor elsewhere in his handbook does he enunciate these *iura*.

of such topics, and it is possible that presumed knowledge of normal practice made such a discussion unnecessary. It is to be remembered that Vitruvius was writing for aristocratic patrons, and not for public health engineers.

Modern scholarly literature on Roman urban sanitation is also limited in scope and accuracy. The standard works of Pöhlmann⁹, Lanciani¹⁰, Jordan¹¹, Friedländer¹², Homo¹³, Carcopino¹⁴, and others,¹⁵ provide valuable overviews of the topography, town-plan, and administration of the city of Rome, and also give a general picture of the life-styles of the different sectors of Roman society, but are deficient in the area of public hygiene.

I "Slums"

The enormous gulf which separated advantaged from disadvantaged in the Roman empire with respect to access to the legal system, medical care, and education, is also very evident in the case of housing which was taken to be an index of a person's social status.¹⁶ At the top of the Roman housing scale were the conspicuously lavish imperial palaces such as the short-lived *Domus Aurea* and the longlived "Palatium" of Domitian which provided this and all subsequent emperors in the Western empire with 40,000 m²¹⁷ of secure, comfortable, living space, and which virtually monopolized Rome's most prestigious hill. Next came senatorial residences such as that of Sparsus, the charms of which Martial contrasts with the disadvantages of his noisy city apartment (Epig. 12. 57). But not all senators, equites, and wealthy freedmen lived in houses which could offer their occupants the delights of *rus in urbe*. As Frier¹⁸ has recently shown, many members of these classes rented *cenacula* in *insulae* on long term leases. The apartments, subdivided into rooms with individual specific functions, would be situated on the lower floors of *insulae*. By contrast the upper floors of these buildings housed lower-status Romans in subdivided, undifferentiated *cellae* rented probably on a daily basis.¹⁹ The poor also lived in *tabernae* which in design ranged from single roomed shop/dwellings to larger complexes consisting of

⁹ R. Pöhlmann, Die Übervölkerung der antiken Großstädte, Leipzig 1884 (repr. 1967).

¹⁰ R. Lanciani, The Ruins and Excavations of Ancient Rome, London 1897 (repr. New York 1979); see also n. 6 above.

¹¹ Above n. 6, 441–480 for drains and water supply.

¹² L. Friedländer, Sittengeschichte Roms vol. 4, Leipzig 1922 (repr. Aalen 1964), 310f. (Latrinewesen).

¹³ L. Homo, Rome impériale et l'urbanisme dans l'antiquité, Paris 1971 (indifferently sourced and documented).

¹⁴ J. Carcopino, Daily Life in Ancient Rome, ed. H. T. Rowell, London 1962, 33–64 (houses and streets).

¹⁵ P. Lavedan — J. Hugueney, Histoire de l'urbanisme: antiquité, Paris 1966; E. A. Guck-
kind, Urban Development in S. Europe: Italy and Greece, New York 1969 (scathing in
its condemnation of elite Roman neglect of the basic material needs of the *plebs urbana*);
M. Hammond, The City in the Ancient World, Harvard 1972; F. Coarelli, Guida
archeologica di Roma, Milan 1974; L. Benevolo, The History of the City, Cambridge
(Mass.) 1980; G. Hermansen, Ostia: Aspects of Roman City Life, Edmonton 1981. See
also Lugli's contributions; below notes 47, 141.

¹⁶ For status symbols among the Romans, see F. Kolb, Zur Statussymbolik im antiken
Rom, in: Chiron 7 [1977], 239–260.

¹⁷ W. L. MacDonald, The Architecture of the Roman Empire, New Haven 1982, 47, 202.

¹⁸ B. W. Frier, Landlords and Tenants in Imperial Rome, Princeton 1980, 39–47.

¹⁹ Ibid. 39f.

a shop with one or two living rooms at the rear with or without mezzanines.²⁰ The very poor might also hire rooms in cheap boarding houses²¹ where rent was probably paid daily. The destitute (*egeni*) suffered the rigours of a wide range of improvised shelter: shanties pieced together from the detritus of the more fortunate (*tuguria*²², *ergasteria*²³) which must have been similar to the improvised shacks in slums which skirt the capitals of many developing countries.²⁴ Several ancient sources refer to huts erected against or on top of public buildings, or between the columns of porticoes in front of shops. Such structures were likely to be demolished from time to time by city officials.²⁵ The destitute also found refuge in tombs²⁶ which also served on occasion

²⁰ Four main types are distinguished by G. Girri, *La taberna nel quadro urbanistico e sociale di Ostia*, Rome 1956, 6f., whereas only two are recognized at Rome by R. A. Staccioli, *Le tabernae a Roma attraverso la Forma Urbis*, in: *Rend. Linc.* 14 [1959], 58; B. W. Frier, *The Rental Market in Early Imperial Rome*, in: *JRS* 67 [1977], 30 n. 20 accepts that c. 91–95 % of the population of Ostia lived in shops or small flats, or slept in the streets; cf. also J. E. Packer, *Middle and Lower Class Housing in Pompeii and Herculaneum*, in: B. Andreae – H. Kyrielis (edd.), *Neue Forschungen in Pompeji*, Essen 1974, 141.

²¹ *cauponae*, *deversoria*, *hospitia*, *stabularia* were all “rooming houses” where inmates could sleep and eat. J. E. Packer, *Inns at Pompeii: A Short Survey*, in: *Cronache Pompeiane* 4 [1978], 5–35; Hermansen (above n. 15) 125–203. Both these studies improve on the standard work by T. Kleberg, *Hôtels, restaurants et cabarets dans l’antiquité romaine*, Uppsala 1957. Ulpian (Dig. 47. 5. 1. 6) proves the existence of permanent residents in *cauponae* and *stabula*.

²² According to Pomponius, Dig. 50. 16. 180, *tugurium* originally denoted a shack erected in the country for the guarding of crops, and was not associated with town dwellings. In Costa Rica *tugurio* =slum; R. Biesanz, *The Costa Ricans*, Englewood Cliffs 1982, 74. Cf. Vitruvius 2. 1. 4–5 for descriptions of various types of *tuguria* and *casaee* found in different parts of the Roman world; Alciphron 1. 1. 2; 2. 27. 1; Apuleius, *Met.* 4. 12; 9. 32; Strabo 4. 4. 3; Pausanias 10. 4. 1; for the thatched huts of agricultural workers in N. Africa (*mapalia*), see R. Laporte, *L’Habitat rural d’époque romaine en Maurétanie tingitane*, in: *Rivista Storica dell’Antichità* 4 [1974], 173f.; R. G. Goodchild, in: *PBSR* 19 [1951], 53, 55; also depicted on a mosaic in the Bardo Museum; T. Cornell – J. Matthews, *Atlas of the Roman World*, London 1982, 118. According to Seneca, Ep. 18. 7; 100. 6 the rich included in their residences *pauperum cellae* where they fleetingly practised austerity. On the so-called *tugurium Faustuli/casa Romuli*, see A. Alföldi, *Die Struktur des voretruskischen Römerstaates*, Heidelberg 1974, 117.

²³ E. Patlagean, *Pauvreté économique et pauvreté sociale à Byzance*, Paris 1977, 60f.; J. H. W. G. Liebeschuetz, *Antioch, City and Administration in the Later Roman Empire*, Oxford 1972, 56.

²⁴ See for example D. J. Dwyer, *Asian Urbanization, A Hong Kong Casebook*, Hong Kong 1971, 89–110 (The Aplichau Squatter Area).

²⁵ R. MacMullen, *Roman Imperial Building in the Provinces*, in: *HSCP* 64 [1959], 208f. (slum clearance); Dio Chrysostom, Or. 40, 8–9; John Chrys. In I Cor. 11. 5 (PG 61, 94f.) on which see A. González Blanco, *Economía y sociedad en el bajo imperio según S. J. Crisóstomo*, Madrid 1980, 328; Ulpian, Dig. 43. 8. 2. 17 indicating that if an unofficial building did not obstruct a public place, it might be allowed to stand and yield land-tax (*solarium*); Cod. Theod. 15. 1. 39 states that “lean-tos” (*parapetasia*) attached to public or private buildings are to be torn down, if the neighbourhood feared they might become a fire risk or be a source of *insidiae*; but cf. 15. 1. 4 which permits the erection of shelters above public workshops. For squatting against aqueducts, see O. Robinson, *The Water Supply of Rome*, in: *Studia et Documenta Historiae et Iuris* 46 [1980], 72.

²⁶ Ulpian, Dig. 47. 12. 3; 47. 12. 3. 11 refers specifically to slaves living in tombs. Those of the rich often took the form of small houses; K. Hopkins, *Death and Renewal*, Cambridge 1983, 205f., 247–255; W. F. Jashemski, *The Gardens of Pompeii*, New York 1979, 141–153; Meiggs 455–470.

as improvised brothels²⁷ and lavatories.²⁸ Others slept in spaces under the stairs of *insulae (subscalaria)*,²⁹ in underground cellars (*crypto*)³⁰, vaults (*fornices*)³¹, or in the open air.³² To what extent public baths were used by the poor for shelter is impossible to estimate. The very low admission fee at Rome of $\frac{1}{4}$ *as* would admit all but the poorest, but since so little is known about the administration of the baths at night,³³ it is difficult to estimate how many people might have tried to sleep in them at night, especially during wintertime.³⁴ This brief list of types of urban accommodation may be concluded by mentioning unicellular barrack-room units which were standard for legionaries³⁵, *vigiles*³⁶, gladiators³⁷, and low-status prostitutes³⁸.

²⁷ Hence the term *bustuariae moechae*; Martial 3. 93. 15.

²⁸ Trimalchio fears that people will soil his tomb with excrement; Petronius Satyr. 71. 8.

²⁹ "The *subscalaria* in Ostia show heavy use": G. Hermansen, The Population of Imperial Rome: The Regionaries, in: Historia 27 [1978], 166f.; the latrines of ground floor *cenacula* were often situated close to or under the *subscalare*: Hermansen (above n. 15) 25; J. E. Packer, in: Bullettino Commissione 81 [1968/1969], 147 n. 51; Harsh, in: MAAR 12 [1935], 23 & fig. 7; dogs were sometimes housed in this area; C. Giordano — G. V. Pelagalli, Cane e canili nella antica Pompeii, in: Accademia Pontaniana, Atti 7 [1957], 199.

³⁰ Pöhlmann (above n. 9) 96–98.

³¹ Pöhlmann (above n. 9) classifies *crypto* together with *fornices* as „Kellerwohnungen“, but the references he cites (97 n. 2), e.g., Juvenal 10. 239 *cancer fornicis*; 11. 174 *olido fornice*, do not necessarily imply that the vaults are underground. It is likely that in these cases *fornix* = *cella meretricia*, a cubicle in a *lupanar*. Ulpian, Dig. 43. 17. 3. 7 refers to underground rooms.

³² Frier (above n. 20) 30 n. 20.

³³ SHA, Sev. Alex. 24. 6 explicitly says *thermae* were open at night; SHA, Tac. 10. 2 refers to the closing of the baths at night in the reign of Tacitus, because they were regarded as a source of *seditio*. Cod. Just. 8. 12. 19 and Cod. Theod. 15. 1. 32 provide evidence for the use of the baths at night. E. Brödner, Die römischen Thermen und das antike Badewesen, Darmstadt 1983 offers no useful comment and merely remarks without documentation that bath facilities were suspended „nur einige Stunden während der Nacht“ (119). Two economic considerations would seem to have militated against the use of public baths at night: Firstly the cost of providing oil for lighting, secondly the cost of providing additional fuel for the furnaces which would be damped down at night, but not allowed to go out, since it took a considerable length of time to achieve the required temperatures when the heating system was initially cold. Pliny sent unexpected, or short-term guests at his Laurentine villa to the public baths of a nearby *vicus* rather than heat up the baths at his villa (Ep. 2, 17. 26). Baths with unglazed windows such as the Forum Baths at Ostia would be unsuitable for night use; E. D. Thatcher, The Terme del Foro at Ostia, in: MAAR 24 [1956], 200.

³⁴ Alciphron 3. 40. 3; R. Ginouvès, Balaneutike, Recherches sur le bain dans l'antiquité grecque, Paris 1962, 219.

³⁵ R. Birley, Vindolanda, London 1977, 47; average dimensions of each room: 12×16 ft.; "the same floor space British architects gave to the families of native soldiers in India before World War II".

³⁶ Ostia: Meiggs 305; average dimensions of *cellae* 20×20 ft. Rome: P. K. Baillie Reynolds, The Vigiles of Imperial Rome, London 1926, 46.

³⁷ Pompeii: J. Overbeck — A. Mau, Pompeji, Leipzig 1884, 195; no traces of beds were found in the *cellae* when excavated; it is assumed the gladiators slept on straw; G. Ville, La gladiature en Occident, Paris 1981, 298–301 assumes the inmates slept 1 or 2 to a room c. $10–15$ m². At the Ludus Magnus at Rome the *cellae* have average dimensions of c. 20 m² (300); see further A. Höhne — A. Henze, Römische Amphitheater und Stadien, Zürich 1981, 131.

³⁸ P. Guzman, Pompeii, London 1900, 226–228; *cellae* in the brothel at the junction of

26*

It is not unusual for classicists to claim that Rome's urban poor lived in "slums",³⁹ but those who use this term do not define the word or specify its implications. It might be useful, therefore, to consider modern criteria and definitions of sub-standard accommodation and then apply these to the ancient evidence. P. Townsend in his massive study of poverty in the U. K.⁴⁰ isolates the following traditionally accepted indices of "poor", "unfit", or "slum" housing:

1. Structural defects (leaking roofs, damp walls, brickwork, ill-fitting doors and windows, etc.)
2. Inadequate housing facilities (lack of piped water, toilets, washing facilities, etc.)
3. Inadequate space, overcrowding (no more than two people to one room).

II Ruina

The structural shortcomings of Rome's *insulae* which according to the *Regionaries* outnumbered *domus* by a ratio of c. 26:1,⁴¹ are widely attested in late Republican and imperial literature. Poor building materials, inadequate preparation of foundations, and inexpert or careless workmanship seem often to have resulted in structural collapse,⁴² a fate which was also feared though probably not so frequently experienced by the occupants of *domus*.⁴³ As in other large cities in the Roman world, such as Carthage⁴⁴ and Antioch⁴⁵, the rich at Rome tended to site their houses on the ridges or slopes of hills which were well ventilated, drained, and sunny, whereas the poor

the via del Balcone and via del Luponare measure c. 6 × 6 ft.; in some streets, according to Guzman, single *cellae meretriciae* "open directly into the street, having no communication with the houses in which they are embedded". It is to be assumed that such rooms were rented from the owners of the houses concerned; I. Bloch, Die Prostitution vol. 1, Berlin 1912, 325f.; M. della Corte, Case ed abitanti di Pompei, Rome 1954, 48, 134f., 141, 198.

³⁹ "We may fairly suppose that most of the inhabitants of Rome lived in appalling slums": P. A. Brunt, in: Past and Present 35 [1966], 13; cf. Meiggs 142; A. G. McKay, Houses, Villas, and Palaces in the Roman World, London 1975, 85; Frier, in: JRS 67 [1977], 30; Hermansen, in: Historia 27 [1978], 167; R. Meiggs, Trees and Timber in the Ancient Mediterranean, Oxford 1982, 239.

