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## The special meaning of *pecunia* in a few late Roman legal documents

In Latin *pecunia*, a word that is derived, as most scholars believe, from *pecus*, a domestic animal, has a long history of being used to mean 'wealth', and then, as wealth came to consist to a great extent in coinage, as a general name for this particular form of wealth<sup>1</sup>. But in a small number of surviving legal documents created in the fourth century A.D. it seems to be used differently, and in a more specific way.

The most important of these documents, preserved in the *Codex Theodosianus*, a collection of Roman laws ordered to be put together by Theodosius II in the second quarter of the fifth century A.D., mention *pecunia* a number of times, sometimes traditionally as a general word for wealth or property, but in five of them in the special sense that this article will suggest that it was occasionally being used at that time. Only two of them need to be examined here. The other three use *pecunia* only in passing, although the contexts in which they appear suggest that it should be also interpreted in this special sense.

The background to the question is that in the later Roman Empire few additional supplies of gold and silver became available, while the demand for these metals increased, as the Roman world became more and more monetised, and because of this it became necessary to try to stop these metals from being exported to pay for imports. Large payments were made in gold bullion, or in gold coins. Only a small number of silver coins were being minted, while for everyday purposes, because of the shortage of silver, large numbers of silver-enhanced coins, mostly of copper or bronze, but treated in some way to make them look silvery at least for a while after they were minted, were produced<sup>2</sup>.

It is clear what this would lead to. On February 12, A.D. 349, the Praetorian Prefect in Rome was told that 'some *flaturarii*, both criminally and repeatedly, are purging the *maiorina pecunia* by separating *argentum* from the *aes*'<sup>3</sup>. This was declared to be a crime that deserved capital punishment.

*Flaturarii* ('blowers', or 'casters') were men who melted the metals that were supplied for the purpose of being turned into coins in the imperial mints. They must have been able, when bronze and silver were supplied to them for minting the silver-enhanced coins that were being produced at this time, to put aside some of the silver that had been given to them, and sell it for their own benefit<sup>4</sup>. If the silver that could be seen on the surface of the coins (perhaps after they had been treated to remove the surface copper) was a little thinner, no one would have been able to tell, and the mint workers would have been able to steal at least a few kilograms of silver each month, given that they minted many thousands of these coins in each year.

In describing this process R. ABDY, referring specifically to some silver-enhanced coins of this period minted in the Gallic Empire, which showed the emperor with a radiate head, remarked that 'they are often considered the most miserable coin types of the whole Roman series'<sup>5</sup>. This judgement could also be used to describe other coins minted elsewhere in this combination of metals, since the high parts of the silver surface soon wore away. But it seems that they were acceptable for the purpose of making everyday purchases.

1 For a very detailed account of the history of this word, see the entry 'pecunia' in the *Thesaurus Linguae Latinae* Volume X part 1, columns 933–943.

2 For a recent discussion of this subject, see BRANSBOURG 2015, describing the difficulties that the Roman government was facing at this time.

3 *Codex Theodosianus* 9.21.6: *Comperimus nonnullos flaturarios maiorinam pecuniam non minus criminose quam crebre separato argento ab aere purgare.*

4 A recent study by I. BOLLARD and J.-N. BARRANDON (BOLLARD – BARRANDON 2006) has investigated the question of how the coins were made to have at least a temporary silver surface on them, but has not been able to reach any clear conclusions. However, this is not relevant to the question that this article attempts to answer.

5 ABDY 2009, p. 752.

*Aes* (literally ‘bronze’) was often used as a general word for money, as ‘brass’ was in the past, and sometimes is even now, in Yorkshire in England, but in the document that has just been mentioned, when *aes* appears together with *argentum*, the two words clearly refer to the two metals that these coins contained, inside them and outside them.

As for the ‘*maiorina pecunia*’, the ‘slightly greater’ *pecunia*, I suggested last year<sup>6</sup> that it was one of the four silver-enhanced bronze coins that were circulating then, and was called by this name because it was ‘slightly greater’ than the smallest one. For this reason, it could not have described either of the larger *Æ1* and *Æ2* coins that were still being minted<sup>7</sup>. Then, in some later documents (not quoted here, because they have nothing to add to the explanation that I am offering), after the *Æ1* and *Æ2* coins ceased to be minted, the *Æ3* coins became the larger ones, now described as *maior pecunia*, not ‘slightly larger’ now, because there was only one other denomination, a smaller one, being minted.

What would the reason be for describing these silver-enhanced coins as *pecunia*, which by that time had become a word for ‘money’ in general, without saying what kind of money it was? No certainty is possible, but since they were basically bronze coins, on which a silver-enhanced surface had been created in some way, to call them either *aes* or *argentum* would have been inaccurate. For this reason, someone must have looked for a single word, rather than a number of words, that could be used to describe them, and decided that *pecunia* could be used in this way, thus giving it a new meaning.

As has already been said, three other documents in the *Codex Theodosianus* use the word in this sense<sup>8</sup>, but not in a way that tells us more. However, there is another that does, when interpreted correctly. This is a law of A. D. 414<sup>9</sup>. Here we read that ‘... We have granted (remission of) the remaining (unpaid) taxes, whether owed in goods or services, or in *aes* (*pecunia*, *aurum* and *argentum*) ...’

