A COMPANION TO

FAMILIES IN THE GREEK AND ROMAN WORLDS

EDITED BY BERYL RAWSON

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A COMPANION TO FAMILIES
IN THE GREEK AND ROMAN WORLDS

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Beryl Rawson

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Contributors

Penelope Allison is a Reader in Archaeology and Ancient History in the School of Archaeology and Ancient History at the University of Leicester. She has previously held fellowships at the University of Sydney, the Australian National University, the University of Cambridge and the University of Durham. She is a Fellow of the Society of Antiquaries and an Honorary Fellow of the Australian Academy of the Humanities. Her main research concerns Roman painting, household archaeology, and gender and space in the Roman world. Her major publications include the edited volume *The Archaeology of Household Activities* (1999); *Casa della Caccia Antica, Häuser in Pompeji Volume 11* (2002), co-authored with Frank Sear; *Pompeian Households: An Analysis of the Material Culture* (2004); *Pompeian Households* (online companion to Monograph 42, Cotsen Institute of Archaeology, UCLA; www.stoa.org/pompeianhouseholds/); *The Insula of the Menander in Pompeii III: The Finds, A Contextual Study* (2006; www.stoa.org/menanderinsula/); and the edited volume *Dealing with Legacy*

Data. Internet Archaeology 24–25 (2008; http://intarch.ac.uk/journal/issue24/index.html).

Eva Cantarella is Professor of Roman Law and Greek Law in the Law School at the University of Milan. She has recurrently been a member of the Hauser Global Law School Program of the New York University Law School, and has given lectures and courses in many other European and American universities and institutions. She is the editor of *Dike. International Journal of Greek Law*, published by the University of Milan. She has written extensively on the condition of women, on the social and legal regulation of sexual behavior and on criminal law, both in Greece and Rome. Many of her books have been translated into foreign languages (English, German, French, Greek), among them (in English): *Pandora's Daughters, The Role and Status of Women in Greek and Roman Antiquity* (1987) and *Bisexuality in the Ancient Word* (1993). She has contributed to the *Cambridge Companion to Greek Law* (2005), with a chapter dedicated to

"Gender, Sexuality and Law," and recently published (with Andrew Lear) *Images of Greek Pederasry. Boys were their Gods* (2008).

Ada Cohen is professor of art history at Dartmouth College. She is co-editor of and contributor to *Constructions of Childhood in Ancient Greece and Italy* (American School of Classical Studies at Athens, 2007) as well as *Assyrian Reliefs from the Palace of Ashurnasirpal II: A Cultural Biography* (University Press of New England, 2010). She is the author of *The Alexander Mosaic: Stories of Victory and Defeat* (Cambridge University Press, 1997) and *Art in the Era of Alexander the Great: Paradigms of Manhood and Their Cultural Traditions* (Cambridge University Press, 2010).

Kate Cooper teaches in the Department of Classics and Ancient History at the University of Manchester. She is author of *The Virgin and the Bride: Idealized Womanhood in Late Antiquity* (2006) and *The Fall of the Roman Household* (2007), and co-editor, with Julia Hillner of *Religion, Dynasty, and Patronage in Early Christian Rome, 300–900* (2007). She is currently completing a book for students and non-specialists, *Early Christian Women*, to be published by Atlantic Press in 2011.

Cheryl A. Cox is Associate Professor of Classics in the Department of Foreign Languages and Literatures at the University of Memphis. She is the author of several articles on the household and family and of the book *Household Interests* (1998).

Véronique Dasen is Associate Professor in Classical Archeology at the University of Fribourg, Switzerland. She is the author of *Dwarfs in Ancient Egypt and Greece*

(1993); *Jumeaux, jumelles dans l'Antiquité grecque et romaine* (2005); and, with H. King, *La médecine dans l'Antiquité grecque et romaine* (2008). She has edited and contributed to *Naître en 2001. Regards croisés sur la naissance et la petite enfance* (2002); *Naissance et petite enfance dans l'Antiquité* (2004); *L'embryon humain à travers l'histoire. Images, savoirs et rites* (2007); with J. Wilgaux, *Langages et métaphores du corps* (2008); with V. Boudon and B. Maire, *Femmes en médecine* (2008); and, with T. Späth, *Children, Memory, and Family Identity in Roman Culture* (2010).

Jens-Arne Dickmann is Senior Lecturer in the Institute of Classical Archeology at Heidelberg University. On behalf of the Deutsches Archäologisches Institut at Rome he is director of the investigations in the Casa dei Postumii at Pompeii. He has published *Domus frequentata. Anspruchsvolles Wohnen im pompejanischen Stadthaus* (1999); *Pompeji. Archäologie und Geschichte* ((2005); translated into Italian (2007)) and a series of articles on Pompeian issues.

Suzanne Dixon is a feminist historian and is currently an Honorary Research Consultant in the School of History, Philosophy, Religion and Classics at the University of Queensland. Her interests include work and patronage in classical antiquity, as well as issues of law, gender and kinship. She is the author of *The Roman Mother* (1988); *The Roman Family* (1992); *Reading Roman Women* (2001); and *Cornelia, Mother of the Gracchi* (2007); and has edited or co-edited and contributed to the collections *Pre-Industrial Women* (1984); *Stereotypes of Women in Power* (1992); and *Childhood, Class and Kin in the Roman World* (2001).

Fanny Dolansky is Assistant Professor of Classics at Brock University in St. Catharines, Ontario, where she teaches Roman history, Latin language and literature, and Roman religion. She has published articles on the *toga virilis* ceremony and the Parentalia festival, and is currently working on a monograph on Roman domestic religion.