⁴⁰ Poverty in the United Kingdom: A Survey of Household Resources and Standards of Living, Harmondsworth 1979, 479–486.

⁴¹ The *Regionaries* give a total of c. 46,000 *insulae* for Rome, a figure Hermansen amends to c. 25,000 (above n. 29, 167). H. rightly criticises those who have uncritically accepted the statistics of the *Regionaries*.

⁴² Homo (above n. 13) 506–531; Yavetz, in: Latomus 17 [1958], 507–513; Packer, in: MAAR 31 [1971], 74–79.

⁴³ Sen. Ep. 90.43, contrasting the luxury of contemporary Roman houses with the dwellings of primitive man: *at vos ad omnem tectorum pavetis sonum et inter picturas vestras, si quid increpuit, fugitis attoniti. non habebant domos instar urbium . . . haec erat secundum naturam domus, in qua libebat habitare nec ipsam nec pro ipsa timentem: nunc magna pars nostri metus tecta sunt.*

⁴⁴ A. Lézine, Sur la population des villes africaines, in: Antiquités africaines 3 [1969], 74 who states (70) that there is no proof of the existence of *insulae* in Roman Carthage, or at any other site in proconsular Africa; Strabo 16. 2. 23 claims houses at Tyre had more storeys than *insulae* at Rome. For tower-blocks at Motya, see J. I. S. Whitaker, Motya, London 1921, 22, 86.

⁴⁵ Liebeschuetz (above n. 23) 51.

lived in the valleys between the hills, or in the areas close to the Tiber.⁴⁶ When the river overflowed, as it frequently did,⁴⁷ swirling flood-water might scour out and undermine foundations, or mud brick walls might become saturated and collapse.⁴⁸

Vitruvius "an expert [who] bears testimony to the excellent construction of *insulae*"⁴⁹ explicitly refers to *leges publicae* (2. 8. 17) which prohibited the building of party walls more than 1½' thick, and observes that other walls (*ceteri parietes*) were kept to the same breadth to maximize internal living space. This passage is instructive, since it not only explains one possible cause of structural collapse due to the inadequacy of load-bearing walls on the lower floors of apartment blocks, but also reveals the somewhat lackadaisical attitude of Roman officialdom towards the establishment of responsible and effective building codes.⁵⁰ A law which lays down the maximum width of party walls, but which ignores the minimum thickness of freestanding, load-bearing external walls, is clearly likely to be open to abuse by speculators keen to save money on materials and increase rental revenues by letting the greatest available floor space to the largest possible number of tenants. Under such conditions overcrowding might become a contributing cause of structural failure.^{50a}

Other Roman building laws give the impression of evincing some concern for the structural safety of *insulae*. The most important is the height restriction of 70 Roman feet⁵¹ established by Augustus. Yet subsequent reiteration of this and the few other laws⁵² affecting the maintenance of dwellings suggests that they were largely ignored by property owners. The state lacked the machinery to enforce the observance of its rudimentary building regulations, and poverty-stricken *inquilini* would be reluctant to prosecute delinquent landlords⁵³ who regarded the collapse of rental properties with complete indifference for the fates of their tenants.⁵⁴ Lacking both the financial

⁴⁶ After the building of the Domus Flavia on the Palatine, the rich moved to the Caelian, Aventine, and Quirinal hills. The Pincian was also noted for its sumptuous villas and *horti*. The poor were crowded into low-lying, inner-city areas: the Subura, Argiletum and Velabrum. Transtiberim, the Janiculum excepted, was a poor district; Lavedan (above n. 15) 323; Homo (above n. 13) 477–485; J. P. Poe, The Septizonium and the Subura, in: TAPA 108 [1978], 147–154; J. C. Anderson, Domitian, the Argiletum and the Temple of Peace, in: AJA 86 [1982], 101–103.

⁴⁷ For a list of the main inundations, see G. Lugli, Monumenti antichi di Roma e suburbio vol. 2, Bardi 1934, 231f.

⁴⁸ Dio 39. 61. 1–2 gives such an account during a flood in B. C. 54.

⁴⁹ P. Harsh, The Origins of the Insulae at Ostia, in: MAAR 12 [1935], 11 n. 2; cf. G. Calza, La preminenza dell'insula nella edilizia romana, in: Monumenti Antichi 23 [1914], 558.

⁵⁰ For the meagre corpus of Roman building laws, see Yavetz, in: Latomus 17 [1958], 512f.; Frier (above n. 20) 36.

^{50a} "Overcrowding is one reason why houses frequently fall down" (sc. in Cairo): The Economist, Dec. 25, 1982, p. 54.

⁵¹ This limit was evidently determined without proper considerations for the height of the buildings in relation to the width of the streets. In this case the result would be in many cases unsatisfactory ventilation and insufficient light at street level: « Le rapport H: L [hauteur: largeur] . . . choquera évidemment tout urbaniste moderne »; Lavedan (above n. 15) 461.

⁵² Cf. the frequent repetition of the prohibition against unroofing, dismantling, or demolishing urban dwellings *negotiandi causa*. The provision is found in the town charters of Tarentum, Urso, and Malaca; Homo (above n. 13) 537–544; F. Haverfield, Ancient Town Planning, Oxford 1913, 137–139.

⁵³ P. Garnsey, Social Status and Legal Privilege in the Roman Empire, Oxford 1970, 99.

⁵⁴ Cicero, Ad Att. 14. 9. 1; *inquilini* could abandon a building without risk of prosecution

and political resources requisite for redress,⁵⁵ the *plebs urbana* must have considered the risk of *ruina* as much a part of life in the capital as the dangers of fire and flood. All available evidence about accommodation at Rome reveals a massive degree of indifference on the part of the state towards the housing needs of its indigent masses.⁵⁶ A reflection of this indifference comes from the statement of Gaius in the *Digest* (50. 16. 234. 2) that subsistence was thought to refer only to food, though others considered it also comprised clothing and straw, *sine his enim vivere neminem posse*. From this it is clear that shelter was not considered an essential part of the legal concept of subsistence in the Roman world.⁵⁷

However, it must not be assumed that all *insulae* at Rome were structurally unsound. Such an assumption would be as false as a belief based on Vitruvius' claim that *insulari* were comfortably housed and had agreeable views of the city,⁵⁸ a reflection surely of the architect's will to flatter Augustus rather than a statement of his personal views of residential tower blocks at Rome.

Packer's thorough study of the only "almost intact" *insula* at Rome, the Casa di via Giulio Romano⁵⁹, suggests that all the inhabitants of this Trajanic building, from its ground floor shops to its fourth floor cubicles, must have experienced a wide range of discomforts and anxieties frequently alluded to by Martial and Juvenal;⁶⁰ but a fear of *ruina* is not likely to have been one of them, since this *insula* was built of brick-faced concrete, and concrete vaults are in evidence on all of its surviving floors.⁶¹ In this respect, then, the building does *not* conform to the satirical stereotype depicted by Juvenal in Sat. 3. 190ff. As the building backs directly on to and abuts the living rock of the Capitoline, it gained extra stability, though in this case the benefit of additional support was offset by the seepage of moisture through the rear walls which were not fitted with double walls or *tegulae mammatae*.⁶² On the fourth floor the rear access corridor would have acted as a protective damp course, but such an arrangement is not found on the other floors. It is also noteworthy that the building measures c. 22 m. from its base to the top of its highest surviving floor⁶³ thus exceeding both the Augustan and the Trajanic height limits (20.65 m and 17.70 m respectively). At

by a landlord for loss of rent, if their fears of *ruina* were justifiable; see Frier (above n. 18) 99f.

⁵⁵ See Thompson, *On Development and Underdevelopment* (above n. 2) 390f.

⁵⁶ Cf. R. C. Fried, *Planning the Eternal City*, London 1973, 166; Gutkind (above n. 15) 56f.

⁵⁷ The *hortulanus* in Apuleius, Met. 9. 31 lives below even this level of subsistence: *prae nimia paupertate ne sibi quidem, nedum mihi posset stramen aliquod vel exiguum tegimen parare*; according to Sallust, Cat. 48. 2. the *plebs* had nothing beyond their food and clothing; G. E. M. de Ste Croix, *The Class Struggle in the Ancient Greek World*, London 1981, 372.

⁵⁸ 2. 8. 17.

⁵⁹ *Bullettino Commissione* 81 [1968/1969], 127–148.

⁶⁰ *Ibid.* 147 n. 54.

⁶¹ The outer walls on the ground floor are c. 3 Roman feet thick, reducing to c. 2' (or less) on the fourth. The masonry dividing walls, c. 0.36 m thick, rest on vaulted ceilings; Harsh, in: MAAR 12 [1935], 26 n. 4, 28 n. 2. Frier (above n. 18) 14 dates the building to c. A. D. 100.

⁶² Vitruvius' solution of a double wall (7. 4. 1–2) is nowhere found at Pompeii (Mygind 298); on *tegulae mammatae*, see G. Brodribb, *Tegulae Mammatae*, in: *Antiquaries Journal* 59 [1979], 400.

⁶³ Packer (above n. 59) 131 fig. 2.

least 2 more metres may be added to the already given total height, since it is likely that there was another floor above the highest surviving level.⁶⁴

The Ostian evidence shows that *insulae* there were generally of an adequate structural soundness, but it is also acknowledged that conclusions made about housing at Ostia should not be uncritically applied to Rome⁶⁵ which was larger, more congested, and even after the fire of A.D. 64, did not undergo the type of radical redevelopment experienced at Ostia in the reigns of Claudius, Trajan, and Hadrian. Despite the structural soundness of the via Giulio Romano *insula*, the persistence of an unfavourable literary tradition about Roman *insulae* from Cicero to the end of the empire, strongly suggests that jerry-built multiple dwellings were the norm at Rome, even though they appear to have been the exception at Ostia. It must be remembered, however, that because Roman architects were incapable of exactly calculating the strains and stresses in any given structure (just as Roman engineers could not measure velocity) structural soundness could not be guaranteed even for the most expensive and prestigious buildings. Thus the *basilica* of Domitian's palace required considerable buttressing not long after its construction,⁶⁶ as did the main vaulted room in the *Casa dei Triclini* (I. xii. 1) at Ostia.⁶⁷

III Sanitation

Townsend's second broad indicator of substandard accommodation ("inadequate housing facilities") will be examined in relation to evidence for sanitation and hygiene in Roman houses and cities. To help in distinguishing adequate from inadequate sanitation (i.e., the disposal of human and other wastes), it would be helpful to refer to some basic modern criteria. These are succinctly given by Salvato:⁶⁸

"The improper disposal of human excreta and sewage is one of the major factors threatening the health and comfort of individuals in areas where satisfactory sewage systems are not available. This is so because very large numbers of different disease producing organisms can be found in the fecal discharges of ill and apparently healthy persons ... Knowing that organisms causing various types of diarrhea, bacillary dysentery, infectious hepatitis, salmonella infection, and many other illnesses are found in excreta, it becomes obvious that all sewage should be considered presumptively contaminated, beyond any reasonable doubt, with disease producing organisms... Therefore, the mere exposure of sewage, or its improper disposal, immediately sets the stage for possible disease transmission ... Sewage is satisfactorily disposed of when 1) It will not be accessible to children or household pets, pollute the surface of the ground, or be exposed to the atmosphere when inadequately treated. 2) It will not contaminate any drinking water supply. 3) It will not give rise to a public health hazard by being accessible to insects, rodents, pets, or other possible mechanical carriers that may come in contact with food or drinking water. 4) It will not give

⁶⁴ Harsh (above n. 61) 26 n. 4.

⁶⁵ J. E. Packer, The *Insulae* of Imperial Ostia, Rome 1971, 78; Meiggs, Trees and Timber (above n. 39) 239.

⁶⁶ MacDonald (above n. 17) 60.

⁶⁷ Harsh (above n. 61) 23.

⁶⁸ J. A. Salvato, Environmental Sanitation, New York 1958, 186f.

rise to a nuisance due to odor or unsightly appearance. 5) It will not pollute or contaminate the waters of any bathing beach, shell-fish breeding ground, or stream used for public, domestic water supply, or recreational purposes. 6) It will not violate laws or regulations governing water pollution or sewage disposal."

Literary evidence concerning sewers and latrines in the Roman world is extremely meagre. Vitruvius, as already noted (p. 400f.) maintains a discreet silence. Frontinus merely observes that the overflow (*aqua caduca/otiosa*) of Rome's fountains (*salientes*) and public basins (*lacus*) flushed the city's sewers.⁶⁹ Agricultural writers make brief references to the use of human excrement as a supplement to animal fertilizers.⁷⁰ There are a few other references to the cleansing of sewers by convict labour,⁷¹ and to those who profited from running public latrines (*foricae*),⁷² to the fullers' terracotta jars placed in the streets for the public to use as urinals,⁷³ and to Vespasian's tax on urine.⁷⁴ However, though some of these brief allusions⁷⁵ are useful, there is nowhere extant a description of either a public or private Roman latrine, and no account of their administration.

Legal texts are also exiguous. The *lex Julia municipalis* (66f.) (CIL 12. 593) states that *plostra stercoris*⁷⁶ *exportandei caussa* were permitted to enter Rome during the daytime when most wheeled traffic was prohibited. Ulpian (Dig. 43. 23. 1–2) reports a praetor's edict which states that sewers were to be kept clean and in a good state of repair *quorum utrumque et ad salubritatem civitatum et ad tutelam pertinet: nam et caelum pestilens*⁷⁷ *et ruinas minantur immunditiae cloacarum* (43. 23. 1. 2). While it is easy to understand that clogged sewers will create a fetid atmosphere, it is not immediately evident why they would be likely to cause the collapse of buildings.⁷⁸ However, a major blockage in a large collector such as the Cloaca Maxima which in winter must have conducted large volumes of marsh and storm water into the Tiber, could have caused floods with consequent scouring out of foundations and the dissolving of mud-brick structures.

The edict also distinguishes between public sewers maintained by the state, and private sewers the upkeep of which was the responsibility of individual property owners who according to Dig. 43. 23. 1. 9 had the right to connect a private to a public

⁶⁹ De aquis 2. 111; T. Ashby, The Aqueducts of Ancient Rome, Oxford 1935, 46; (above n. 25) 46.

⁷⁰ Columella 10, 84f.; 11. 3. 12.

⁷¹ Pliny, Ep. 10. 32. 2.

⁷² Juvenal 3. 38.

⁷³ Martial 6. 93. 1; Macrob., Sat. 3. 16. 15.

⁷⁴ Suet., Vesp. 23. 3.

⁷⁵ These are collected and very briefly discussed by Thédenat in his article "Latrina" in Daremberg—Saglio 3. 2, 987–991.

⁷⁶ M. G. Morgan, Glauzia and Metellus, in: Athenaeum 52 [1974], 318 n. 19 shows that contrary to Pöhlmann and Friedländer [=Drexel], *stercus* here does not necessarily mean "refuse" rather than "excrement". E. G. Hardy, Roman Laws and Charters, Oxford 1912, 153 opts for "refuse"; Homo (above n. 13) 256 has it both ways: «ordures et débris variés».