The Romans did not use brackets or punctuation, but I have introduced both to clarify what I believe to be the correct interpretation of these words. *Aes* at the beginning means, as in some earlier documents, ‘coinage’ in general, as opposed to *species*, goods or services. Then the three metals of contemporary coinage are listed. There is a little oddity here: *aurum* and *argentum* follow *pecunia*, which is at first sight surprising because one would expect the names of the metals to appear either in a rising or in a declining order of value of the different metals, but nevertheless it is clear that *pecunia* must refer to the silver-enhanced coins that were being minted, in addition to the gold and silver ones, at that time, because the three words describe each of them accurately. Perhaps their order is based on the number of coins in each of these metals which were minted in decreasing numbers, and this is why *pecunia* comes first.

There is some important additional evidence. Some entries in the *Notitia Dignitatum*<sup>10</sup>, a list of different departments or bureaux in the eastern and western Roman Empire, give certain persons the title of *primicerius* ‘first on the wax’. This was given to Roman officials who were the heads of departments, with their names therefore being the first to be inscribed on the wax surfaced tablets which listed their members. In the thirteenth chapter of the list of officials in the eastern empire, we find four *primicerii*, each in charge of a *scri-*

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<sup>6</sup> MELVILLE JONES 2023.

<sup>7</sup> There is considerable uncertainty about the names of the Roman coins (except for the gold ones) that were being minted at this time. Because of this, many numismatists have preferred to use *Æ* (for *aes*) plus a number from 1 (the largest) to 4 (the smallest) to describe the silver-enhanced ones.

<sup>8</sup> Codex Theodosianus 9.23.1, 1–3, 9.23.2, 9.24.3 (Codex Justinianus 9.24.2).

<sup>9</sup> Codex Theodosianus 12.28.9, ... concessimus reliqua, sive species sive aes (pecunia aurum argentumque) debetur ...

<sup>10</sup> SEECK 1876.

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*ium* or ‘portfolio’, the approximate equivalent of the English word used when referring to political appointments. The first of these portfolios is, unsurprisingly, described as being of *aurea massa*, ‘golden mass’, because by this time large payments were regularly made with gold bullion, a practice which would have been popular for several reasons, one of them that the metal could be most conveniently tested for purity by taking a small portion of each ingot, rather than testing individual coins. This was followed by the portfolio of *aurum ad responsum*, ‘gold by tale’ obviously referring to gold coinage. Then we have the portfolio of *argentum*, which must mean silver bullion, although the word *massa* is not used. After that we have the portfolio of *miliarenses*. This is a difficult word to understand, although it should have something to do with *milia*, the plural form of *mille*, the Latin word for a thousand. In this context, however, because of its position in the list, it is likely that it refers to the small number of more or less pure silver coins that were being minted at that time. Finally, we come to the portfolio of *pecunia*. In this context, the word must, as in other examples presented here, refer to the silver-enhanced coins that were being used for regular payments to soldiers at this time. As already stated, it would have been convenient to use this single word, rather than a longer description.

I have also had support from a saint for my interpretation of the meaning of *pecunia* at this time. In one of his letters<sup>11</sup>, written in the fifth century A.D., Augustine tells his readers that it is not their wealth that makes them valuable, but what their nature is, using the imagery of the genuineness of properly produced coins to describe this idea. He explains what financial health might consist of, if it could be used in a healthy way: ‘And so you might prepare to acquire something large and valuable, *aurum*, or *argentum* or *pecunia*, so that you could buy something great and glorious ...’ Here he is describing the different metals of coins in a descending order of value, with *pecunia* coming last. This shows that a well-educated person like him would know that this word had by that time become a standard way of describing the silver-surfaced bronze coinage that was still in circulation.

In modern times, I cannot find any similar instance of a single word’s being used in an unusual way to describe a particular kind or metal of coinage. The nearest that I can come to this – and it is a different kind of story – is to describe an experience that I had many years ago in an Italian restaurant in a tourist area. I decided to order a dish that was described simply as *carne* (‘meat’), because the dressing that accompanied it looked interesting. I asked the waiter what kind of meat it was – ‘Che tipo di carne è?’. He did not tell me, but moved his hands and shoulders in a typically Italian way, and simply murmured ‘È carne.’ When the dish arrived, it did indeed taste good, but it didn’t seem to be beef or lamb or pork. I found out later that it was horse meat, and I assumed that because he knew that Englishmen loved horses and dogs as much as, or even more than, their wives, he had decided that it was better not to tell me that it was *carne equina* but to use a single word that would leave the question open.

To sum up: *pecunia* must have been used in these legal documents because it could describe coinage of some kind in a single word which did not refer to pure gold or silver coins, but to other coins that accompanied them, which because they were silver-enhanced could not be described simply as bronze. I

11 Sermones 127, §3: Ad aliquid ergo magnum et pretiosum comparandum parares, aurum vel argentum, vel pecuniam, ut emereres nescio quid hoc magnum et praeclarum ...

did not discuss these passages in my book *Testimonia Numaria Romana*, published last year (by Spink, London), because I had not realised what their significance was.

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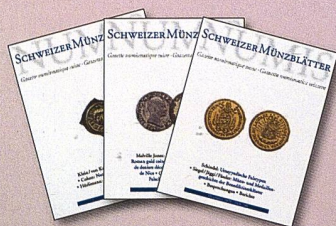
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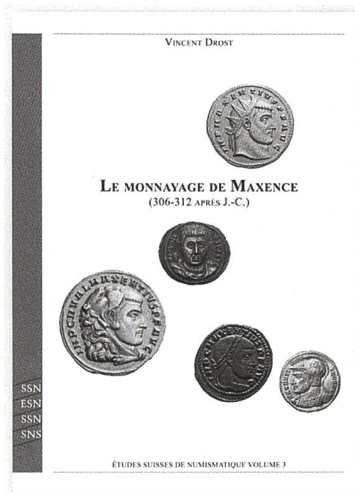
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