Stephen L. Dyson is Park Professor of Classics at the University at Buffalo, Past President of the Archeological Institute of America and Fellow of the Society of Antiquaries. His research has focused on the Roman countryside, *The Roman Countryside* (2003); Roman social and economic history, *Community and Society in Roman Italy* (1992); and the history of classical archeology, *In Pursuit of Ancient Pasts: A History of Classical Archaeology in the Nineteenth and Twentieth Centuries* (2006).

Judith Evans Grubbs is the Betty Gage Holland Chair in Roman History at Emory University in Atlanta. She is the author of *Law and Family in Late Antiquity: the Emperor Constantine's Legislation on Marriage* (1995) and *Women and the Law in the Roman Empire: A Sourcebook on Marriage, Divorce, and Widowhood* (2002). Her current project is a book, *Children without Fathers in Roman Imperial Law: Paternity, Legitimacy, and Freedom*.

Jane F. Gardner is Emeritus Professor of Ancient History in the School of Humanities at the University of Reading. Her publications include three monographs on Roman legal and social history, *Women in Roman Law and Society* (1986); *Being a Roman Citizen* (1993); and *Family and* Familia *in Roman Law and Life* (1998); and, with Thomas Wiedemann, a sourcebook, *The Roman Household* (1991).

Mark Golden teaches Classics at the University of Winnipeg. He has written a book, *Children and Childhood in Classical Athens* (1990), and many articles and reviews on ancient childhood as well as three books on ancient Greek sport.

Sabine R. Huebner is a Marie Curie Fellow of the European Commission at Columbia University and a current member of the Institute for Advanced Study in Princeton. Among her publications are a monograph on the clergy in the later Roman empire, *Der Klerus in der Gesellschaft des spätantiken Kleinasiens* (2005); a co-edited volume on *Growing up Fatherless in Antiquity* (2009); and a just-completed second monograph on intergenerational solidarity in the ancient eastern Mediterranean. In addition, she is one of the four general editors of Blackwell's new 13-volume *Encyclopedia of Ancient History*.

Janet Huskinson is a Visiting Research Fellow at the Open University and a Leverhulme Emeritus Research Fellow, following her retirement in 2008 as Reader in Classical Studies at the Open University. She has published on Roman private art, especially of the third and fourth centuries, with a strong focus on the imagery of sarcophagi and funerary monuments.

Christopher Johanson is an Assistant Professor in the Department of Classics at the University of California, Los Angeles. His research applies the tools and techniques of digital humanities and the analytical methodologies of classics to social historical problems. He is currently developing a hybrid, geo-temporal publication, tentatively titled *Spectacle in the Forum: Visualizing the Roman Aristocratic Funeral of the Middle*

Republic, which is a study of material and literary contexts set within a digital laboratory. In his role as Associate Director of the UCLA Experiential Technologies Center, he has worked for or collaborated on cultural mapping projects set in Bolivia, Peru, Albania, Iceland, Spain, Italy and Turkey.

Christian Laes is Assistant Professor in the Department of History at the University of Antwerp and in the Latin Section at the Free University of Brussels. His main research interest is the human life course in the Roman period and Late Antiquity, especially childhood and youth. He has published widely on these and related subjects. Both his books on childhood and youth in Roman antiquity are forthcoming from Cambridge University Press, as translations and expansions of the Dutch monographs, *Kinderen bij de Romeinen. Zes eeuwen dagelijks leven* (2006) and, with J. Strubbe, *Jeugd in het Romeinse rijk. Jonge jaren, wilde haren?* (2008).

Hugh Lindsay is Senior Lecturer in Classics in the School of Humanities and Social Science at the University of Newcastle. He is the author of *Suetonius, Caligula* (1993); *Suetonius, Tiberius* (1995); and co-editor and contributor to *Strabo's Cultural Geography* (2005). He has written articles on aspects of Strabo, Suetonius and Roman social history, and has a forthcoming book entitled *Adoption in the Roman World* (2009).

Janett E. Morgan is Lecturer in Greek Archeology at Royal Holloway, University of London. She has written on household religion in Classical Greece for the journal *Kernos* and on gender and Classical houses for *La maison, lieu de sociabilité, dans des communautés urbaines européennes de l'Antiquité à nos jours* and *The Blackwell Companion to Greek Religion*. Her first monograph, *The Classical Greek House*, is being published in 2010.

Teresa Morgan is Fellow and Tutor in Ancient History at Oriel College, Oxford. She is the author of *Literate Education in the Hellenistic and Roman Worlds* (1998) and *Popular Morality in the Early Roman Empire* (2007).

Henrik Mouritsen is Professor of Roman History at King's College London. He has published *Elections, Magistrates and Muncipal Elite. Studies in Pompeian Epigraphy* (1988); *Italian Unification. A Study in Ancient and Modern Historiography* (1998); *Plebs and Politics in the Late Roman Republic* (2001); and a monograph on Roman freedmen is currently in press.

Lisa Nevett is Associate Professor of Greek Archeology in the Department of Classical Studies and the Department of the History of Art at the University of Michigan, Ann Arbor. Her publications include *House and Society in the Ancient Greek World* (1999); co-edited with Bradley Ault, *Ancient Greek Houses and Households* (2005); and *Domestic Space in Classical Antiquity* (2010).

David Noy teaches Classics at the University of Wales, Lampeter and at the Open University. He is the author of *Foreigners at Rome* (2000), several volumes of Jewish inscriptions and various papers on Roman life and death.

Daniel Ogden is Professor of Ancient History at the University of Exeter and an Academic Associate of the University of South Africa (UNISA). His principal research areas are ancient traditional narratives, Greek religion, and Macedonian and Hellenistic dynasties. His publications include *Alexander the Great: Myth, Genesis and Sexuality* (forthcoming); *Magic, Witchcraft and Ghosts in the Greek*

and Roman Worlds (2nd edition, 2009); *Aristomenes of Messene* (2004); *Polygamy, Prostitutes and Death. The Hellenistic Dynasties* (1999); and *Greek Bastardy* (1996). He has also edited the Blackwell *Companion to Greek Religion* (2007).