⁷⁷ Cf. Pliny, Ep. 10. 98 and 99 (Trajan's reply) on an open sewer (a river clogged with sewage) at Amastris.

⁷⁸ Pliny, NH 36. 24. 106 boasts that Rome's sewers were so well constructed that they were not damaged by buildings which collapsed of their own accord or through fire (*pulsant ruinae sponte praecipites aut in pactae incendiis*).

sewer without hindrance, on receiving permission from the *curatores viarum publicarum* (Dig. 43. 23. 2).

It seems, then, that there was no legal obligation for a home-owner to connect his dwelling to a public street sewer. Such a connection was optional, and it seems that the owner had to meet all the expenses resulting from such an operation. Extant Roman law is silent on the question of where domestic latrines were to be situated and how they were to be constructed. The Romans were legally more concerned about the intramural burial of the dead⁷⁹ than they were about the disposal of human and animal wastes within the city, though, as will be seen, corpses seem to have been dumped within the city.

Currently available archaeological evidence from Pompeii, Ostia, and Rome indicates that very few dwellings were directly connected to street drains. Lanciani reports of his own excavations at Rome: "In the many hundred of antique drains discovered . . . I have never seen a sign of communication with the houses lining the streets through which the drains passed."⁸⁰ At Pompeii almost every house had a drain which conducted excess water from the *impluvium* or peristyle to the surface of the street; less frequently these drains also conducted dirty water from kitchens on to the streets.⁸¹ With one exception (VII. vii. 28), drains leading directly from a latrine into the street were not found by Mygind, and only exceptionally did he find in private houses latrines connected to sewers.⁸² In some cases the connections were crudely improvised as in VII. iv. 7 where a large hole in the floor of the shop leads directly into the *cloaca* of the via dell'Abbondanza.⁸³

On the other hand, almost every house at Pompeii had a latrine situated either in or partly separated from the kitchen, or in a separate, very small, doorless room, usually unlit and lacking adequate ventilation through an outside window. None of these latrines, with the possible exception of a large latrine in the House of the Silver Wedding, was flushed by water. All consisted of pits (*sterquilinia*) of varying depths dug into the porous lava-mass directly beneath or not far from the latrine itself. The porous rock allowed fluids to drain away, but solids would periodically have to be excavated from the cesspit, if the latrine was to remain in use.⁸⁴

Mygind assumes that both kitchen-latrines and cesspits in separate small rooms were *cellae familiaricae*, used only by household staff,⁸⁵ whereas *domini* and their

⁷⁹ M. J. Le Gall, La sépulture des pauvres à Rome, in: Bulletin de la Société National des Antiquaires de France 1980/1981, 148.

⁸⁰ Above n. 10, 31; confirmed by Platner—Ashby, A Topographical Dictionary (above n. 6) 127; misrepresented by F. H. Garrison, The History of Drainage, Irrigation, Sewage-Disposal, and Water-Supply, in: Bulletin of the New York Academy of Medicine 5 [1929], 894 where it is said *excreta* from *insulae* were piped into sewers. At Mohenjo-Daro (Indus valley) almost every house had a bathroom and a water flushed latrine connected to a sanitary sewer system; C. Webster, The Sewers of M.-J., in: Journal of the Water Pollution Control Federation (hereafter JWPCF) 34 [1962], 118f.; for general discussion of M-D., see M. Wheeler, The Indus Civilization, Cambridge 1960, 29–44 (esp. p. 28).

⁸¹ Mygind 268f.

⁸² W. F. Jashemski, in: AJA 81 [1977], 217f. and n. 5 notes that wastes from upstairs rooms at I. xx. 5 emptied into a sewer under the via Nuceria.

⁸³ Mygind 275.

⁸⁴ Mygind 309, 314, 315f.

⁸⁵ Mygind 318f.

guests employed a variety of portable receptacles (*matellae, lasana, sellae pertusae*) which slaves would eventually empty into the house latrine. This cannot be accepted as anything more than an assumption, since it appears to depend on a passage in Petronius where Trimalchio grants his table companions the opportunity to relieve themselves in his dining room (Satyr. 47. 5). However, an examination of the full context strongly suggests that Trimalchio authorizes his guests only to urinate, not defecate in the *triclinium*: *vel si quid plus venit, omnia foras parata sunt: aqua, lasani et cetera minutalia.*

Trimalchio's *familia* includes slaves one of whose tasks is to handle *matellae*. At the very opening of the *Cena* Petronius portrays Trimalchio playing a ball game which he does not interrupt when a eunuch applies a silver chamberpot to him (Satyr. 27. 3 and 5). After relieving himself, he asks for water, sprinkles it on his hands, and then wipes his fingers on the hair of another slave, presumably a *capillatus*. Since the narrator introduces these events as novelties (*res novas*), it is difficult to know whether Trimalchio's behaviour would have been regarded as socially acceptable. It is quite possible that the novelty of the situation is not that a eunuch⁸⁶ is serving his master with a silver *matella*, but that he is performing this service outside while Trimalchio is engaged in a game.

Yet whatever the interpretation placed on the above passage, it hardly constitutes proof that high-status Romans did not use latrines in their own houses. Trimalchio's words *omnia foras parata sunt* are best taken to refer to a domestic latrine.

It hardly requires emphasis that such practices were extremely unhygienic.⁸⁷ Internal cesspits even when emptied at regular intervals, would be constant sources of major infections and offensive smells. To site a cesspit in a kitchen would have the practical advantage of enabling cooks to dispose of kitchen fluids and garbage without physical inconvenience,⁸⁸ but the risk of food contamination in such combined kitchen/latrine areas must have been very high indeed. A similar combination of rooms was noted by Wikan in slum housing in Cairo where the kitchen "is always next door to the lavatory, and the door to the lavatory is usually in the kitchen. As a result the kitchen is the one place in the flat which is really pervaded by the stench from the lavatory. The lavatory itself is a room of about one metre square with a hole in the floor for waste... There is no ventilation and it is a favourite haunt of cockroaches."⁸⁹ A Roman would have found such an arrangement quite familiar.

Latrines at Pompeii are for the most part not provided with running water or washing facilities of any kind.⁹⁰ Toilet paper was not apparently a standard item in

⁸⁶ Cf. Mart. 3. 82. 15–17: *digitu crepantis signa novit eunuchus | et delicatae sciscitator urinae | domini bidentis ebrium regit penem.* For *matellae* made from various precious substances, see P. Howell, A Commentary on Book I of the Epigrams of Martial, London 1980, 185f.

⁸⁷ J. Scarborough, Roman Medicine, London 1969, 78 seems to find such an arrangement satisfactory.

⁸⁸ The gutter which conducted fluids from the kitchen into the cesspit was called *trua*; Varro LL 5. 25. 118; according to Mygind 313 if wood ash from the stove were thrown into the cesspit it would help to neutralize the smell of the latter, but according to R. Stone, The Shaoyang, China, Night Soil Fertilizer Reclamation Plant, in: Sewage Works Journal 21 [1949], 993 the result of such a combination would be the generation of free ammonia.

⁸⁹ U. Wikan, Life among the Poor in Cairo, London 1980, 20.

⁹⁰ W. F. Jaschinski, The Gardens of Pompeii, New York 1979, 53f. found evidence of piped water in latrines associated with baths in the houses of the Centenary, and Julia Felix.

Roman latrines, though Catullus' reference to the *annales Volusi* as *cacata carta* (36.1), suggests that it was not entirely absent. For the Romans a sponge on the end of a stick performed the function of modern toilet paper. The main evidence for this is a passage in Seneca (Ep. 70. 20) where a German *bestiarius* at a gladiatorial training school retires to a latrine where, to quote Seneca, *Ibi lignum id, quod ad emundanda obscena adhaerente spongia positum est, totum in gulam farsit et interclusis faucibus spiritum elisit. Hoc fuit morti contumeliam facere. Ita prorsus; parum munde et parum decenter; quid est stultius quam fastidiose mori?* Martial (12. 48. 7) also refers to *damnatae spongea virgae*. The hygienic implications of using such an implement are again at best dubious. In many public latrines (*foricae*) a continuous shallow gutter is often found at the base of the seats.⁹¹ It has been assumed that this gutter was filled with water in which people rinsed out soiled sponges.⁹² However, this explanation can be regarded as nothing but conjecture, since these gutters might have served to collect urine which failed to enter the aperture in the face of each latrine seat.

The cesspit/latrine typical of Pompeian houses is also found in houses at Cosa, established as a Roman settlement in BC 273. The town was provided with an underground "sewage system",⁹³ to which it seems domestic latrines were not connected. The usual arrangement at Cosa was for houses to have an underground cistern for water storage at one end of the house and a cesspit dug in unplastered fissured limestone at the other. The plastered cistern is often above the level of the cesspit thus avoiding, or minimizing the risk of water contamination through cesspit seepage. Many of the cesspits were at the rear of houses on plots which sloped towards gardens.⁹⁴ In these cases seeping cesspit fluids would have escaped into gardens. At Pompeii the position of cesspits in relation to underground *impluvium* cisterns was not discussed by Mygind and awaits systematic investigation. At Cosa, as at Pompeii, cisterns are often provided with overflow pipes⁹⁵ to conduct excess water directly into the streets, and kitchen/latrines are situated directly above, or very close to cesspits.⁹⁶

The evidence of Cosa and Pompeii shows that from the third century B.C. to A.D. 79 the Romans adopted standard measures for the disposal of human and kitchen wastes within atrium-type dwellings. In both towns the same solutions were adopted for channelling excess cistern water on to city streets. In both towns there is very little evidence for the discharge of wastes into sewers beneath the streets.

At this point it would be useful to try to determine why, when according to the *Digest*⁹⁷ it was legally permitted, so few property-owners connected their dwellings to public *cloacae*. The expense of installing drains would seem at first sight to have been well worth the consequent improvement in hygiene within a property. Yet current archaeological evidence shows very clearly that the inhabitants of Roman towns pre-

⁹¹ See for example the plan of a very large *forica* (65 seats) at the entrance of the Roman *agora* at Athens, provided by M. Lang, Waterworks in the Athenian Agora, Princeton 1968, fig. 40; cf. also the latrines at Dougga: A. Mahjoubi, Les cités romaines de Tunisie, Tunis n. d., 97.

⁹² J. Bennett, Towns in Roman Britain, Aylesbury 1980, 14.

⁹³ F. E. Brown, Cosa, The Making of a Roman Town, Ann Arbor 1980, 42.

⁹⁴ Brown (above n. 93) 64 and figs. 80, 83. ⁹⁵ Ibid. figs. 81, 85–87, 89.

⁹⁶ Ibid. In the house of Quintus Fulvius the *culina* and *lavatio* are separate rooms connected by a doorway (fig. 87); cf. the House of the Skeleton (fig. 89) where the *lavatio* appears to be furnished with a drain laid beneath the surface of the street.

⁹⁷ See above p. 408f.

ferred internal cesspits to sewer connections. Why? There are several possible explanations. Firstly, Roman drains lacked traps⁹⁸ to prevent gases such as hydrogen sulphide (H_2S) and methane (CH_4)⁹⁹ escaping from sewers and thus causing not only an odor nuisance, but also the danger of explosions. Gravity sewers, the only type known to the Romans, are especially subject to the formation of slime and sludge¹⁰⁰ which generates H_2S . On contact with air this gas forms sulphuric acid which, if unchecked, can lead to the corrosion of concrete.¹⁰¹ However, these conditions are most frequently associated with sanitary sewers designed to carry off only sewage and domestic waste water. Again, there is no evidence that the Romans built separate sanitary and storm water drains. They knew only combined sewers¹⁰² intended to carry away excess water from public water basins which flowed night and day, the overflow of domestic rain water cisterns, rain water which fell directly on to the streets, and lastly sewage which entered the drainage network through *foricae* connected to *cloacae*, as, for example, was the case with the latrine at the Stabian baths at Pompeii.¹⁰³ It might be argued that the constant flow of *aqua caduca* through a combined drainage system built with an effective fall from origin to exit point would keep it relatively clean and therefore free from noxious gases. On the other hand, it is known from several sources that Roman *cloacae* needed to be cleaned manually from time to time, a sure indication that by no means all Roman sewers were self-cleansing. Apart from evidence already alluded to in the *Digest* and Pliny the Younger,¹⁰⁴ Libanius refers to the dangers of choking to death to which cleaners of *cloacae* at Antioch were exposed.¹⁰⁵

It is also impossible to estimate the quantity of sewage which entered a Roman

⁹⁸ For the consequences of lack of traps in mediaeval drains, see E. L. Sabine, Latrines and Cesspools of Mediaeval London, in: *Speculum* 9 [1934], 318; for explosions in toilets in Victorian London, see L. Wright, Clean and Decent, London 1960, 110; JWPCF 42 [1970], 426.

⁹⁹ On H_2S in sewers, see R. R. Dague, Fundamentals of Odor Control, in: JWPCF 44 [1972], 583–594, *ibid.* 23 [1951], 1477–1485 (esp. 1478).

¹⁰⁰ Gravity sewers designed to achieve self-cleansing velocities are free from this problem; JWPCF 42 [1970], 426; the minimum velocity required to prevent the deposit of solids “is not less than 2½ ft per second when flowing full”; Supplement to Municipal Engineering 7 June 1968 (2. 01 sewerage). The Romans, however, were incapable of designing such drains, since they could not measure water velocities; on this latter point, see Robinson (above n. 25) 47.

¹⁰¹ J. E. Hawthorn, Hydrogen Sulphide Damage to Concrete Pipe, in: JWPCF 42 [1970], 425–430; C. Hammerton, The Sewage Disposal System of Cairo, in: *Sewage Works Journal* 11 [1939], 718.

¹⁰² For the advantages and disadvantages of separate/combined sewer systems, see Supplement to Municipal Engineering 7 June 1968 (2. 01 Design). In Britain combined Roman sewer systems have been found only at Lincoln, Colchester, and York; M. Redknapp, A Lavatory Seat from Neatham, Hampshire, in: *Britannia* 7 [1976], 288.

¹⁰³ Surplus water from the reservoir as well as water from the roof flushed this latrine which was connected by a drain running beneath the *palaestra* to the main collector in the via dell'Abbondanza; H. Eschebach, Die Stabianer Thermen in Pompeji, Berlin 1979, 32–36.

¹⁰⁴ See above n. 71; Ulpian, Dig. 43. 23. 1–2.

¹⁰⁵ Liebeschuetz (above n. 23) 219; On the building of Antioch's sewage system, see G. Downey, A History of Antioch in Syria, Princeton 1961, 72; cf. also T. R. Forbes, The Changing Face of Death in London, in: C. Webster (ed.), Health, Medicine, and Mortality in the Sixteenth Century, Cambridge 1979, 135.

sewer daily. Health engineers today estimate that an individual generates c. 70–80 grammes of solid wastes per day.¹⁰⁶ Since this figure is made up of food as well as body wastes, an estimate of c. 50 grammes p.d. might represent more closely the amount of body waste generated by an inhabitant of a Roman city, this lower figure being preferable, since food wastes were unlikely to enter a Roman *cloaca*. Thus a city the size of Rome with a population of c. 800,000–1,000,000 inhabitants in early imperial times¹⁰⁷ would have produced c. 40–50,000 kgs. of body wastes per day. What proportion of this estimated total entered the sewerage network cannot even be guessed. The *Regionaries* give a total of 144¹⁰⁸ *foricae* for Rome in the fourth century, but this figure is of little value, since it is not known how many seats each *forica* contained, nor do we know what proportion of the population used public latrines. The situation is rendered more complicated by the fact that it is not known how many of Rome's *foricae* were connected to the sewage network. So far only two *foricae* have been discovered at Rome, one of Hadrianic date above shops in the Forum Julium¹⁰⁹, the other in the area sacra del largo argentina¹¹⁰, and the drainage systems of both appear not to have been reported. It can only be assumed that at Rome and Ostia where *insulae* greatly outnumbered *domus*, *foricae* would have been more heavily patronised than at Pompeii where even the smallest *tabernae* have latrines.

