THE EMBATTLED DRIVER IN ANCIENT ROME

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As a driver do you become annoyed with present-day traffic conditions? Most probably you do and the same may be said of motorists in all of our major cities. But this does not make you a suffering citizen typical of the twentieth century alone, for you are only experiencing an aggravation as old as the concept of pleasure vehicles themselves. Do not go back a hundred years in your mind or, for that matter, even five hundred years; rather consider the time in thousands of years. Three millennia ago drivers swore in the streets of Egyptian Thebes and in Babylon too. In all probability their antagonism was directed toward pedestrians, but when we come to the busy streets of Imperial Rome we find sufficient cause for drivers to become annoyed with one another as well as with pedestrians. And surely those who walked the streets of Rome had a few choice words for drivers.

From the legislative and literary material produced in the heart of the ancient Roman world, we can recreate rather accurately the situation existing in the field of vehicular traffic. A comparison of problems and solutions in ancient Rome with those existing in our American cities today offers us some rather interesting surprises.

First we must remember that the Romans handled chariots and wagons drawn by horses or mules which required more physical strength than that expected of a driver today. Then too, the city of Rome had grown without the guidance of a city planning commission and a master scheme of streets and byways. In Rome one did not find the touch of a Hippodamus or a Haussman. A few broad and many narrow streets twisted their way among an intricate mesh of winding alleys and footpaths.

By the time of Julius Caesar, vehicles had become such a potential problem to the citizens and magistrates alike that something had to be done. For quite different reasons a law had been passed at the end of the 3rd century B.C. forbidding women to ride in carriages. This was included in a war measure restricting the display of feminine luxury and we can imagine with little difficulty the feeling which the ladies of Rome had for Gaius Opicius, the originator of the law. Twenty years later they forced the repeal of this law but during the 1st century A.D. the same restrictions on feminine riding were again in force. This seems to have been the result of Caesar's legislation of 44 B.C.

The problem faced by Caesar, however, was of much broader scope and it took a man such as he to produce the ultimate solution. At one sweep he outlawed the use of private vehicles on the city streets during the first ten hours of the day. In every Roman day there were twelve hours of daylight adjusted according to the season. This meant that during the last two hours before darkness settled one might begin his driving. It followed that all business deliveries were made at night while heavy, privately owned coaches which carried paying passengers and their baggage left the city very late in the afternoon or early in the morning before the sun rose.

There were certain exceptions as one would expect. Triumphing generals, vestal virgins, and priests could always employ chariots or carriages; one would also find vehicles in the processions prescribed for particular religious festivals. Since the Imperial Roman government was intensely interested in the construction of public buildings, it also granted contractors working on these structures the right to convey their materials by wagons during the day. If work was in progress on an addition to a private home, however, no one would presume to transport the building blocks by day.

One would also find in Rome certain residential streets where vehicles were forbidden both day and night. Signposts were not necessary to
Yet exactly who had the responsibility of apprehending those who ignored traffic regulations? To answer this we must first understand the strong feeling which the Romans had for the division of the day into two parts, the hours of day and those of darkness. By the light of the sun life ran its normal routine. After dark, however, chance and the distorted nature of some men created a world in which the lives of citizens were very likely to be threatened. With this in mind, the emperor Augustus in A.D. 6, after an unsuccessful earlier attempt, dealt with the nocturnal threat of fire by establishing a fire brigade of seven thousand men. Officially known as the Vigiles, the group was familiarly called the "little bucket fellows." Since he had already divided Rome into fourteen regions, the emperor grouped these men into units of one thousand, each unit responsible for two regions in the capital.

In addition to patrolling the streets in search of fires, the men also took to custody runaway slaves and prisoners who appeared to be engaged in criminal activities, especially footpads and housebreakers. For traffic violators they probably had little concern since restrictions were not in effect during the night. However, they would quell any street disturbances caused by vociferous wagon drivers. In effect, Augustus thus gave to this body of firefighters the police responsibilities formerly assigned to the Three Men of the Night, a special staff organized in Republican times to patrol the streets at night. Under Augustus these three men continued their duties as guardians of prisoners in the Carcer or state prison.