Carolyn Osiek was Charles Fischer Catholic Professor of New Testament at Brite Divinity School at Texas Christian University, Fort Worth, now retired. She is co-author of *The Family in Early Christianity: Households and House Churches* (1997); and co-editor of *Early Christian Families in Context: An Interdisciplinary Dialogue* (2003), both with David L. Balch; and co-author of *A Woman's Place: House Churches in Earliest Christianity*, with Margaret Y. MacDonald (2006).

Tim Parkin is Professor of Ancient History at the University of Manchester. His publications include *Demography and Roman Society* (1992); *Old Age in the Roman World: A Cultural and Social History* (2003); and, with Arthur Pomeroy, *Roman Social History: A Sourcebook* (2007).

Sara Saba is a postdoctoral Humboldt Fellow at the Kommission für alte Geschichte und Epigraphik of Munich. Her main research interests are Greek epigraphy and historical geography. She is currently working on a project on *isopoliteia* in Hellenistic times.

Richard Saller is Professor of Classics and History and Dean of Humanities and Sciences at Stanford University. His research has focused on Roman social and economic history, including the topics of patronage, the family and economic production. His books include *Patriarchy, Property and Death in the Roman Family* (1994); and *The Cambridge Economic History of Greco-Roman Antiquity* (2007), co-edited with Walter Scheidel and Ian Morris.

Walter Scheidel is Dickason Professor in the Humanities at Stanford University. His research focuses on ancient social and economic history, premodern historical demography, and comparative and transdisciplinary approaches to the past.

Monika Trümper is Associate Professor of Classical Archeology at the University of North Carolina at Chapel Hill. She has written two books (1998; 2008) and a number of articles on monuments in Delos (domestic architecture, urban development, club-houses of associations, shops, the synagogue and the Agora of the Italians), as well as a book on Greco-Roman slave markets (2010) and several articles on Greek bathing culture, which will also be the topic of her next book.

Janet H. Tulloch is a scholar of religious studies and ancient visual culture. She is editor and contributor to the forthcoming *The Cultural History of Women: Volume I – Antiquity: 500BCE–1000CE*. Recent academic articles include a chapter in *A Woman's Place: House Churches in Earliest Christianity* (2006); and a theoretical investigation of religious seeing and visual space in Richard Wagner's "The Ring Cycle" in *Theatre Research in Canada/Recherches Théâtrales du Canada* (2006). She currently teaches at Carleton University in Ottawa.

Jérôme Wilgaux is Maître de Conférences in Greek History at Nantes University. He has edited and contributed to *Penser et représenter le corps dans l'Antiquité*, co-edited with Francis Prost (2006); *Parenté et société dans le monde grec de l'Antiquité à l'âge moderne*, co-edited with Alain Bresson and Stavros Perentidis (2006); and *Langages et métaphores du corps dans le monde antique*, co-edited with Véronique Dasen (2008).

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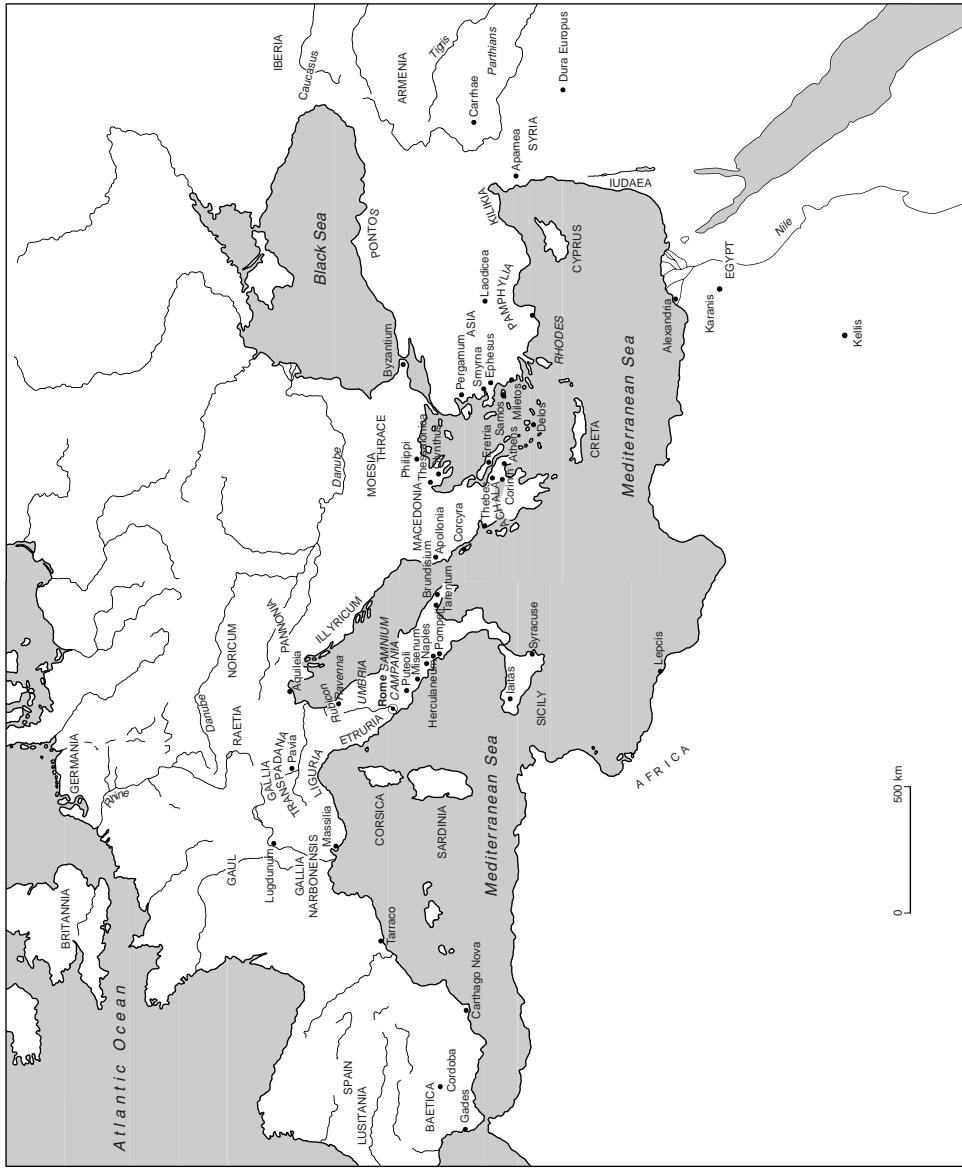
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<div style="text-align: right">Beryl Rawson</div>