If the absence of traps might lead to unpleasant odors as well as to creating risks of explosions inside houses, there were at least two other potentially disagreeable consequences. Firstly, in low lying areas of Rome sewers could back up when the level of the Tiber rose. Thus sewage and waste water which normally flowed into the river via the Cloaca Maxima (and other sewers) would be forced back into the network, and up any house connections attached to the main collectors. Secondly, vermin in the sewers would be able to enter houses via any sewer connections. An anecdote in Aelian, HA 13. 6 illustrates the danger in a somewhat spectacular manner.¹¹¹

All these reasons singly or collectively would tend to discourage domestic sewer connections. There is, however, a further reason which might have outweighed those already discussed. Inhabitants of western industrialized societies tend to overlook the fact that flush toilets, while being conducive to high levels of hygiene, are extremely wasteful both of fresh water and of substances which are useful as fertilizers. In many pre-industrial societies without access to artificial fertilizers, human excrement is frequently used as a supplement to animal manures.¹¹² That the Romans

¹⁰⁶ Information kindly given by Mr. Ian Gunn, Senior Lecturer, Department of Civil Engineering, University of Auckland.

¹⁰⁷ K. Hopkins, *Conquerors and Slaves*, Cambridge 1978, 98; for other estimates, see G. Hermansen, *The Population of Imperial Rome*, in: *Historia* 27 [1978], 146.

¹⁰⁸ Jordan (above n. 6) 445 n. 67. J. states without proof that the public latrines were connected with the public sewers; he makes a similar claim for latrines in private houses at Rome, a statement contradicted by the findings of Lanciani, and Platner-Ashby (above n. 80).

¹⁰⁹ M. E. Blake, *Roman Construction in Italy from Nero through the Antonines*, Philadelphia 1973, 18f., pl. I fig. 2.

¹¹⁰ E. Nash, *A Pictorial Dictionary of Ancient Rome* vol. 1, London 1961, pl. 159; M. E. Blake, *Ancient Roman Construction*, in: *Italy from the Prehistoric Period to Augustus*, Philadelphia 1947, 135f., 149f.

¹¹¹ In this case an octopus swims up a house drain each night from the sea to eat pickled fish stored in the house by Iberian merchants.

¹¹² R. H. Thomas, *Wastewater Systems for Taipei*, in: *JWPCF* 44 [1972], 1611; R. Stone,

used human feces for agricultural purposes is well attested.¹¹³ It is probable that those who emptied cesspits (*stercorarii*) sold their contents to farmers on city outskirts. At Pompeii in cases where cesspits are only deep enough to house a large amphora or *dolum*,¹¹⁴ the vessel when full would probably have been removed by a *stercorarius* and replaced with an empty jar. The references in the *lex Julia municipalis* and the *Digest* to sewage waggons are to be set in this context.¹¹⁵ A few houses at Pompeii have a drain leading from the latrine directly into a garden, but such an arrangement is rare and must have created a permanent stench in the gardens of the houses concerned.¹¹⁶

Thus the domestic cesspit without sewer connections not only benefitted Roman agriculture but also provided a group of unskilled workers in the towns with work which was a source of regular pay,¹¹⁷ even though the work must have involved a high health risk. It seems, then, that *stercorarii* performed the same functions in Roman towns as *koprologoi* at Athens who, according to a recent writer,¹¹⁸ were not public slaves, but private entrepreneurs.

The collection and use of urine by fullers for mordanting certain dyestuffs¹¹⁹ reveals another area of private enterprise in the disposal and commercial exploitation of human wastes in Roman cities. However, the system of collecting urine was not hygienic since the terracotta jars placed in streets and alleyways were unglazed and porous, and sometimes cracked jars burst, spilling their malodorous contents into the streets.¹²⁰ Other methods of collection were both less public and more hygienic; for example, at the Baths of Mithras at Ostia a lead pipe from a urinal ducted fluids directly into a *fullonica* situated in the basement of the baths.¹²¹ However, this arrangement does not seem to have been attested elsewhere.

Insulae at Ostia were sometimes provided with communal ground-floor latrines. No detailed study of these amenities has yet been published, but some details may be gleaned from Packer's monograph on Ostian *insulae*.¹²² Of all the buildings discussed by Packer, only 16 contained positively identified latrines: Reg. I: ii.5; iii. 3, 4; vi. 1; vii. 1; xi. 2, 3; xii. 1. Reg. II: iv. 3; v. 1. Reg. III: i. 9; v. 1; vii. 5; x. 1; xii. 1, 2.

The Shaoyang, China, Night Soil Fertilizer Reclamation Plant, in: Sewage Works Journal 21 [1949], 992.

¹¹³ Varro, RR 1. 13. 4; Columella 1. 6. 24; 10. 84f.; 11. 3. 12; K. D. White, Roman Farming, London 1970, 126, 136f.; Brunt, in: JRS 62 [1972], 157f.; J. K. Evans, in: CQ 31 [1981], 434.

¹¹⁴ Mygind 319.

¹¹⁵ Above n. 76; Ulpian, Dig. 33. 7. 12. 10 *plausta quibus stercus evehatur*; according to Paulus, Dig. 22. 1. 17. 5 the *foricarii* paid a tax to the fisc.

¹¹⁶ House of the Silver Wedding; Mygind 315; White (above n. 113) 433.

¹¹⁷ A recent graffito from Herculaneum records the payment of eleven asses for the removal of ordure: *exempta | ste(r)cora a(ssibus) XI*; K. Schubring, Epigraphisches aus kampanischen Städten, in: Hermes 90 [1962], 243 n. 3.

¹¹⁸ E. J. Owens, The Koprologoi at Athens in the Fifth and Fourth Centuries B.C., in: CQ 33 [1983], 48f.; cf. C. Vatin, Jardins et services de voirie, in: BCH 100 [1976], 559 for such entrepreneurs at Thasos.

¹¹⁹ P. C. G. Isaac, Roman Public Works Engineering, in: Bulletins of the Department of Civil Engineering, Univ. of Durham, No. 13, 1958 (repr. 1960), 11.

¹²⁰ Mart. 6. 93. 1f.; for urine jars in Ostia, see Meiggs 143.

¹²¹ I. Nielsen-T. Schioeler, The Water System in the Baths of Mithras at Ostia, in: Analecta Romana 9 [1980], 155f.

¹²² The Insulae of Imperial Ostia, Rome 1971.

Reg. V: ii. 8; iii. 3; iii. 4. No details are given as to whether these latrines were connected to street sewers, or, as at Pompeii and Cosa, emptied into cesspits. The largest reported latrine is in I. xii. 1 where two ground floor shops were converted into one 21 seater latrine. The room preserves traces of a basin situated between the two revolving doors which gave entry to the latrine from the street. Only one other latrine reported by Packer contained a basin (III. vii. 5). Washing facilities in Ostian latrines seem, therefore, to have been as rare as they were at Pompeii. Five Ostian latrines were situated in *subscalaria*: I. vi. 1; vii. 1; xi. 2; xii. 2, 3. Contrary to Meiggs' statement that "in the tall buildings large pipes were provided to carry down the waste from the upper floors" (p. 143), Packer found only one example of such an arrangement in III. v. 1 where an upstairs latrine was connected by a pipe to a downstairs kitchen/latrine. Nor does Packer report any evidence to corroborate Meiggs' further generalization that "small drains led from the blocks to the main drains under the streets, which ran in a gentle slope to the river" (p. 143).

Ostia seems to have lacked Pompeii's generous distribution of private latrines. A reason for this is the preponderance of *insulae* at Ostia which are not all provided with latrines. It is possible also that Ostia's higher water table would have made cesspits of any great depth impracticable. Further research on the drainage systems of the latrines recorded by Packer is essential before any certainty on the subject can be attained. It must also be assumed, as Meiggs does, that the lack of private latrines led to high usage of Ostia's 3 *foricae* as well as of those attached to *thermae* which were accessible to all members of the public, not merely to bathers. As yet 3 *foricae* along with the latrines of the town's 3 *thermae*¹²³ can hardly be regarded as a "very generous supply of public accommodation" (Meiggs p. 586) for a population of c. 20,000 inhabitants. Two dungheaps, one next to the E. gate, the other in the city centre, discovered during the excavations of 1910 and 1920,¹²⁴ suggest other solutions to the shortage of public latrines.

Evidence for the existence of private latrines at Rome is all but non-existent. There is no trace of latrines in the Casa di via Giulio Romano, but it would be hazardous to suppose from this that all Roman *insulae* lacked latrines. The Domus Transitoria had a very large latrine (60-seater), once thought to be "the machinery chamber of a

¹²³ Maritimae, Neptune, Forum. Such latrines were commonly situated in Roman public baths; D. Krencker, Die Trierer Kaiserthermen, Augsburg 1929, 185; Eschebach, Die Stabianer Thermen (above n. 103) 36f. (the earliest attested of such combinations); E. Brödner, Die römischen Thermen und das antike Badewesen, Darmstadt 1983, 116–118 (Abortanlagen). These latrines are particularly well preserved in N. African sites: J. B. Ward-Perkins, Roman Imperial Architecture, Harmondsworth 1981, 399, fig. 267 (Cuicul) where latrines have been found in only 3 houses. One of these, an 8-seater in the House of Amphitrite is connected with the street sewer; M. Blanchard-Lemée, Maisons à mosaïques du quartier centrale de Djemila (Cuicul), Paris 1971, 108, 208f.; for latrines at the *thermae* of Volubilis, see R. Thouvenot, in: Publications du Service des Antiquités du Maroc 11 [1954], 53 who records that no latrines or kitchens have been found in houses at Banasa which lacks street drains. For Madauros, see S. Raven, Rome in Africa, London 1969, 90. Leptis (hunting-baths): J. B. Ward-Perkins—J. M. C. Toynbee—R. Fraser, The Hunting Baths at Leptis Magna, in: Archaeologia 93 [1949], 172, pl. XLd, 188.

¹²⁴ J. Carcopino, Le droit romain d'exposition des enfants, in: Mém. de la soc. nat. des Antiq. de France 77 [1928], 75f.; Mygind 289 f. refers to 3 refuse heaps at Pompeii, one inside the town near the Porta di Ercolano, two just outside the Porta Stabiana.

hydraulic lift”,¹²⁵ but very obviously a latrine of the usual “key-hole” design; yet, again, the archaeological literature says nothing about drainage arrangements. Lanciani found evidence of only one private latrine at Rome, a cesspit dug in clay subsoil and brick-lined. It had no sewer connection.¹²⁶ Lanciani also discovered some 75 large pits (*puticuli*) in the area of the Esquiline graveyard, filled with a nauseating mixture of the corpses of the poor, animal carcasses, sewage, and other garbage.¹²⁷ *Cippi* were found in this area warning Romans not to dump sewage and corpses within the area delimited by the stone markers.¹²⁸

A passage in the *Digest* (Papinian) at 43. 10. 1. 2 not only prohibits the digging of holes in the streets, a measure which would have ruled out the typical Athenian latrine described by Owens,¹²⁹ but also outlaws the throwing of excrement, corpses, and (animal) skins on to the streets (43. 10. 1. 5). It was likewise an offence to contaminate the public water supply or cover anyone with dung or filth (47. 11. 1. 1). An inscription found above a public water basin at Pompeii prohibiting the pollution of the water with excrement, shows that officials found it necessary to warn would-be delinquents.¹³⁰ As to covering people with filth, this is precisely what Caligula as reported by Suetonius (Vesp. 5. 3), did to Vespasian when the latter was a city aedile and who in the eyes of the emperor had failed to keep the city’s streets clean.

That many *inquilini* in Roman *insulae* flouted some or all of these laws is clear from other passages in the *Digest* where the question of damages is discussed in relation to those injured by debris and wastes thrown from the windows of multiple dwellings.¹³¹ On the other hand, the mere creation of a bad smell in the vicinity of a public road did not render the creator of the smell liable to prosecution (43. 8. 2. 29), a law which presumably allowed cesspit latrines in houses to be situated close to street fronts.

According to Lanciani, large perforated manhole covers in some of the streets of Rome, not only admitted storm-water to the sewers, but also emitted “poisonous effluvia”.¹³² Some of these *foramina* must have been quite large and not always well-protected, since the *grammaticus* Crates Malleotes, credited by Suetonius¹³³ with the introduction of secondary education to Rome, fell down one in the Palatine region and

¹²⁵ Platner-Ashby, A Topographical Dictionary (above n. 6) 195; Nash (above n. 110) 375 (plan) pl. 461, said to be “for palace servants”; the latrine is beneath the *triclinium* and peristyle of the Domus Flavia.

¹²⁶ Recenti scoperti di Roma e del suburbio, in: Bullettino Commissione 20 [1892], 286.

¹²⁷ Ancient Rome in the Light of Recent Discoveries, New York 1889, 64f.

¹²⁸ CIL 6. 31615 *stercus longe aufer ne malum habeas*; on which see Gordon, in: G & R 20 [1951], 77–79; CIL 1², 401 (Luceria) *in hoc loucarid stercus ne quis fundatid neve cadaver projectid . . .*; discussed by Schubring (above n. 117) 243f. who refers to other prohibitions of this kind; further discussion by Curtis, in: TAPA 110 [1980], 56.

¹²⁹ Above n. 118, 47.

¹³⁰ Schubring (above n. 117) 242f.

¹³¹ See J. A. Crook, Law and Life of Rome, London 1967, 153f., 165; B. W. Frier, Tenants’ Liability for Damage to Landlord’s Property in Classical Roman Law, in: Zeitschrift der Savigny-Stiftung für Rechtsgeschichte 95 [1978], 239f. The *locus classicus* is Juvenal 3. 269–277.

¹³² Above n. 127, 56 and facing plate for an illustration of the « Bocca della Verità », a large manhole cover. L. does not say what the “poisonous effluvia” were, or how they were created, but see above p. 412.

¹³³ De gramm. et rhet. 2.

broke his leg. Also the much hated Heliogabalus, if his biographer is to be believed,¹³⁴ was unceremoniously pushed down a sewer after being assassinated in a latrine.

Insularii who did not have a ground-floor latrine in their block, could resort to *foricae*, or use a variety of portable vessels in their own apartments. There were other possibilities. At Pompeii and elsewhere there is abundant evidence showing that many people relieved themselves in streets, doorways,¹³⁵ tombs, and even behind statues.¹³⁶ The occupants of rooms in the upper storeys of *insulae* would find it more convenient to tip the contents of *matellae* and *lasana* out of windows at night when no one could identify the culprits, than to descend several flights of stairs to the communal latrine (if one existed), or to walk in the unlit streets to the nearest *forica* and risk being mugged or murdered (Juv. 3. 299–305).