What about the daytime, one asks. In addition to the Vigiles or night fire brigade and police force, there also existed a body of three thousand men known as the Urban Cohorts. They were assigned duties principally for the daytime. As there were barracks at the city gates for the Vigiles, it seems logical that certain contingents of the Urban Cohorts should be assigned to the gates from sunrise until almost sunset, at least for the purpose of enforcing the law. Thus it would be quite easy to stop any carriage or chariot trying to enter the city proper and to take into custody anyone attempting to leave the city in a wheeled vehicle.

Of course, during the early Empire the old city walls of the 4th century B.C. no longer surrounded the entire area of Rome which had continued to grow outward from the ancient center. Inasmuch as Augustus created a special curatorship for roads beyond the city walls, one concludes that it was merely the heart of Rome within the Servian walls which was governed by the traffic laws.

It is of interest to note that the Vigiles were not regular Roman citizens but men who had been freed from slavery. In earlier times the city of Athens had employed slaves as metropolitan police and it is pointed out that Augustus, in establishing his troops of night firemen, patterned the organization after that existing in Alexandria where slaves were used in a similar capacity. Augustus utilized freedmen, however, deeming this arrangement safer and more politic. One can develop arguments for and against the loyalty of such men, but the evidence indicates that the faith of the Athenian, the Alexandrian, and the Roman governments was not misplaced. Of course various pressures were brought to bear and Rome itself offered the inducement of a restricted form of Roman citizenship granted when the freedmen served a period of six years as members of the Vigiles.

Having given recognition to law enforcement in the streets, we should like to know the officials responsible for hearing a case presented against a traffic offender. The matter is quite simple. If the lawbreaker was taken at night by the local contingent of the Vigiles he would be haled before their supervising officer, the Prefect of the Vigiles when he opened court the next day in his barracks headquarters outside the old Porta Latina. The prefect presumably led a rather strenuous life overseeing the activities of his men by day and listening to minor infractions of the law by day. This routine was prescribed by the laws themselves, but we can be sure that the poor man delegated his authority during some portion of the night so that he might secure a few restful hours of sleep.

In the case of a daytime violator, the matter would be presented to the Prefect of the City under whose authority the Urban Cohorts were placed. This prefect held court in the Forum of Augustus where stood the great temple of Mars the Avenger. In theory and practice, the Prefect of the Vigiles was subject to the control of the Prefect of the City and in only the most important traffic cases concerning persons of high rank would the Prefect of the City ever become involved. In either case punishment would probably take the form of a fine. Again, however, we must remember that evidence suggests that traffic violations occupied a miniscule portion of the docket submitted to each of the magistrates mentioned. We are left with the definite impression that traffic violations were rare. This is quite logical
when all vehicular traffic had been eliminated
during such a large portion of the day. It would
appear that the streets of Rome at night were
more or less the free domain of drivers who were
almost completely unrestricted in their behavior.

After reviewing the matter of traffic laws and
their enforcement within the city of Rome, the
curious reader may wish to know how the Roman
government allocated the responsibilities for
maintaining the streets in good condition. The
answer to this question is complicated by the fact
that in the transition from Republic to Empire
some magistrates lost portions of their authority
to newly created government positions. Among
the various Republican city magistrates there
existed those known as the aediles. Under the
emperor Augustus this office continued and was
held by four men at one time who were respon-
sible for the policing of streets and market places
as well as the supervision of a body of slaves for
fighting fires. The aediles were assisted by a
group of four men who spent their entire time
looking after the condition of the streets. Even
though the fire brigade was transferred in A.D. 6
to the Prefect of the Vigiles it is probably that
the four men continued to assist the aediles in
keeping the streets clean.