Map 1 The Greek and Roman worlds to the second century CE. Map 3 "The Roman Empire in the time of Augustus," from Andrew Erskine, A Companion to Ancient History, Wiley-Blackwell, 2009, and Map 1 "Provinces of the Roman Empire at the death of Trajan (AD 117)," p. xxxi from David S. Potter, A Companion to the Roman Empire, Wiley-Blackwell, 2010.

Introduction: Families in the Greek and Roman Worlds

Beryl Rawson

The Topic

"Families" rather than "the family"; "Greek and Roman worlds" rather than "Greece and Rome." These plurals in the title reflect the diversity of family types and practices in the societies discussed in this volume as well as the regional and chronological diversity covered and the development of new approaches and themes. Family studies have been an increasingly active field of study in recent decades in many disciplines, not least in Greek and Roman history, law, art and archeology. The range of materials and methodologies used has expanded to provide new perspectives. And somewhere along the way scholars in the field realized that they were dealing with such a diverse phenomenon that they were obliged to speak not of "the family" but of "families."

Aims

This volume aims to give an overview of the development of such studies, to indicate some of the stimulating new work being done around the world, and to help shape future studies. It aims to interest readers and scholars in a wide range of fields.

In total the chapters in this volume draw on a wide range of primary evidence and reflect modern scholarship from four continents, much of it going beyond the Anglophone sources which dominated many earlier collections (until the new Dasen and Späth volume, which draws heavily on non-Anglophone scholarship). This makes for a very large bibliography of references. It also reflects different regional perspectives. Although it would be simplistic to generalize about "French" or "Italian" or

other national scholarship, there are perceptible differences in preoccupations and approaches. This makes for a less uniform or consistent tone in the volume, but it is to be hoped that readers will find this stimulating and challenging rather than a disadvantage.

Why does family arouse such interest and merit such close attention? It is now fairly generally recognized that "family" in some form is a vital element of every aspect of Greek and Roman history. No longer is it sensible (if it ever was) to relegate such a topic to the realm of "daily life" narratives. No longer can we treat as of only antiquarian, or superficially entertaining, interest aspects such as how people dined or bathed, in what sorts of housing they lived, who married whom and what happened after divorce or death, what were their religious rites, and what role family and family relationships played in all of these. W. K. Lacey recognized this decades ago (1968) 9: "The all-pervading role of the family has the result that there is scarcely any topic in Greek civilization in which the family is not concerned," as have others more recently. Richard Saller commented (2007) 87 on "the centrality of the household and family in the ancient economy," and he elaborates on this in his chapter in this volume.

Moreover, this field of study provides valuable opportunities for interacting with interdisciplinary work in other cultures. "The family" has long been a central topic in the fields of sociology and anthropology. In the 1960s Keith Hopkins, trained in both classics and sociology, began offering demographic analyses of aspects of the Roman family. The Cambridge Group for the History of Population and Social Structure saw itself as embarking on a new field from the 1970s, with its extensive comparative studies and "an assemblage of techniques" for the analysis of such data (Peter Laslett (1972) 1). That work has influenced Greek and Roman studies. Examples of more recent interaction will be given later in this Introduction, when current and future possibilities are discussed. Scholars in Greek and Roman studies benefit from such interaction, learning new methods and seeing new perspectives. And there is the opportunity to influence other fields. These aspects are important, intellectually and politically, to ward off isolationism and an image of marginality.

Because of the centrality of household and family in Greek and Roman culture, there is a need for selectivity here. It is impossible to cover every relevant aspect in a single volume. Concise accounts of family related topics in basic reference works, such as the *Oxford Classical Dictionary* or the *Cambridge Dictionary of Classical Civilization*, provide authoritative introductions. When a topic is included in this volume it will not attempt an encyclopedic account but will approach the topic from a particular perspective, hinting at ramifications for other aspects of family studies. Chris Johanson, for example, writes on funerals in the context of the cityscape of Rome – an ingenious integration of "Death" and "City" themes, reflecting the fact that funerary ritual was embedded in its urban environment and that "the city" was the sum, and more, of multifarious rituals and participants. But there are libraries full of books on "Death" and "City," and one chapter here, however wide-ranging, cannot embrace the whole field.

Although each chapter does give an indication of the most significant work and developments in its area, and this Introduction provides a broader context for these

topics, this is more than a survey volume. Our authors offer much more than a mere summing-up of past work. They were invited to indicate the central questions in the field, the points of debate, so that the reader would sense the liveliness and growing development of their topics and the overall field. They each write from the expertise of their own specialisms, but all use this to provide a perspective on the central concept of "family." There are many connections of themes across chapters and across sections and specific points of comparison or contrast have been cross-referenced. Unanimity, however, is not to be expected. We provide no bland narrative to suggest a uniformly accepted, "factual" account of family life. Some chapters might be seen as undermining any such account. Mark Golden, for instance, raises questions about the assumptions which we might bring to our analysis of children and childhood and which might invalidate any conclusions reached. Carolyn Osiek sees conflicting messages about Christian families in even the earliest Christian sources, and she questions the relationship between image and reality of practice within such families. This is part of the aim: to recognize problems in evidence and methodology and to stimulate further questioning and progress towards better understanding.