It is unlikely that the 116 latrines (*necessariae*) incorporated into Aurelian's wall were used by the general public, since they were on the same level as the rampart-walk, a position which suggests that they were built for the use of soldiers on garrison duty, not for civilians. The outlets from these latrines were at a later date fitted with shoots which ducted wastes into pits at the base of the wall. These were not connected to drains.¹³⁷ Before the shoots were attached to the latrines privy-filth would have dropped to the ground below and its removal would have depended on the efficiency of the city aediles.

The general impression gained from the admittedly very limited archaeological and literary evidence discussed above is that the inhabitants of Rome lived in an extremely insanitary environment which was in many respects similar to that in large European cities till shortly after 1842 when Edwin Chadwick's "Sanitary Report" was published in London and drew wide attention for the first time to the appalling consequences of inadequate waste disposal in large cities.¹³⁸ Braudel's description of Paris in the sixteenth and seventeenth centuries might be applied to ancient Rome without major modifications: "chamber pots . . . continued to be emptied out of windows; the streets were sewers. For a long time Parisians relieved themselves under a row of yews in the

¹³⁴ SHA, Heliog. 17. 1–2 the sewer was too small; but cf. 33. 7 *Sordidissime per cloacas ductus*.

¹³⁵ For a full discussion, see E. Magaldi, Di un particolare ignorato e strano del culto della dea Fortuna, in: Il Folklore Italiano 10 [1932], 97–109 who discusses the significance of graffiti such as the not infrequent *cacator cave malum*; see also O. Jahn, Über den Aberglauben des bösen Blicks bei den Alten, Berichte über die Verhandlungen der sächs. Gesell. d. Wiss. 7 [1855] who points out (102) that statuettes of people in the act of defecating were used to avert the influence of the evil eye; see further M. della Corte, Case ed abitanti di Pompeii, Rome 1954, 78, 83, 306.

¹³⁶ For the fouling of statues Juv., Sat. 1. 131; R. A. Bauman, Impietas in Principem, Munich 1974, 82–85; for the fouling of other places, D. Fehling, Ethologische Überlegungen, Munich 1974, 34.

¹³⁷ See I. A. Richmond, The City Wall of Imperial Rome, Oxford 1930, 85 f. for an indignant account of the system. Only one of these latrines survives today in the wall to the E. of the Porta Salaria; see G. Lugli, Monumenti antichi di Roma e suburbio vol. 2, Rome 1934, 158f. and fig. 24; E. Nash, A Pictorial Dictionary of Ancient Rome vol. 2, London 1962, 88.

¹³⁸ For a summary of Chadwick's activities, see R. F. Pearson's Presidential Address, in: Institute of Public Health Engineers, 1961 Year Book, 7–18. I am indebted to Mr I. Gunn for this reference.

Tuileries; driven from there by the Swiss guards, they betook themselves to the banks of the Seine, which was equally revolting to eye and nose".¹³⁹

So far attention has been given to the nature of Roman public and private latrines. It would be appropriate at this point to ask how (and by whom) the human and animal wastes which clearly must have fouled Rome's streets, were removed. The cleanliness of the city's streets was the responsibility of the aediles as part of their *cura urbis*.¹⁴⁰ However, there was no official street cleaning service at Rome. Those who occupied properties with adjoining street fronts were responsible for keeping them clean.¹⁴¹ The overflow from public basins would have flushed only some of the filth from the streets, since there were not enough basins (see below, p. 423) to provide sufficient water to wash down all road surfaces in the city. Dogs and carrion birds such as vultures must also have played a significant part in the disposal of assorted street refuse. Dogs were to be found in many Roman houses¹⁴² where they disposed of food scraps in dining rooms;¹⁴³ they also consumed human excrement as Martial twice points out,¹⁴⁴ as well as corpses which, despite legal prohibitions, seem to have been dumped in the streets of Rome¹⁴⁵ as they were at Antioch.¹⁴⁶ Suetonius records that while Vespasian was lunching (Vesp. 5. 4) a dog from the street (*canis extrarius*) brought a human hand into the dining room and deposited it beneath the table. A portentous event, since it concerned an emperor, but such happenings were probably not rare at Rome or in other large cities in the Roman empire. In one of Phaedrus' fables (1. 27) a dog is moralized by a vulture for digging up human bones. The origin of the dog is interesting: *trivio conceptus, educatus stercore* (1. 27. 11). Before the pestilential Esquiline cemetery became the gardens of Maecenas,¹⁴⁷ dogs must have been a common sight there fossicking among the many shallow or open mass-burial pits from which fragments of corpses could be conveyed to various parts of the city. Evidence that dogs (and other animals) gnawed improperly buried corpses has recently been reported from a Romano-British cemetery.¹⁴⁸

¹³⁹ F. Braudel, *The Structure of Everyday Life*, London 1981, 310; for mediaeval London, see Sabine (above n. 98) 303–321.

¹⁴⁰ E. von Herzog, *Geschichte und System der römischen Staatsverfassung* I. 2, Leipzig 1884 (repr. Aalen 1965), 807.

¹⁴¹ G. Lugli, *Studi minori di topografia antica*, Rome 1965, 231.

¹⁴² Dogs seem to have been kept even by the poor; Paulus, Dig. 9. 1. 2. 1 *si quis aliquem evitans, magistratum forte, in taberna proxima se immississet ibique a cane feroce laesus esset . . .*

¹⁴³ Mart. 3. 82, 18ff. while a dinner is in progress; 7. 20. 16f.

¹⁴⁴ 1. 83; 12. 48. 8.

¹⁴⁵ Satyr. 134. 1 *quod purgamentum nocte calcasti in trivio aut cadaver?* Cf. Aus., Epigr. 24. 1f. *abiecta in triviis inhumati glabra iacebat | testa hominis nudum iam cute calvium.*

¹⁴⁶ "Wherever a body was found in the city [sc. Antioch] it was the duty of the ἐπιμελεταῖς τῶν φυλῶν to inform the governor." J. H. W. G. Liebeschuetz, *Antioch: City and Imperial Administration in the Later Roman Empire*, Oxford 1972, 123; bodies were also found in the streets of Athens, as Arist., Ath. Pol. 50. 2 shows.

¹⁴⁷ Hor., Serm. 1. 8. 14ff.; Lanciani (above n. 10) 409f.; G. Davies, *Burial in Italy*, in: R. Reece (ed.), *Burial in the Roman World*, London 1977, 17.

¹⁴⁸ A. McWhirr et al., *Romano-British Cemeteries* at Cirencester vol. 2, Cirencester 1982, 194f.; 50 % of the skeletons examined had been gnawed; see also E. E. Buriss, *Superstitions about Dogs in Latin Literature*, in: CP 30 [1935], 37f.; S. Lilja, *Dogs in Ancient Greek Poetry*, Helsinki 1976, 18f.

In a poem about the hardships of a beggar's life¹⁴⁹ Martial (10. 5. 11f.) depicts a derelict man in his dying moments listening to dogs howling in anticipation of eating his corpse; at the same time he tries to keep birds of prey (*noxias aves*) at a distance by flapping his rags at them. A gruesome, but probably commonplace event in the capital. The poor and destitute, lacking concerned relatives, would be left to rot in the streets, though if Martial's picture is accurate, dogs and vultures would set to work before a *cadaver* had time to putrify.

At least some of the corpses in Rome's streets would be those of unwanted infants deposited on dung heaps, a custom attested in Greek cities also.¹⁵⁰ It is impossible to determine how many infants exposed in this manner would have survived. Some were undoubtedly saved by slave dealers to be trained and sold off at a later date. *Cognomina* such as *Stercorosus*, *Stercorius*, etc., many of which have been found in African inscriptions, are attributed to such foundlings by Lassère,¹⁵¹ though Kajanto previously doubted such a derivation. Many exposed infants also died as a result of cold, starvation, or the attack of dogs and other predators.¹⁵² It also seems that the corpses of gladiators of servile status were thrown on garbage heaps, though evidence for this is so far confined to Sassina.¹⁵³

Sick, dying, and dead slaves were also to be found in the streets of Rome, though the Tiber island was the traditional centre for depositing such slaves who had not been killed by their owners when they had become either incurably sick or debilitated by old age to the point where the slave was considered useless by his *dominus*.¹⁵⁴

Since dogs were specifically excluded from the provisions of the *lex Aquilia*¹⁵⁵ it is likely that they were exploited as a food source by the starving. Martial (6. 93. 4) mentions the smell of a hide torn from a dog in the *Transtiberim* area, a detail which suggests that tanners rounded up stray dogs to obtain cheap skins to turn into leather. This type of exploitation would have helped to control the number of stray dogs in Rome's streets. A similar expedient was recently used in a part of the Federal District

¹⁴⁹ P. A. Brunt, The Roman Mob, in: P & P 35 [1966], 87f. claims that beggars are hardly ever mentioned in Latin literature, an observation also made by J. P. V. D. Balsdon, Life and Leisure in Ancient Rome, London 1969, 268; but there is plenty of evidence for their activities at Rome and elsewhere, see TLL 8 (1966) s. vv. mendicatio—mendicus. The practice of maiming children to make them appeal to the sympathy of passers-by (Sen., Controv. 10. 4) is also attested at Antioch; Joh. Chrysost., Hom. in Ep. I ad Corin. 21. 5 (PG 61, 176–179).

¹⁵⁰ I. Kajanto, On the Problem of Names of Humility in Early Christian Epigraphy, in: Arctos 3 [1962], 49 ignores Juvenal Sat. 6. 603 when saying "there are no references in Latin literature to exposing children on dunghills"; see Courtney ad loc. who translates *lacus* as "public latrine"; "open cesspit" might be a more accurate rendering. Livy 34. 44. 5, refers to the lining of such pits at Rome by Cato in BC 184. This reference must surely be to cesspits, and not to public water basins (*lacus*) which could hardly function if left unlined.

¹⁵¹ J.-M. Lassère, Ubique Populus, Paris 1977, 504.

¹⁵² Tert., Ad Nat. 1. 15. 3–4; Apol. 9. 7; Min. Fel. Oct. 30. 2; cf. also Artemidorus 2. 9 for the association of the poor with dungheaps.

¹⁵³ G. Ville, La gladiature en Occident, Rome 1981, 462f.

¹⁵⁴ G. Schmitt—V. Rödel, Die kranken Sklaven auf der Tiberinsel nach dem Edikt des Claudius; in: Medizinhistorisches Journal 8 [1974], 106–124. No hospital existed on this island in pagan times, 109 n. 18.

¹⁵⁵ Gaius, Dig. 9. 2. 2. 2 *canis inter pecudes non est.*

of Mexico City where the skins of numerous stray dogs were turned into leather goods for tourists.¹⁵⁶

Though these animals helped to eliminate organic matter from houses and streets, they would also have been carriers of a wide variety of diseases ranging from rabies to skin diseases such as ring-worm.¹⁵⁷ Their feces would also have fouled the streets and in some cases have contaminated the water in public basins; and even the carcasses of the dogs themselves might find their way into the water supply.¹⁵⁸

Vultures, also necrophagous scavengers, were familiar enough to Romans¹⁵⁹ for Seneca (Ep. 95. 43) to compare a *captator* sitting at the bedside of a patient to this predator: *vultur est, cadaver expectat*. As potential spreaders of diseases vultures were less of a threat than dogs, since there would be less possibility of direct human contact with them. But, as happens today in Bombay where the Parsis¹⁶⁰ expose their dead for ritual consumption by vultures, a nuisance could be created when the airborne birds dropped corpse fragments onto and around houses.

Another common nuisance resulting from the exposure of filth and carrion in the streets was the fly. As Lucian says in his panegyric of the insect,¹⁶¹ "they are born as maggots from the dead bodies of humans or animals and live on the same food and eat at the same table as man". Human and animal manures also provide ideal breeding grounds for blow flies¹⁶² which can transmit many diseases to humans. The Romans knew of some fly-repellents such as a mixture of coriander seed and olive oil which was smeared on house walls,¹⁶³ yet such remedies would not have been available to the poor, and even the rich could not have found them effective, especially in summer *triclinia* which were often open on three sides. Thus it was sometimes felt necessary to employ a slave to keep flies from settling on guests and food in dining rooms.¹⁶⁴ Roman food shops, unprotected by windows or screens and bordering on dirty streets, would also have been infested by flies. This would be especially likely in the case of butchers' shops where it seems animals were slaughtered before being cut up for sale. Rome did not have a centralized slaughter-house from which meat was distributed to retail outlets. The animals were bought live in the appropriate *forum* (*boarium, suarium*) and driven live through the streets to butchers' shops where they were

¹⁵⁶ Los Supermachos vol. 16 No. 634, Feb. 23, 1978, 29; the inhabitants of Milpa Alta (c. 160,000) were outnumbered by the dogs in the locality.

¹⁵⁷ P. Dale-Green, Dog, London 1966, 146f.; R. H. A. Merlen, De Canibus, Dog and Hound in Antiquity, London 1971, 70–81 (rabies); ringworms, manges, etc. 67.

¹⁵⁸ Robinson (above n. 100) 55.

¹⁵⁹ See W. Speyer, in: RAC 9 (Stuttgart 1976) cols. 438–468 s. v. Geier; J. Heurgon, Vol-tur, in: REL 14 (1936), 109–118 (esp. 115f.).

¹⁶⁰ For the "undertaker" dogs of the Bactrians, Sogdians, and Parsis, see T. S. Brown, Onesicritus, Berkeley 1949, 51.

¹⁶¹ Laudatio muscae 4; see S. Lilja, Vermin in Ancient Greece, in: Arctos 10 [1976], 61f.

¹⁶² C. Imai, Study on Ecology and Control of the Housefly at a Waste Disposal Site, in: Osaka and Its Technology 1 [1982], 38; open cesspits would also attract flies; R. H. Thomas, Wastewater Systems for Taipei, in: JWPCF 44 [1972], 1612 "unscreened or poorly screened night soil latrines are a prolific source of fly breeding. Such latrines are therefore presumed to have an important role in the transmission of feces-borne diseases".

¹⁶³ RE 6, 2746 (Wellmann).

¹⁶⁴ Mart. 3. 82. 12.

slaughtered, disembowelled, and dismembered.¹⁶⁵ Sheep, pigs, and cattle en route to city markets¹⁶⁶ or shops were a hindrance to pedestrians and no doubt contributed to the general fouling of the streets with excrement. The above mentioned (p. 416) prohibition in the *Digest* against throwing skins into the streets suggests that, as in Ispahan in the seventeenth century,¹⁶⁷ butchers used the streets as a dumping ground for blood and abattoir-wastes which could not be sold. The average ox contains c. two gallons of blood,¹⁶⁸ and though some of this might be used in preparing blood sausages, a great deal would remain to be disposed of.

It is clear that in Rome there was a very high risk of food and water contamination through direct or indirect contact with human or animal fecal matter which was inadequately dealt with by city authorities. Open cesspits in kitchens, a general lack of washing facilities in latrines, defecation and urination in the streets, the pollution of water basins with carrion and filth, lack of efficient fly control, and inadequate street cleaning, do not provide a basis for health in an urban community, but do help to explain a very high mortality rate.