It was not until the 4th century B.C. that the
citizens of Rome enjoyed the luxury of their first
paved street but by the 2nd century B.C. many
streets in the capital were paved with tufa blocks.
When a street had to be paved or repaved the
aediles allocated the work to certain contractors.
The public treasury assumed the cost for the sec-
tion extending out to the middle of the street in
front of public buildings; apparently property
holders were assessed for the remaining costs, if
indeed they were not assumed by the emperor or
some person of wealth and prominence.

Owners of buildings were also responsible for
keeping the sidewalks swept clear and the em-
peror Domitian in A.D. 92 decreed that shop
owners could not longer block the sidewalks with
counters displaying their wares. Thus the pedes-
trian was not forced to stumble through micel-
aneous debris or walk in the streets to avoid the
merchants' counters. Again the aediles were the
persons responsible for enforcing the regulations
and, if a property owner did not live up to his
obligations, the aediles paid men to remove the
obstructing obstacles and then charged the cost to
the owners.

From all of this it is quite evident that the late
Republican and Imperial governments considered
the safety and unimpeded flow of pedestrian
traffic a primary requirement in the effective
protection of private and public life during the
daytime.

Although some few people may have ridden
horsecarts, too this was forbidden eventually.
But at night all restrictions on vehicular move-
ment were removed. Commercial waggons lumber-
ing up the expressways of Italy, such as the
Appian Way or the Oscan Way, were halted at
the city gates until the last two hours of sunlight.
Persons deciding after breakfast that a ride in
the country might be in order had to go to the city
gates in a litter or on foot and there pick up a
carriage or chariot. Although some wealthy
citizens may have had carriage houses attached
to their homes, we can assume that large public
garages near the city gates still remain to be
identified by archaeologists.

Those who planned a trip in advance left the
city in their vehicles before sunrise or else very
late in the afternoon. Since while traveling one
spent the night in an inn or at the home of a
friend, it was preferable to cover as much ground
as possible before nightfall and so one was less
likely to leave Rome late in the day. Early
morning was the time when most travelers passed,
sleepy eyed, through the dim dawn shadows of
the city gates and rattled off awkwardly at first
between the trees and tombs along the highway.

Imposing and important as were the famous
Roman roads, their effectiveness began and ended
at the walls of cities. Unlike our modern speed-
ways they did not convey traffic into the heart of
a community. Although many passed directly
through smaller towns, yet traffic was halted at
the limits of these communities. By a law of the
emperor Claudius, the traveler had to descend
from his chariot or carriage and go through the
town on foot, in a carrying chair, or in a litter.
This must have been a great nuisance if the law
was seriously enforced. We suspect, however,
that officials were not strict. For example,
Hadrian, in the early 2nd century A.D., decreed
that no horses should be ridden within city limits.
Yet, later in the same century, Marcus Aurelius
had to issue the same mandate as well as others
repeating earlier legislation against riding and
driving inside the limits of any city. This obvious
repetition of laws reveals a rather lax state of law
enforcement. However, the vehicular traffic laws
themselves carried the means of their own de-
struction; from the beginning exceptions were
granted rather than those relating to religious
functions. By the 3rd century A.D. these exemp-
tions had been extended to various state magis-
trates and were assumed by others of high social
station. Pedestrians were no longer free from the
threat of injury or even death at the hands of a
careless chariot driver.

Since those days, drivers have continued to
multiply and municipal governments have be-
come increasingly reluctant to legislate against
the privileged class, the only one with funds
sufficient to purchase and maintain private means
of transportation. In our own times this distinc-
tion of wealth and privilege no longer holds true:
the ownership of an automobile does not imply
wealth. In our large communities traffic conges-
tion has become a serious and controversial
problem. The convenience and privileges of the
greater portion of our citizenry are involved,
yet one wonders if perhaps they, like the citizens
of ancient Rome, should surrender the right of
driving in the business and commercial sections
of our cities. Even with the declining effectiveness
of Roman traffic laws, it was unthinkable that
anyone should drive through the forum which
comprised the heart of a Roman city. Have the
ancient Romans offered us a solution which may
well be applied to our situation today?