There is no simple definition of "family" for Greek or Roman culture. Neither *oikos* nor *familia* conveys exactly what common English usage of "family" conveys. There are concepts of property in the Greek and Latin terms, especially for Roman society where large numbers of slaves belonged to the *familia*. There is no term for what we understand as "the nuclear family." And yet the nuclear family – father, mother, and children – is an important element of both *oikos* and *familia*. The centrality of the nuclear family has been one of the liveliest topics of debate in recent years, especially in Roman studies. The debate is often confused by a merging of "family" and "household" and a failure to distinguish between core family sentiment and household structures. Many contributors to this volume accept the argument advanced in 1984 by Richard Saller and Brent Shaw, based on a large volume of epigraphic evidence, that the family relationships attested in Roman funerary commemorations in most areas of the Western Mediterranean were overwhelmingly those between spouses and between parents and children, and thus that these were the closest affective bonds in those societies. This argument has sometimes been extrapolated to indicate the structure and membership of households. This is misleading, and Sabine Huebner in this volume discusses the different picture of households which might be based on a different set of evidence, especially that of the census records of Egypt.

This volume tries to establish patterns of social behavior for a range of societies – different but related – with a particular focus on families. To do this, it uses archeological, epigraphic, artistic, legal, and literary evidence to look at the houses in which they resided, the villages and cities in which they lived and worked, their material environment, art and artifacts, how the law defined their status, rights and obligations and to what extent that affected everyday behavior, and how their behavior and sentiments are reflected in different sources such as literature, inscriptions, visual images and ritual. Social behavior is influenced too by the network of family relations and friends available to any individual, and this is affected by demography, which is an element in many of the discussions here.

Readers will probably note gaps and areas which they think might have been treated. Some will regret an imbalance between Greek and Roman offerings. This reflects the present state of scholarship and evidence. The evidence is undeniably richer for the Roman world, and research in Roman family studies has been more active than in Greek. Some excellent recent work in Greek family studies is beginning to redress this imbalance. There has been no attempt here to provide pairs of chapters, giving a Greek focus and a Roman one to each topic. This would impose an artificial uniformity on Greek and Roman societies. It would ignore the diversity within each of the terms "Greek" and "Roman," as well as ignoring the differences in available evidence and in the priorities of different societies. For instance, Roman law and practice gave more attention to its large numbers of slaves than did Greek societies, so there is more to say about Roman slaves' and ex-slaves' families and changing status. Similarly for large numbers of soldiers in the Roman army stationed round the edge of the empire, where they often resided for long periods and formed local family relationships. But monarchies continued longer in the Greek world than in the Roman and provide the basis for analysis of royal family practices.

Geographically and chronologically, scholars have come to look to a world beyond the cities of Athens and Rome in their "classical" periods. Regional diversity is reflected here, embracing Asia Minor, Sparta, Macedonia, Italy beyond Rome, and the Roman provinces beyond that. Egypt always poses problems, as it is uncertain how "Greek" or "Roman" it was and thus how far we can generalize from its evidence to other parts of the Mediterranean. Here it is used in several chapters to exemplify different methodologies which might be useful in addressing questions of more general interest. Discussion of the Hellenistic world, beyond the fifth and fourth centuries BCE, opens up Roman Greece. Discussion of periods beyond the second century CE reveals continuity as well as change. It is no longer possible to conceive of "early Christianity" as a separate world: several chapters show how embedded early Christianity was in the Greek and Roman worlds in which it was situated. Its development into something different, structurally and ideologically, was slow and gradual, never really abandoning the classical culture which helped form it and transmitting that culture, along with its own contributions, to the modern world.

In some chapters, there is still a focus on Rome or Athens, because of the comparative richness of evidence for those cities and of scholarship drawing on that evidence. Other chapters range over both "Greek" and "Roman," tracing a theme over an extended period in several cultures. Those eight chapters are spread over almost all the sections. It is sometimes artificial to distinguish between "Greek" and "Roman." As the Roman Empire developed, Greek language continued to be widespread, in West as well as East, but Roman administration increasingly affected all societies in the empire and Roman citizenship spread ever more widely. Judith Evans Grubbs takes account of this in her chapter on the growing acceptance of the central Roman virtue of *pietas* in East as well as West. Roman law promoted this virtue in many family situations, and provincials gradually accommodated to this. But acculturation was a two-way process, and in some contexts non-Roman family customs were admitted in the administration of the law.

Walter Scheidel draws attention to the predominance of monogamy in Greek and Roman cultures and the influence which this has had on later world history, in

spite of the fact that non-monogamous family arrangements have been the norm, globally, until very recently. Greek and Roman traditions have thus combined to shape modern society, and indeed to impose a belief in the normality of such traditions. Golden considers some Greek and Roman childrearing practices and invites us to examine judgments which we might make on those in the light of our own practices and assumptions. Again, there is the question what is "normal," either when Greek or Roman practices differ from ours or when they are similar to ours and thus encourage our belief that they are "normal." Véronique Dasen takes an earlier stage of childhood, engaging with the newly emerging field of birth and infancy and balancing Greek and Roman literary comments and legal pronouncements against new archeological evidence to assess ancient attitudes to the first phase of human life. Teresa Morgan discusses the different forms of education used to socialize children in Greek and Roman societies: how did these forms differ according to age, gender, or class, and what do they reveal of the expectations of these societies for their young members? Hugh Lindsay focuses on the concern for continuity in Greek and Roman households and thus methods taken to ensure appropriate heirs. Huebner examines evidence available for household structure in East and West.