What diseases in particular are associated with the above environmental conditions? The most common are cholera, dysentery, gastroenteritis, infectious hepatitis, leptospirosis, and typhoid.¹⁶⁹ Potential pathogens such as salmonella, a species of which causes typhoid fever in man, and pseudomonas are often found in human and animal feces and wastewaters.¹⁷⁰ Salmonellae are commonly carried by blow flies, dogs,¹⁷¹ cattle, pigs, and poultry.¹⁷² Leptospirosis, a species of which can cause a type of jaundice ("Weil's disease") to which sewer workers are prone, is found in the urine of infected pigs, dogs, and rats, and is potentially fatal.¹⁷³ Other common genera of pathogenic organisms which can be found in water contaminated by infected feces are vibrio (cholera), shigella (dysentery), mycobacterium (tuberculosis, leprosy), pasteurella (classical plague).¹⁷⁴ Tapeworms which if left untreated in humans, can

¹⁶⁵ Lanciani (above n. 10) 514; there was a corporation of *lanii* in the region of the *Piscina pubblica* (CIL 6, 975).

¹⁶⁶ Juv. 3. 316; R. J. Forbes, Hydraulic Engineering and Sanitation, in: C. Singer—E. J. Holmyard (edd.), A History of Technology vol. 2, Oxford 1956, 690.

¹⁶⁷ Braudel (above n. 139) 507.

¹⁶⁸ R. M. Ogilvie, The Romans and Their Gods, London 1969, 48.

¹⁶⁹ E. E. Geldreich, Microbiology, in: JWPCF 42 [1970], 1057–1077 (with very extensive bibliography). All these diseases were known in Roman times; see D. Brothwell—A. T. Sandison (edd.), Diseases in Antiquity, Springfield 1967, 117 (leptospira), 124 (dysentery, hepatitis, typhoid); little is known about cholera prior to 1517, yet Asiatic cholera has been identified from biblical sources (213). Celsus (4. 18. 1) comments that cholera was especially common in children. He also refers to the discharge of bloody mucus (*tenesmos*) typical of the disease; T. C. Allbutt, Greek Medicine at Rome, London 1921, 339. Celsus does not refer to Asiatic cholera; see Spence's note on de Med. 4. 18. 1.

¹⁷⁰ B. A. Kenner—H. P. Clark, Detection and Enumeration of Salmonellae and Pseudomonas Aeruginosa, in: JWPCF 46 [1974], 2163–2171.

¹⁷¹ Geldreich (above n. 169) 1059f.

¹⁷² D. J. Reasoner, Microbiology, Detection of Bacterial Pathogens, in: JWPCF 46 [1974], 1396.

¹⁷³ Ibid. 1401.

¹⁷⁴ E. E. Geldreich, Origins of Microbial Pollution in Streams, in: G. Berg (ed.), Transmission of Viruses by the Water Route, New York 1966, 356; see also Brothwell—Sandison (above n. 169) 116, 125–241 (tuberculosis); 127f. (leprosy); 116 (pasteurella); see also A. Stettler, Lepra und Pest in der Antike, in: Antike Welt 8 [1977], 42–44.

cause hydatid cysts on the liver, live in dogs' intestines. Humans can be infected by ingesting eggs from a dog's excrement. Other parasitic worms which can cause intestinal infestations, round worms and thread worms, are commonly transmitted through fecal contamination.¹⁷⁵ The tetanus anaerobe is also passed in feces and may be present on roads and in the soil of gardens.¹⁷⁶

Since human excrement was used to manure gardens and fields, there was a risk that vegetables so fertilized would be contaminated with some of the above mentioned viruses, bacteria, and worm-eggs.¹⁷⁷ Romans were also exposed to diseases transmitted by fish which fed on sewage.¹⁷⁸ Several literary authorities refer to fish caught in the Tiber, usually identified as bass, which fed on sewage.¹⁷⁹

Babies and young infants, as well as undernourished adults, would be particularly susceptible to these infections and infestations. A dangerous stage for infants would occur at the time breast feeding ceased, since at that point they would be exposed to infections from unclean containers and contaminated food. The result must often have been gastroenteritis, dysentery and death through dehydration.¹⁸⁰

It is not surprising that Bonner found that the most common of all the medical amulets studied by him were for stomach ailments and "colic".¹⁸¹ It is also probable that diseases and parasitic infestations caused ultimately by the improper disposal of wastes would occur concurrently with other types of diseases, such as malaria which is known to produce high infant mortality.¹⁸²

Before condemning inadequate sanitation as being the most likely single cause of low life expectancy in large Roman cities, something must be said about hygiene in Roman public baths which are often thought to have compensated for the lack of washing facilities in most Roman dwellings. Some comment on Roman urban water supply is also necessary to complete the picture of Roman sanitation.

IV Water Supply

As Frontinus points out,¹⁸³ prior to the building of the *aqua Appia* in BC 312, Romans depended on wells, springs, and the Tiber for their water supply. As the population of the city grew, the demand for water also increased. In the time of Augustus, Agrippa more than doubled the previous supply,¹⁸⁴ one reason for this being that extra water

¹⁷⁵ J. F. Murand—G. T. Bazer, Diplogasterid and Rhabditid Nematodes in a Wastewater Treatment Plant, in: JWPCF 42 [1970], 106–114; Celsus says children were particularly prone to threadworm infestation (4. 24. 2); cf. Cato, RR 126 for *taeniae et lumbrici*.

¹⁷⁶ Brothwell—Sandison (above n. 169) 116, 241f.; Celsus 4. 6.

¹⁷⁷ W. Rudolfs, Contamination of Vegetables Grown in Polluted Soil, in: Sewage and Industrial Wastes 24 [1951], 253–268.

¹⁷⁸ Fecal coliform bacteria "occur in great numbers in fish living either in a polluted stream environment, or in fish that are bottom feeders or scavengers living in a relatively clean stream"; JWPCF 43 [1971], 632.

¹⁷⁹ See R. Marache, Juvénal, Paris 1965, 131 on Juv. 5. 104.

¹⁸⁰ Brothwell—Sandison (above n. 169) 63.

¹⁸¹ C. Bonner, Studies in Magical Amulets, Ann Arbor 1950, 51–66.

¹⁸² E. N. Borza, Some Observations on Malaria and the Ecology of Central Macedonia in Antiquity, in: Amer. J. of Ancient Hist. 4 [1979], 113.

¹⁸³ De aquis 1. 4.

¹⁸⁴ H. B. Evans, Agrippa's Water Plan, in: AJA 86 [1982], 411.

was needed for Agrippa's baths in the Campus Martius which set a precedent for public munificence followed by many later emperors.

In the times of Frontinus a total of nine aqueducts provided the city with c. 992,000 m³ of water a day.¹⁸⁵ Most of this water was potable¹⁸⁶ with the exceptions of Tepula (tepid water) and Alsietina¹⁸⁷ built in BC 2 to supply the Naumachia in Regio 14. Unfortunately almost nothing is known about the distribution of water within the city of Rome.¹⁸⁸ Frontinus (78. 3) says there was a total of 591 open water basins (*lacus*) within the city from which most Romans would have collected their daily supplies. The positions of Pompeii's 40 *lacus* are precisely known. A distribution map recently published by Eschebach¹⁸⁹ shows that they were very evenly distributed throughout the town, with the exception of Regio 6, a poor quarter, which has fewer basins than other regions so far excavated. At Rome even the approximate location of most of the basins is not known.¹⁹⁰ One of the few to have been excavated and identified, the *lacus Servilius*, was situated in the Forum, fed by a branch of the highly prized *aqua Marcia*, and drained directly into the Cloaca Maxima¹⁹¹ which as Pliny¹⁹² says sometimes flooded the Forum with its backwash. Even without the complication of backwash, a direct untrapped drain connection between this basin and a sewer-main has a potential for contamination. The central position of this basin probably explains why it was chosen during the Sullan proscriptions for the exhibition of senators' heads which were fixed above and round the water tank,¹⁹³ thus creating an additional, if temporary, risk of pollution. Pompeian basins do not appear to have direct sewer connections. They are mostly tanks constructed of monolithic stone slabs placed at the edge of roads into which they overflowed. The Servilian basin is a paved depression in the ground and was presumably linked to the Cloaca Maxima because it passed conveniently below the Forum. The continuous flow of water into and out of these basins would retard the growth of weed and *algae* in the tanks, but not prevent it, so the tanks must have required periodic draining and cleaning to remove accumulations of slime and other extraneous rubbish.

There can be little doubt that those who drew their drinking water from such tanks were more at risk than the few who had water piped directly into their homes from covered distribution tanks (*castella*). Yet because of its relative cheapness¹⁹⁴ and malleability, lead was frequently used for domestic water supply, despite Vitruvius' warning against its use.¹⁹⁵ However, as Hodge points out,¹⁹⁶ it is impossible to gauge the likely toxicity of lead-conducted water, when it is not known whether the water

¹⁸⁵ Lavedan (above n. 15) 335f.; his estimate of c. 1000 litres p.d. per inhabitant fails to account for loss of water through leaks, illegal tappings, and evaporation.

¹⁸⁶ Despite Vitruvius' warnings about using marshy water for town supply (8. 1. 3) the aqueducts of Timgad and Cherchel drew on *aqua paludensis*; P.-A. Février, Urbanisation et urbanisme de l'Afrique romaine, in: ANRW II 10. 2 [1982], 365.

¹⁸⁷ Robinson (above n. 25) 50 (Tepula), 58 (Alsietina). ¹⁸⁸ Evans (above n. 184) 411.

¹⁸⁹ H. Eschebach, Pompéii: la distribution des eaux, in: Archéologie 38 [1979], 77.

¹⁹⁰ Platner-Ashby, A Topographical Dictionary (above n. 6) s.v. *lacus*.

¹⁹¹ E. Nash, A Pictorial Dictionary of Ancient Rome vol. 2, London 1962, 18–20.

¹⁹² NH 36. 104.

¹⁹³ Platner-Ashby (above n. 190) 314.

¹⁹⁴ J. D. C. Boulakia, Lead in the Roman World, in: AJA 76 [1972], 143.

¹⁹⁵ 8. 6. 10–11; on which see A. T. Hodge, Vitruvius, Lead Pipes and Lead Poisoning, in: AJA 85 [1981], 486–491.

¹⁹⁶ Ibid. 488.

in question is soft or hard. Hard water will quickly insulate the inside surface of a lead pipe with a harmless deposit of lime, whereas soft water is plumbosolvent and consequently a potential hazard to a consumer, who is at risk (according to Hodge p. 487) when lead intake exceeds 0.6 mg p.d.

The Romans were exposed to lead poisoning from sources apparently unsuspected by Vitruvius. Finley, citing an unpublished paper, states that the Roman wine-additive *sapa/defrutum* was "prepared by simmering must over a slow fire in a leaden vessel . . . the result, about 20 mg. of lead per litre of wine, means that the Romans were systematically giving themselves lead poisoning for centuries, with a consequent increase in mortality and decrease in fertility".¹⁹⁷ At Pompeii many lead and bronze¹⁹⁸ cauldrons have been found built into the masonry counters of *thermopolia*¹⁹⁹ where low-status customers congregated for refreshments. In these circumstances there would be a risk of a double-dose of lead-poisoning. The wine put in the cauldron by the shop-keeper would in some cases already be contaminated by lead-polluted additive. When this was reheated in the cauldron more lead would have been leached by the wine from the inside of the vessel. These circumstances perhaps help to explain the question asked by T. Waldron in connection with the cause and source of the high lead content he detected in skeletons found in the Romano-British cemetery at Cirencester.²⁰⁰

Quantitatively the inhabitants of Rome were provided with a more than adequate supply of water, at least from the time of Augustus, but the quality and purity of this water once it reached the *cenacula* and *cellae* of the city's apartment buildings could hardly be vouched for, since there were pollution risks not only at open public basins (sewer connections, casual refuse disposal), but also from contaminated containers used by *inquilini* and *aquarii*. It might be argued that in smaller Roman towns inhabitants relied on rainwater collected in domestic cisterns, if a town was not supplied by an aqueduct or, if it was, repairs necessitated the temporary suspension of such a supply. As Duncan-Jones points out "Roman towns were able to function without aqueducts. Virtually all towns including those that built aqueducts had a history of subsisting without them".²⁰¹ This generalization appears to be applicable to towns in Roman Africa,²⁰² but hardly applies to post-Augustan Rome where the bulk of the population lived in *insulae* which lacked the internal water cisterns commonly found in atrium-houses. The very history of aqueduct construction at Rome shows that the earliest ducts were built in response to the need of an expanding population for more water. A passage in the *Digest* states quite clearly aqueduct repairs were thought more important than the repair of roads since, if the former were neglected, people would die of thirst.²⁰³

¹⁹⁷ M. I. Finley, The Elderley in Classical Antiquity, in: G & R 28 [1981], 158.

¹⁹⁸ Lead was used as an alloy in bronze; Boulakia (above n. 194) 144.

¹⁹⁹ Packer, Inns at Pompeii (above n. 21) 8, 18, 35, 40, 48.

²⁰⁰ In: McWhirr et al. (above n. 148) 203. Waldron asks how the lead entered the food and drink of those who "were heavily exposed to lead exposure on a massive scale".

²⁰¹ R. P. Duncan-Jones, Aqueduct Capacity and City Populations, in: Soc. for Libyan Studies, Annual Report 9 [1977], 51.

²⁰² H. Schwartz, Patterns of Public and Private Water Supply in N. Africa, in: J. H. Humphrey (ed.), Excavations at Carthage 1977, Conducted by the Univ. of Michigan, vol. 6, Ann Arbor 1981, 50–54.

²⁰³ Venuleius, Dig. 43. 21. 4: *non refectis rivis omnis usus aquae auferretur et homines siti necarentur.*

V Baths

Meiggs' statement that "it was in the public baths that the Romans kept clean" (p. 404) reflects a generally held belief that a lack of domestic bathrooms in all but the houses of the very rich, was compensated for by the ample provision of public bathing facilities.²⁰⁴ There is clearly some truth in this belief, but the generalization requires some qualification.

That the ancients themselves associated the baths with health is evident from the fact that the deities most frequently represented in *thermae* were Aesculapius and his daughter Hygieia.²⁰⁵ This association had a particular significance for the sick and infirm who, as will be seen from passages in Celsus, were advised to go to baths to facilitate cures for various diseases. Hadrian's biographer says this emperor ordained that only the sick should use the baths before the eighth hour.²⁰⁶ Presumably prior to this ruling the sick and the healthy bathed together.

A review of Celsus' *de Medicina* shows that patients suffering from a broad range of ailments and diseases were advised to go to the baths as an essential part of their prescribed treatment. Sometimes particular parts of the bath-complex are specified, such as the *laconicum* (dry heat), *natatio* (cold pool), or *solium* (hot pool). Apart from general unspecified illness (*languor*) for which Celsus advises a visit to the baths as one of several remedies (3. 2. 6), particular illnesses are also listed for treatment in the baths: fevers, possibly associated with typhoid or malaria, (2. 17. 2; 2. 17. 7; 3. 6. 14; 3. 12. 3); tabes which included pulmonary tuberculosis (3. 22. 1 and 6); paralysis (3. 27. E); headaches caused by malarial infections (4. 2. 8), liver abscesses (4. 15. 4); cholera (4. 18. 1 and 5); dysentery (4. 23. 3); worm infestations (4. 24. 2); bowel troubles (4. 25. 2) where the patient is advised to sit in a hot pool and bathe his anus frequently; diarrhoea (4. 26. 2); gonorrhoea (4. 28. 1); rabies (5. 27. 2B); boils caused by streptococcal infections (*erisypelas*, 5. 28. 4D); psoriasis (5. 28. 19D); phthiriasis (lice infested eyelashes, 6. 6. 15B); ophthalmia (6. 6. 17); aphae (mouth ulcers, fatal in children, 6. 11. 3f). In view of this, it is perhaps hardly surprising that Celsus says infected wounds should not be treated in the baths, since the bath water renders them dirty (*sordidum reddit*, 5. 26. 28C).

Hadrian's measure to give the sick the exclusive use of the baths till the eighth hour was perhaps motivated by a wish to protect the healthy from the unhealthy rather than from a desire to spare the sick the embarrassment of exposing their ailments to the gaze of the curious and the derisive. Yet it is not clear that the Romans were aware that diseases such as cholera and dysentery could be transmitted by water as well as by direct contact.

There is no evidence that the Romans used disinfectants in the *solia*, *alvei*, and *nataiones* of their public baths. Today public swimming pools are usually equipped with filtering systems and water is chlorinated to minimize viral and bacterial contamination deriving from bathers. On the other hand, water probably flowed in and out of the pools in Roman public baths, as was the case with public water basins. However, as yet the water systems of Roman baths are not sufficiently known to

²⁰⁴ Cf. J. Scarborough, Roman Medicine, London 1969, 78f.

²⁰⁵ A. Lézine, Les thermes d'Antonin à Carthage, Tunis 1969, 14.

²⁰⁶ SHA, Hadr. 22. 7.

support generalizations of this kind. The *natatio* of the Stabian baths at Pompeii has in its S. E. corner a drain which ducted the overflow of the pool into the main collector in the via dell'Abbondanza.²⁰⁷ Exit pipes also connect the cold pool of the *frigidarium* and the *labra* in the men's (and women's?) *caldaria* to the same drainage network. However, no such outflow pipes are attached to the *alvei*²⁰⁸ of the men's *tepidarium* and *caldarium*. How often were all these basins and pools drained and cleaned? At present there is no evidence on which to base an answer, but it must be assumed that such pools were periodically cleaned to remove slime and sediment. Seneca (Ep. 86. 10) says it was the responsibility of the aediles²⁰⁹ to supervise the general cleanliness (*munditiae*) of public baths. He also mentions as a sign of contemporary over-refinement in bathing habits the use of filtered water (*saccata aqua* 86. 11), but such a luxury is likely to have been confined to baths in the houses of the rich.

It is conceivable that some of the sick who could afford the higher entry fee would for the sake of greater privacy prefer to go to private commercially run baths for therapeutic purposes, though as Martial shows, some of these establishments had unsavoury reputations.²¹⁰

Could a bathkeeper (*balneator*) exclude clients if he considered them undesirable for some reason? It seems from Martial 3. 93 that he could. In this instance a bathkeeper admits a diseased old woman only after extinguishing the lights, and then only in company with the lowest type of prostitutes (*bustuariae moechae*). That some Romans found the sight and smell of some bathers offensive, is clear enough from Martial (6. 93) and Juvenal (5. 90) where there are also racial overtones. The sight of diseased people at the baths would be the more obvious, since it seems to have been normal for both sexes to bathe unclothed.²¹¹ Though Artemidorus (1. 64) says the sick entered the baths clothed, it is difficult to imagine how they could remain clothed when sitting in the various pools and basins in the public baths. Ausonius, Epig. 106 suggests that the sick were unclothed when they entered plunge pools.

It seems probable, then, that Roman public baths might not have been as sanitary as is commonly assumed, and that the risks of becoming infected with a wide range of contagious and infectious diseases in such establishments would have been great.

In the sixth and seventh centuries public baths in the Eastern Roman empire continued to attract the sick. Plentiful evidence from this later period also shows that

²⁰⁷ Eschebach, Die Stabianer Thermen (above n. 103) Taf. 29. A full reconstruction of the water system of these baths has still to be published (36). The cold plunge pool of the Roman baths at Bath was connected to a drain; B. W. Cunliffe, Roman Baths at Bath, in: Britannia 7 [1976], 6.

²⁰⁸ According to A. Mau—F. W. Kelsey, Pompeii, New York 1902, 193f. *alvei* in the *caldaria* contained openings to enable the tank to be drained onto the mosaic floor.

²⁰⁹ Above n. 140; Gellius, NA 10. 3. 3 retells a passage from the *de legibus promulgatis* of C. Gracchus in which a consul's wife visiting Teanum Sidicinum had the local quaestor publicly flogged because the men's baths were not vacated quickly enough, and were not sufficiently clean (*lautas*).

²¹⁰ 1. 59. 3; 2. 14. 12; 3. 20. 16; 7. 34. 10; 11. 52. 4.

²¹¹ Howell (above n. 86) 158 where Balsdon's assertion to the contrary is corrected. However, H. overlooks the evidence of Artemidorus; Ausonius, Epig. 106 about a person who washed *ulcera scabie putrefacta* in the hot pool (*solium*) of public baths, shows that the sick were unclothed sometimes.

the ill preferred to visit the baths at midday or at night when the general public did not frequent them.²¹² In the West public baths lingered on till the sixteenth century when a combination of church preaching and syphilis led to their demise.²¹³

VI Overcrowding

The third and last point in Townsend's index of substandard housing is overcrowding which also has implications for health and sanitation. The question of determining what levels of room/building occupancy are or are not acceptable in any given society is extremely complex.²¹⁴ The bureaucratic maximum quoted by Townsend, two persons per room, is a quick, but arbitrary way of establishing a national norm. More satisfactory, because it tries to account for the views of the people concerned, is the approach of Wikan who points out that "in some places, people *wish* to be close together and to carry on all sorts of activities in the same room. Therefore I find it more adequate to measure overcrowding in terms of the degree to which the tenants themselves feel that they fail to fulfil some of their cherished values because of lack of space".²¹⁵

Since there is no reliable evidence in literary sources about the occupancy levels of either *insulae* or *domus* assumptions based on archaeological remains have been made by several authorities. For example, Packer²¹⁶ considers that the fourth and fifth floors of the Casa di via Giulio Romano were overcrowded and squalid, not only because the rooms were dark and damp, but because according to his estimate, these floors with c. 48 tenants to c. 138 m² were more densely occupied than floors one to three. The three parallel rows of cubicles on the fourth floor "are very small (c. 10 m²), but it is still entirely probable that a small family could have occupied such humble quarters".²¹⁷ This conjecture of Frier's is possible since the smallest one-roomed shops at Ostia measure 10–12 m²,²¹⁸ but whether families lived in such cubicles in *insulae* is more doubtful than in the case of *tabernae* where child labour would make limited child rearing more profitable for a manufacturer/shopkeeper. At Pompeii some of the *cellae* at the gladiatorial barracks are larger (c. 10–15 m²) and only one or two gladiators slept in each room. At Rome in the *ludus magnus* the rooms for gladiators were larger still at c. 20 m²,²¹⁹ twice the size of cubicles in the Capitoline *insula*, and with a much lower probable occupancy level. The *vigiles* at Ostia occupied rooms of c. 36 m² (at least on the ground floor) with approx. ten men to a room.²²⁰ This level of density (1 man to 3+ m²) might seem intolerable but for the fact that these rooms were dormitories for men who had washing facilities in the courtyard of their building (II. v. 1), a latrine room for all the occupants of the building, and food shops at the main entrances to the barracks. These conditions, though certainly not luxurious, were cer-

²¹² H. J. Magoulias, Bathhouse, Inn, Tavern, Prostitution and the Stage as Seen in the Lives of the Saints of the 6th and 7th Centuries, in: Ἐπετηρίς Ἐταιρείας Βυζαντινῶν Σπουδῶν 38 [1971], 233–238.

²¹³ Braudel (above n. 139) 330.

²¹⁴ See Townsend (above n. 40) 481–485.

²¹⁵ Life Among the Poor in Cairo, London 1980, 21.

²¹⁶ Above n. 29, 147.

²¹⁷ Frier (above n. 18) 15.

²¹⁸ G. Girri, La taberna nel quadro urbanistico e sociale di Ostia, Rome 1956, 6.

²¹⁹ See above n. 37.

²²⁰ The occupancy estimate of P. K. Baillie Reynolds (above n. 36) 110–112.

tainly much better than those suffered by the tenants of the upper floors of the Capitoline *insula*.

A close modern equivalent to the *cellae* of this building is provided by the concrete seven-storey resettlement blocks hurriedly erected in Hong Kong between 1955–1961. These buildings provided 64 rooms per floor, each floor consisting of two rows of 32 rooms placed back to back. Each room is c. 10 × 12 feet (c. 13 m²) and was designed by the colonial authorities to house 5 adults (a child counting as 1/2 adult). Flush latrines and communal washing facilities were provided on each floor as well as stand-pipes providing mains water. Each floor was designed to accommodate 320 adults making a total of 2240 adults for an entire block.²²¹ Such densities would clearly be unacceptable in the United Kingdom with its official maximum density of two people per room cited by Townsend. Such densities seem not to have been approached in any known Ostian *insula* complex such as the four-storey *Casa a Giardino* (III. ix. 1–26) which perhaps housed a total of c. 946 occupants.²²² The relatively large number of small shops with only one room and the existence in *insulae* of small rooms “sub-divided by flimsy partitions into two or three tiny apartments”,²²³ suggest that even at Ostia crowding above the level of 2 people to one room was not infrequent in lower class dwellings.

One literary source²²⁴ remarks that sixteen members of the Aelian family lived in one *domuncula*, a term which might mean either a small *domus*, in which case there need not have been excessive crowding, or a home in a figurative sense in a *taberna* or even in an improvised shelter such as a tomb which Ulpian²²⁵ calls a *domuncula*, where crowding would have been more certain. At Rome high rents would have tended to encourage crowding on the upper floors of *insulae* since the financial burden might only become tolerable, if shared between a plurality of co-tenants. An unskilled worker²²⁶ who paid rent on a daily basis, might not be able to find employment for every day of the year, a circumstance which could cause eviction through default if he rented a room by himself. However, this consequence of temporary unemployment would not be so likely to occur when a room was shared, and a degree of privacy afforded through subdivision by means of wooden partitions.

All the well known passages from Martial and Juvenal which are often cited²²⁷ to attest the discomforts of poor *insularii*, contain no comment on crowding or lack of privacy. This is probably because these two poets never lived in the poorest type of accommodation, rather than because the Romans had low space expectations and

²²¹ Calculations based on information in S. H. K. Yeh—A. A. Laquian (ed.), *Housing Asia's Millions*, Ottawa 1979, 227; cf. D. J. Dwyer (ed.), *Asian Urbanization*, Hong Kong 1971, 40f.

²²² Packer, *The Insulae of Imperial Ostia* (above n. 65), 16.

²²³ Frier (above n. 18) 4; for the subdivision by partitions of cubicles in dwellings in Hong Kong, see Dwyer (above n. 222) 34, 42.

²²⁴ Valerius Maximus 4. 4. 8; cf. Yavetz (above n. 2) 504f.; R. MacMullen, *Roman Social Relations*, New Haven 1974, 13 (Egypt); Hopkins, *Brother-Sister Marriage* (above n. 1) 328f.

²²⁵ Dig. 47. 12. 3. 11.

²²⁶ Daily wage at Rome c. HS 3; R. Duncan-Jones, *The Economy of the Roman Empire*, Cambridge 1982, 54; since the annual rent for modest accommodation at Rome in the time of Julius Caesar was HS 2000 p.a. Frier (above n. 20) 30, an unskilled worker on his own would be incapable of paying this rent even if he worked every day of the year.

²²⁷ Above n. 60.

consequently were less concerned with individual privacy. Privacy was prized by high status Romans who often had isolated, quiet rooms built in their *villae* or *domus* where they could meditate, read, or sleep, undisturbed by the rest of the household.²²⁸ Seneca (Ep. 56. 1–3) vividly evokes the assorted noises he heard when living in rooms over baths, and assures his reader that such noises will not be bothersome if inner peace and tranquillity has been achieved (56. 5). However, by the end of this letter, he makes it clear that the best way to deal with such noise problems is simply to leave the building and go elsewhere.²²⁹ Seneca was merely testing his individual tolerance of noise, and, as a *praedives*, could afford to move to quieter surroundings.

Yet Roman sensitivity to privacy is not easy to assess. Members of all socio-economic levels, from emperor to beggar congregated in the public baths²³⁰ where there was virtually no individual privacy. Changing rooms (*apodyteria*), massage rooms (*destrictoria*) as well as all the main bathing rooms, were totally devoid of facilities such as partitioned cubicles which are normal in the changing rooms of modern public swimming pools. At the Stabian baths at Pompeii there was a small number of individual bathrooms, but these belong to the earliest (Greek) phase of the site, and later fell into disuse after the building of the Roman baths.²³¹ The general lack of privacy at the baths gave rise to annoyances such as voyeurism and worse. The infamous Hostius Quadra who enjoyed distorting mirror images of himself being debauched, is reported to have scoured the baths for men with large genitals.²³² That this was not an isolated case is shown by several other sources.²³³ Also the sick and the deformed might be ridiculed at the baths for their physical defects. Martial, for example, pillories a man who derided hernia patients at the baths, till he suffered from the same complaint himself (12. 83). Trimalchio's sentiment, *nihil melius esse quam sine turba lavari* (73. 2) which he utters in his own baths, would perhaps have been shared by other Romans if they were privileged enough to possess baths in their own houses.

Privacy is also felt to be a normal necessity in modern Western societies, both for defecation and sexual intercourse²³⁴ ("sex/elimination amalgam"). No extant Roman author gives his impression of a Roman *forica* where as many as sixty or more people, men and women, sitting on stone or wooden seats, relieved themselves in full view of each other. One surviving piece of evidence from Suetonius²³⁵ depicts the poet Lucan reciting a verse by Nero while relieving himself in a public latrine. The other occupants

²²⁸ Pliny, Ep. 2. 17. 22 and 24; cf. Ep. 9. 36. 1; Seneca, Ep. 80. 1; Augustus retired to his "Syracuse" for peace and quiet (Suet., DA 72. 2.); Hadrian's « Teatro Marittimo » in his villa complex at Tivoli was "a sort of private study where the emperor might retire to work or meditate undisturbed"; N. Neuerburg, Some Considerations of the Architecture of the Imperial Villa at Piazza Armerina, in: Marsyas 8 [1959], 28.

²²⁹ *non aliquando commodius est et carere convicio? fateor. itaque ego ex hoc loco migrabo. experiri et exercere me volui* (Ep. 56. 15).

²³⁰ See A. N. Sherwin-White, The Letters of Pliny, Oxford 1966, on Ep. 3. 14. 6 (247).

²³¹ In period I there were 4 such individual cubicles, see Eschebach (above n. 207) Taf. 34.