Lisa Nevett opens the volume with a methodological discussion of domestic space, a topic of great recent interest for both Greek and Roman societies. She recognizes that the different nature of evidence available from these societies has led to different lines of enquiry, making it difficult to form useful comparisons. It is not only that Greek sources differ from Roman, but Ancient Historians and Archeologists ask different questions. So she steps aside from the central areas of Greece and Rome, to look at Roman Egypt, where she finds ways in which textual and archeological evidence might facilitate a dialog between the disciplines. Although the substance of Roman Egypt evidence cannot be taken as typical of any other area of the Mediterranean world, Nevett offers her case study as a way of proceeding more fruitfully in the use of both textual and archeological evidence.

In chapters more specifically Roman, Henrik Mouritsen and Jens-Arne Dickmann take up one aspect of Nevett's chapter, emphasizing flexible use of space and the need to interpret sources, especially archeological sources, in a more nuanced way. Thus, they argue, our accounts will better incorporate all members of a household, from male head to children, women, slaves, and visitors. Monika Trümper takes her case studies of domestic space from three different periods of Greek culture and identifies considerable diversity and, again, flexibility.

The chapters on domestic space and its effects on those who inhabited it are part of section I below, on "Houses and Households." This is the longest section, partly because its topic is one of the most active areas of current research and partly because it presents many of the methodological problems in trying to use different kinds of evidence to reconstruct the composition of households and families. In addition to those already noted, other chapters deal with royal families in the East, foreign families in Italy, soldiers' families on the northern frontier, families working as economic units within the household, and early Christian families using household space for the practice of their religion.

   Daniel Ogden complements Scheidel by providing case studies from Hellenistic royal families who used polygamy for diplomatic and military purposes and to ensure continuity of the family line. Mouritsen's chapter on slave and ex-slave families deals with much more than the provision (or lack) of domestic space, considering other factors which facilitated or hindered family formation and drawing on legal and commemorative evidence. David Noy identifies foreigners in the Italian population, a topic on which little work has yet been done. The role of *perioikoi* in Greek cities has previously attracted attention, but not as family groups. Later in this volume, Sara Saba discusses conflicts in Greek cities in the Hellenistic period when families had changes of citizenship imposed on them. Noy discusses the roles of migration, of slavery, and of soldiers' family formation. Penelope Allison focuses on soldiers on the frontiers who formed families and settled there even after end of service. Contrary to earlier belief, she argues from new archeological evidence that women and children often resided in family units within Roman forts: they were not "part-time" families on the outskirts.

   The multitude of religions practiced in the Mediterranean world involved families in various ways, in both public and private contexts. Some aspects are discussed in section V below. In section I, early Christianity is discussed in the context of household, because this was the primary site of practice and conversion, with no public ritual available for several centuries. Kate Cooper discusses family conflict which could arise in this sphere and the slow transition from family authority to a centralized church authority for Christian practices. Osiek also discusses the role of the House Church, and raises questions about family relationships within this context.

   The role of family and household in economic production has long been acknowledged as important but has seldom been analyzed in any detail. There have been few scholars with the necessary skills and interests to undertake such an analysis. For ancient Athens, Sarah Pomeroy made significant contributions in the 1990s (1994, 1997), and more recently a triumvirate from Stanford (Scheidel, Morris and Saller (2007)) have provided material for many perspectives in their *Cambridge Economic History of the Greco-Roman World*. In the present volume Saller looks in more detail at the role of families as the major source of capital and labor for the Roman economy. He brings out the gender implications, and touches on possible rural-urban differences. Evidence for the rural economy, in both Greek and Roman worlds, is scanty. In fact, much of the material in this volume is explicitly or implicitly urban, and the role of the city in ancient social life would reward further analysis. In section IV below, Steve Dyson explicitly confronts the rural aspect.

   Affective relationships within families are taken up in section II. Jérôme Wilgaux provides a framework for this by bringing forward new concepts of kinship, which might have conditioned such relationships. Kinship has long been discussed by anthropologists, sociologists and historians, but Wilgaux bases his concept on shared bodily substances, especially blood. He emphasizes that concepts can be culturally determined but sees biogenetic kinship as deeply rooted, widespread, and closer to a permanent link than any other. This concept gives primary importance to the mother. In addition to such a "natural" link, there are legal kinship links recognized by most

societies. These all influence what is allowable and what is seen as promoting or undermining the health and continuity of families and wider society.

Against this framework Cheryl Cox sets the rules and practices of marriage in classical Athens. For Roman marriage, Suzanne Dixon shows how changing attitudes to Roman marriage over the last century or so have reflected contemporary debates and preoccupations and the increasing variety of available source material. Like Nevett, she urges more dialog across disciplinary boundaries. Her somewhat skeptical approach chimes with that of Golden, noted above. The last four chapters in this section deal with "ages and stages," a focus to be noted again below as of particular interest in our own societies today. Tim Parkin uses his demographic expertise to show the changing shape of family and household over time and gives particular attention to the last stage of the life course. Was there a role for the elderly, for grandparents, in a society of high mortality? At the other end of the age scale, the impact of infant and child mortality is discussed by Christian Laes, who compares expressions of grief for premature deaths in Christian and pagan sources, especially commemorative epigrams. Like a number of other contributors to this volume, he sees more continuity than change over the period of the first few centuries of this era. There was a strong tradition of commemoration of the young which resonated with people of different cultures and religions. Dasen turns to new archeological evidence to detect attitudes to the very young: how were infant deaths treated, and how were birth and early nurture handled to ensure the best outcomes for survivors?

Many of the issues already discussed had legal ramifications, and section III takes these up more explicitly. The Evans Grubbs and Lindsay chapters span both Greek and Roman worlds. Ensuring continuity of the line, a concern evident in heirship arrangements, is also an important element in marriage arrangements. Eva Cantarella identifies continuity, and keeping property within the family, as common concerns even in the different family provisions of Athenian and Doric law. Jane Gardner identifies similar concerns in the Roman rules for making wills. By the mid first century BCE Roman law had widened the range of those who could inherit, now including cognates and thus the female line as well as the male. This liberalization continued, with an increasing emphasis on what we would call the "real" family as opposed to some legal fiction. For the many who had little or no property, we might assume that will-making, continuity of line and preservation of property within family were of little importance. John Crook, however, once reminded an audience that families do have a tendency to fuss and perhaps fight over very small amounts of property, and commemorative inscriptions also show that even for families of modest means and status continuity of the family name did matter.

Evidence for families in rural areas is sparse and difficult to interpret. It is possible that on farms larger family groups had to combine to work available land and households may have been more complex than in the city. Dyson has studied the countryside, especially in the West, in more detail and depth than have most modern scholars, and his chapter ranges over a long period and a variety of source material to debunk some stereotypes and to give a nuanced picture of the fate of families under varying political and economic conditions. The other chapters in section IV take specific aspects of city life in East and West. Saba's study of political changes in Hellenistic

Greek cities examines the effect on families. Johanson discusses the use of city land-marks to enhance the impact of upper-class Roman funerals. Both of these see family identity closely linked to urban affiliation.

Death, family sentiment, and family identity are recurring themes in this volume, and section V sets these in contexts of ritual and of formation of values. Teresa Morgan's chapter on education as a socializing agent in Greek and Roman worlds has already been noted. Fanny Dolansky takes a specific Roman festival, the Saturnalia, to discuss its influence in socializing all members of a household to the values of the household and to their own place in the domestic hierarchy. The other chapters draw on rich visual evidence. Janett Morgan, trying to find new ways to understand "family religion" in Greek societies, takes up the theme with which the volume begins: the need to assess textual and artifactual evidence separately, and to recognize regional differences. The city assumes its central importance: "family reli-gion" is an integral part of urban life, not some private domestic phenomenon. Ada Cohen details the difficulties of interpreting visual images, especially in Greek mate-rial, which seldom has inscriptions attached. Yet she takes a range of representations of family occasions to suggest ways in which "emotion-charged messages about the family" are conveyed.

Janet Huskinson and Janet Tulloch both use visual material which is largely funer-ary. Huskinson's sarcophagi and tomb commemorations present family relationships which convey certain social values, privileging husband-wife and parents-children rep-resentations – an emphasis already taken up in earlier chapters discussing family and household structure. Tulloch chooses what she calls "devotional" imagery. What mes-sages were intended by pagans, Jews and early Christians in the Roman world in their representations of various familial relationships in devotional settings? She uses recent research into "ways of seeing" to try to reconstruct the "social-historical" perspectives of contemporary viewers.

Previous Work

All the chapters draw on and refer to earlier work. It is clear that for the Greek world Lacey's initiative (1968) was not taken up for a long time. He had made wide use of literary and legal sources, so perhaps new sources or new perspectives did not easily present themselves. Except for Humphreys (1983), who used comparative studies for her study of family tombs, there was little interest in family or household until the 1990s. By early in this century archeology and iconography for the Greek world had gathered together such impressive artifactual material that two large, handsome vol-umes could be produced with a focus on children and childhood: Neils and Oakley (2003) and Cohen and Rutter (2007). Moreover, these volumes were based on a preceding conference and exhibition held at Dartmouth College and in the Hood Museum of Art entitled "Coming of Age in Ancient Greece: Images of Childhood from the Classical Past." This reflects greater interaction between museums and his-torians, which benefits both disciplines. Now Lesley Beaumont's new book (2010) will add to the store of iconographic evidence for childhood, and its title indicates its

social emphasis: *Childhood in Ancient Athens: Iconography and Social History* (London, 2010).

In Roman studies there was steadier progress from the 1960s. The very title of Crook's *Law and Life of Rome* signaled a new approach to the large body of extant Roman law, which could now be used more fruitfully for social history. A series of "Roman Family" conferences, the first three in Australia and subsequent ones in Canada and Switzerland, continued to produce new work and to extend the chronological, geographical, and disciplinary reach of the field. There have been not only the volumes resulting from these conferences (Rawson (1986), (1991); Rawson and Weaver (1997); George (2005); Dasen and Späth (2010)), but many others, cited in this volume's bibliography. Keith Bradley's earlier work on slavery fed in to his later family studies. Andrew Wallace-Hadrill's work on houses and society has been very influential.

The new Dasen and Späth volume puts children at the center of debate, focusing on their role in creating memory and family identity. The developing emphasis on children, in both Greek and Roman cultures, can be seen in much recent scholarship. This reflects something of contemporary social interests, just as did earlier works focusing first on class and then on gender. There had long been interest in family connections of elite male leaders in Greek and Roman societies. For Roman society especially, a significant prosopographical tradition developed from the early twentieth century (Friedrich Münzer (1920)), putting family histories and alliances at the heart of political and social life for a long period into the first century BCE. From the 1930s Ronald Syme took such interests into the Roman imperial period, beginning with his masterly *The Roman Revolution* (1939), which extended previous studies of alliances and patronage into a powerful study of propaganda. In recent decades, family studies have broadened to encompass a wider range of families, but studies of the upper classes have continued, throwing new light on the role of family in those classes. Recently Kampen (2009) has discussed ways in which family imagery was used by powerful rulers and their associates to construct and maintain their power and social identity. As she says, family imagery is used in many cultures (by many kinds of family) to define social identity. But some politically powerful families had special reasons for the identities which they chose to project. After a period of turbulence and civil war, Augustus chose images of domesticity, of "ordinary people," as the context for many representations of his own family (see, for instance, Milnor (2005) and Severy (2003)). Other rulers, however, chose to advertise the differences of their family relationships, as Ogden and Scheidel show in their chapters in this volume, especially for Macedonian and Hellenistic dynasties.