²³² Seneca, Quaest. Nat. 1. 16. 3.

²³³ References (Quadra excepted) collected by Howell (above n. 86) on Mart. 1. 23.

²³⁴ C. Mercer, Living in Cities, Psychology of the Urban Environment, Harmondsworth 1975, 144.

²³⁵ De poetis 31 (p. 147 Rostagni) *adeo ut quondam in latrinis publicis clariore cum crepitum ventri hemistichium Neronis magna consessorum fuga pronuntiarit: sub terris tonuisse putes.*

fled the latrine in consternation, presumably in fear of being implicated in a possible charge of *majestas*. The passage is interesting in that it suggests that high status Romans used public latrines.

The contrast between Roman practice and contemporary Western views on bathroom privacy may be seen from Mercer's summation of modern expectations: "Our cultural norms strongly encourage an association of embarrassment and shame with such functions and privacy for these becomes essential. It is fairly common . . . for people in a public lavatory to retain their faces within their rectum if other people come within earshot—even though visual privacy is assured—so that the splash as the stool hits the water will not be heard by others, and will not thereby cause embarrassment."²³⁶ It seems reasonably clear that Romans did not feel embarrassment or shame in *foricae*; otherwise different design features such as cubicles with doors would have been standard in these facilities. Some concern for privacy is evident in one aspect of *forica*-design: a small vestibule often separates the latrine chamber from the street, and the door in the street wall is in several such structures not aligned with the door in the inner wall which gave entrance to the latrine room itself. Thus if someone entered the outer door at the same time as another person left the latrine room, it would be impossible for the person entering and for pedestrians passing while the door was open to see the people sitting on the latrine. This design can be seen both in the public latrine in the N.E. corner of the Forum at Pompeii, and a similar design is evident in the *forica* at the entrance to the Roman Agora at Athens.²³⁷ The public latrine at Ostia (I. xii. 1) made by converting two shops was less satisfactory in providing customers with protection from the public gaze, since entrance was gained by two revolving doors which opened directly into the latrine room. Consequently every time a client entered, a *sessor* would be briefly revealed to any passerby who looked in. However, Ovid says it was contrary to custom to watch such activities,²³⁸ and Seneca shows that even a prisoner of war was thought to be entitled to privacy in a latrine,²³⁹ a paradoxical concession when Roman citizens were denied privacy in similar circumstances.

Though the Romans appear not to have objected to a lack of privacy in baths and latrines, they seem to have expected it for sexual activities. Martial jeers at an adulteress (Epig. 1. 34) for conducting her affairs with the doors of her room open and unguarded to enable the curious to see her at work, and contrasts her behaviour with normal practice in the lowest brothels where curtains and doors were the norm to ensure customer privacy.²⁴⁰

To return to the *cellae* of the upper floors of Roman *insulae* as exemplified by the Casa di via Giulio Romano. There are no sure means of calculating the occupation den-

²³⁶ Mercer (above n. 235) 144f.; cf. O. Lewis, Privacy and Crowding in Poverty, in: H. M. Proshansky (ed.), Environmental Psychology, New York 1970, 242f.; A. Kira, Privacy and the Bathroom, ibid. 269–275 (Mercer's source); B. Schwartz, The Social Psychology of Privacy, in: American Journal of Sociology 73 [1968], 749.

²³⁷ Pompeii: Mau–Kelsey, Pompeii (above n. 208) Plan II, structure E (plan between 44–45). The latrine is sandwiched between the treasury to the N. and market buildings to the S. Athens: M. Lang, Waterworks in the Athenian Agora, Princeton 1968, fig. 40.

²³⁸ Remed. Am. 437f. *quid, qui clam latuit reddente obscaena puella | et vidit, quae mos ipse videre vetat?*

²³⁹ Ep. 70. 20 *nullum aliud illi dabatur sine custode secretum.*

²⁴⁰ In Epig. 11. 45 M. satirizes a man who requires too much privacy in a brothel; see further J. P. Sullivan, Martial's Sexual Attitudes, in: Philologus 123 [1979], 299 and n. 17.

sities of such rooms, but a combination of uncontrolled rents, which might have caused malnutrition as a byproduct,²⁴¹ and the total lack of legislation enforcing minimum occupation densities in multiple dwellings, are likely to have created congested living conditions. A further lack of enforceable regulations to ensure adequate light, ventilation, water supply, and waste disposal, in combination with unsatisfactory street cleaning would also have created an extremely unhealthy environment for those who had no choice but to live in the concrete cubicles of the Capitoline *insula*. To what extent cohesive family units could survive under such circumstances is difficult to estimate. Adults and children would lack separate rooms and probably even separate beds, a situation which in Hong Kong causes hotels and motels to rent rooms by the hour "not for illicit liaisons, but so that married couples can briefly share a bed away from their teenage children".²⁴² Children who survived childbirth, and were not exposed, would have no recreation space on the fourth floor of this building except for the damp, totally unlit rear corridor. Roman children used to play at being gladiators.²⁴³ In these circumstances they would only be able to play at being *andabatae* who fought each other while wearing visors with no eyeholes. So children would probably play in the streets, especially as they would not spend any time at schools which their parents could not afford.

To suggest with MacMullen²⁴⁴ that such atrocious conditions at home were "made tolerable by the attractive spaciousness of public facilities" would probably strike a Roman on an erratic daily wage of c. HS 3 with a dependent family, as a cynical acceptance of the state's indifference to the lot of the urban poor. If an unskilled worker was by the very nature of his housing denied privacy for the most fundamental life functions, if he could never be sure of adequate food and clothing, and if he lacked resources to gain access to formal education and the protection of the law, what compensation would he be likely to derive from costly public buildings which reflected the *maiestas imperii*, or from a few public parks?²⁴⁵ The condition of the urban poor and indigent in the Roman world must have been aggravated by a consciousness of their own hopelessness made all too obvious by the wealth of high status Romans who in the most conspicuous manner displayed their riches which the state did not try to redistribute to minimize the disequilibrium between rich and poor.²⁴⁶ Lavishly ornamented public baths,²⁴⁷ temples, and amphitheatres no doubt produced in the

²⁴¹ Cf. A. L. Schorr, How the Poor are Housed, in: L. A. Freeman—J. L. Kornbluh—A. Haber (edd.), *Poverty in America*, Ann Arbor 1968, 351 who shows how high rents can cause the poor to feed and clothe themselves inadequately.

²⁴² S. Hoggart, Where even the Poor Are Rich, in: *Observer Review* 28 Feb. 1982, 27.

²⁴³ Balsdon (above n. 149) 92.

²⁴⁴ Roman Social Relations, New Haven 1974, 63; cf. id., *Enemies of the Roman Order*, Harvard 1966, 166.

²⁴⁵ For architecture as a reflection of *maiestas imperii* (Vitr. 1 praef. 1, 2), see H. Drerup, Architektur als Symbol, in: *Gymnasium* 73 [1966], 181–197 (esp. p. 183); cf. G. B. Gigliani, *Lavori pubblici e occupazione nell'antichità classica*, Bologna 1977, 189f. There were numerous *horti* in Rome. Platner—Ashby (above n. 80) list a total of 67 on 264–273; most of them were privately owned and situated in high status areas of the city such as the Pincian and Esquiline; some temple enclosures appear to have had gardens, see R. B. Lloyd, Three Monumental Gardens on the Marble Plan, in: *AJA* 86 [1982], 91–100.

²⁴⁶ K. Hopkins, Taxes and Trade in the Roman Empire, in: *JRS* 70 [1980], 121f.

²⁴⁷ Cf. M. Marvin, Freestanding Sculptures from the Baths of Caracalla, in: *AJA* 87 [1983],

poor a momentary forgetfulness of fetid, cramped, living quarters, but could hardly be considered as genuine substitutes for what must justifiably be called slums.

Life for the poor in Rome's high rise tenements was dangerous not merely because of the constant risks of fire, collapse, and the rapid spread of communicable diseases in overcrowded badly ventilated rooms, but also because such conditions frequently produce a high level of violence and crime. The *atrium*-type house provided the wealthy with a very private environment which was also relatively secure from burglary. Windows in outer walls on ground floors were usually small, placed high above the road, and frequently protected by spiked iron grilles (*fenestrae clatratae*).²⁴⁸ Close to the vestibule a doorman (*ostiarius*), sometimes chained to the wall of his *cella*,²⁴⁹ kept an eye on those who entered, and guard-dogs, also sometimes chained,²⁵⁰ were regularly on the premises. *Impluvia* were also sometimes protected by iron grilles²⁵¹ to prevent burglars from entering the *atrium* via the roof. In the interior of the building was a strongroom (*horreum*) where the owner's valuables were safeguarded.²⁵² In addition, the rich hired their own private security guards (*saltarii*).²⁵³ In Roman towns the rich were as security conscious as their counterparts in towns of the developing world where a vast gulf separates the advantaged from the disadvantaged. For example, a typical rich residence in Costa Rica has "a high cement wall, crowned with broken glass to discourage burglars", and newer residences "may have grille-covered windows, burglar alarms, and a watchdog or two, plus a neighbourhood private guard service—an old Spanish tradition".²⁵⁴ Though the rich would be the most desirable targets of burglars, the defences of their inward looking fortress-like residences would be difficult to penetrate.²⁵⁵ It seems from passages in the *Digest* that in towns burglary was more frequent in *insulae* and public *horrea*.²⁵⁶ The public baths were also frequented by thieves who were sometimes the very people hired by bathers to guard their clothes.²⁵⁷

347: "For a few hours of every day, the urban poor could feel rich, could enjoy, not just the activities, but the luxurious surroundings available in the privacy of their villas to the rich."

²⁴⁸ For a survey of window types, see V. Spinazzolo, Pompei alla luce degli scavi nuovi di via dell'Abbondanza (1910–1923) vol. 1, Rome 1953, 65–80; G. Webster, Roman Windows and Grilles, in: *Antiquity* 33 [1959], 10–14.

²⁴⁹ Ovid, *Am.* 1. 6. 1; Suet., *de clar. rhet.* 3.

²⁵⁰ A dog chained to a stake was found in the atrium of the House of Vesorius Primus at Pompeii; R. Brilliant, *Pompeii AD 79*, New York 1979, 129; Sen., *de ira* 3. 37. 2; Petr., *Satyr.* 72. 7. ²⁵¹ P. Gusman, *Pompeii*, London 1900, 261f.

²⁵² G. E. Rickman, *Roman Granaries and Store Buildings*, Cambridge 1971, 194. Septimius Severus (SHA 39. 3) provided *horrea* in all regions of Rome for the benefit of those who could not provide themselves with *privatas custodias*; cf. also the private *horrea* in Apuleius, *Met.* 3. 28; 4. 18; 5. 2.

²⁵³ R. MacMullen, *Enemies of the Roman Order*, Harvard 1966, 257–259.

²⁵⁴ R. Biesanz, *The Costa Ricans*, Englewood Cliffs 1982, 73.

²⁵⁵ A brigand in Apuleius, *Met.* 4. 9 says the houses of the rich are easier to penetrate, since, though the *familia* of the residence may be large, everyone is interested in their own welfare, and not in that of the *dominus*.

²⁵⁶ Paulus, *Dig.* 1. 15. 3. 2 *effracturae fiunt plerumque in insulis in horreisque*; cf. Ulpian, *Dig.* 47. 11. 7 on the activities of *saccularii* | *derectarii qui in aliena cenacula se dirigunt furandi animo*; id., *Dig.* 48. 8. 10 *si quis dolo insulam meam excusserit*.

²⁵⁷ *Capsarii*; *Dig.* 1. 15. 3. 5; thieving from the baths and stealing from the houses of old women are regarded as dishonourable by brigands in Apuleius, *Met.* 4. 8; the *fur* was a standard feature of the baths; Seneca, *Ep.* 56. 2.

Low status *insularii* were exposed to official and unofficial violence in their dwellings. If they lit a brazier in their home to heat themselves or cook food, they risked being clubbed or flogged²⁵⁸ on the authority of the *praefectus vigilum*. Also high levels of violence are commonly associated with high density living. Studies conducted by several sociologists show that one main area of fear experienced by slum-dwellers concerned the ever present risks of theft and violent physical assaults.²⁵⁹ These risks in addition to the non-human threats in their environment such as poor plumbing (in the case of *insularii*, non-existent) and the consequential smells, combine to give such tenants a sense of being moral outcasts.

The *insularius* who tried to escape the anxieties created by his living conditions by going into the streets would find little relief. The casual statement made by Suetonius²⁶⁰ that Augustus derived special pleasure from watching groups of people brawling in narrow city streets reveals a great deal not only about the emperor's personal tastes in entertainment, but also about the official tolerance of disorder in the streets which were in any case very congested, if Juvenal's picture of them in Satire 3. 235–261 is not exaggerated.²⁶¹ At night the streets were less congested, but dangers of a different kind lay in store for the solitary pedestrian, including mugging, and being struck by rubbish and wastes thrown from the windows of *insulae*.²⁶² The *Digest* sometimes provides pictures of lower class Roman life as vivid, and perhaps more trustworthy, as any given by Juvenal. One such vignette is of a Roman street scene at night. A *tabernarius* puts his lantern on the pavement. A passerby makes off with the light with the shopkeeper in pursuit. The thief strikes him with a lash (*flagellum*) and a brawl ensues which ends when the shopkeeper knocks out one of the thief's eyes.²⁶³ Such street violence was probably commonplace at Rome, but is only reported by historians where it takes place on a scale large enough to have serious political implications.²⁶⁴

High density living in insanitary urban dwellings and surroundings can have only one major consequence in a preindustrial society which lacks effective and cheap medical care: a short, often violent, life. That this was the common lot of the millions of people in the Roman world who lived on or below subsistence level, can hardly be doubted, given the conditions discussed above.

²⁵⁸ Ulpian, Dig. 1. 15. 4 *insularios et eos qui neglegenter ignes apud se habuerint, potes fustibus vel flagellis caedi iubet*.

²⁵⁹ L. Rainwater, Fear and the House as Haven in the Lower Class, in: Journal of the American Institute of Planners 32 [1966], 23–31; W. L. Yancey, Architecture, Interaction, and Social Control: The Case of a Large-Scale Public Housing Project, in: J. Helmer—N. A. Eddington (edd.), Urbanman, The Psychology of Urban Survival, London 1973, 113; R. A. Baron, Human Aggression, New York 1977, 134 finds in a case study of New York that "crowding and social pathology appeared to be totally unrelated."

²⁶⁰ DA 45. 2 *catervarios oppidanos inter angustias vicorum pugnantes temere ac sine arte*.

²⁶¹ J's depiction of the dangers to the pedestrian from waggons loaded with building materials (3. 254–261) is confirmed by Alfenus, Dig. 9. 2. 52. 2 where a runaway waggon on the *clivus Capitolinus* is described as having crushed a young slave; another case follows (9. 2. 52. 3) in which a slave is gored by a bull; cf. Ulpian 9. 2. 27. 33 for building materials falling off waggons.

²⁶² Juvenal 3. 268–308.

²⁶³ Alfenus, Dig. 9. 2. 52. 1.

²⁶⁴ T. W. Africa, Urban Violence in Imperial Rome, in: Journal of Interdisciplinary History 2 [1971], 3–21.

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