Feminist interests from the 1970s spread into many areas of social history, and there has been considerable overlap between gender studies and family studies. Studies of women, in particular, have had to consider them in the context of family, their normal sphere of activity for most aspects of their lives, especially in the Greek world. The pioneer in this generation of the study of women has been Pomeroy, with her 1975 book on many aspects of women in Greek and Roman antiquity, provocatively titled *Goddesses, Whores, Wives, and Slaves*. She has written much on women, and other topics, since then; but in 1997 she was drawn to produce a book specifically on

families in Classical and Hellenistic Greece. Her introduction to that book provides an excellent "critical review of the history of the Greek family in the modern era." Dixon too has applied her feminist interests to both "women" and "family," writing especially on the Roman world.

Just as the focus on women reflected wider intellectual and social interests in contemporary society of the 1970s onwards, the now growing interest in age (especially children and the elderly) reflects wider interests of the twenty-first century. Parkin published a book on old age in 2003, and his chapter below focuses on the whole life course. Work on children and childhood in the Greek world has been referred to above, and Rawson (2003) is an example of such an interest for the Roman world. Katariina Mustakallio and her Finnish colleagues published a volume (2005) which took the topic into the medieval period. Current work in other disciplines will be referred to below. We have come a long way from Philippe Ariès, half a century ago.

An even more recent interest which is becoming reflected in Greek and Roman studies is in ethnicity. In this volume, Noy touches on this aspect of family life within the city of Rome. The increasing interest in "family" matters in cultures outside the central areas of Italy and Greece is reflected in work such as that of Mary T. Boatwright (in Michele George ed. (2005)), for Pannonia, and a current project at Macquarie University in Sydney is focusing on ethnic identities in Illyricum (Danijel Dzino). Saba's chapter in this volume, although not specifically on ethnicity, deals with national or city identity and potential conflict when attempts are made to impose new identities through administrative and legal processes.

Evidence, Other Current Work, and the Future

The greater range of evidence now available for family studies, and our ability to analyze and interpret it, have brought us into close contact with other disciplines and the study of other societies. Interdisciplinary conferences and scholars' willingness to cross boundaries and share work have contributed to this.

Classical archeology is now more open to archeological work in other societies and its evidence is more closely incorporated with other historical material to deepen our understanding of how people lived. The richness of the remains of Pompeii which became available from the latter part of the eighteenth century offered great opportunities to analyze beautiful and expensive art and artifacts, but, more recently, other aspects of society of the Vesuvian region have attracted attention. In this volume, Dickmann uses a wide range of architectural evidence to try to reconstruct how family life and relationships were shaped and conditioned by the physical space available, and vice versa. Since late in the twentieth century serious research work has been done on the skeletal remains from this region, and new discoveries at Herculaneum from the 1980s brought in scholars from a number of disciplines, with up-to-date scientific techniques, to try to establish evidence for demography and relationships. Sara Bisel, a physical anthropologist, was optimistic about these efforts, but, more recently, Estelle Lazer, a forensic archeologist, has been more skeptical while nevertheless

producing valuable analyses from her bases in departments of both Anatomy-Histology and Archeology at the University of Sydney.

Osteological evidence has been an important element in prehistoric archeology in other societies, especially where literary evidence is largely lacking and material culture is a vital source. British Archeological Reports (BAR) have carried some of the interesting results of this work, notably Eleanor Scott's *The Archaeology of Infancy and Infant Death* (1999). Since the last decade of the twentieth century, the proceedings of the annual Theoretical Roman Archeological Conferences have been published as *TRAC*, covering a range of societies and methodologies often of great interest to family issues. In 2003 the Institute of Archeology and Antiquity (IAA) at the University of Birmingham brought together scholars working in archeology, various areas of ancient history, literature, and art to participate in a program of interdisciplinary seminars. It is significant that its first publication was in the area of family studies, *Children, Childhood and Society*, ed. S. Crawford and G. Shepherd (2007). The choice of a huge eighth-century BCE wine-mixing pot (a krater) from Attica as the cover image illustrated the importance of such artifacts for the study of Greek burial customs and the presence of children in such ritual. From the same base the new Society for the Study of Childhood in the Past was formed in 2007, attracting an international membership. It has now published two issues of its journal *Childhood in the Past*. Its second conference, in Stavanger in Norway, with the theme of "Socialization, learning and play in the past," was instructive in its range of methodologies and bases of evidence, drawn from a wide range of European societies (including ancient Greece and Rome), with one example from fifteenth and sixteenth South America (the Incas). The results of this interaction are eagerly awaited in the forthcoming publication.

The site of that conference reflects a growing interest in ancient family studies in northern Europe. Scholars in Finland have long been active in ancient world studies, and they have recently formed an alliance with Belgian scholars to take such activity forward. In late 2009 a wide-ranging conference on "*Oikos − Familia*: the family in ancient Greco-Roman society. Framing the discipline in the 21st century" was held in Gothenburg. Such was the interest in offering papers that on two of the three days of the program three parallel sessions were held.

This sampling of other current work provides some guideposts for where future study might go. Our present volume offers insights into where Greek and Roman family research is at the moment. It reflects something of the vitality of this area of study and the widespread interest in it. Many of the world's leading scholars in the field are represented here, bringing a variety of perspectives and backgrounds to illuminate this central aspect of societies in the Greek and Roman worlds and making connections with such interests in other societies.

PART I

Houses and Households

CHAPTER 1

Family and Household, Ancient History and Archeology: A Case Study from Roman Egypt

Lisa Nevett

1 Introduction

The domestic sphere in Greek and Roman antiquity has arguably been the focus for some of the most exciting and innovative recent research in the fields of both ancient history and classical archeology. (While not all of their practitioners would agree, for the purposes of this chapter I am defining "ancient history" and "classical archeology" broadly, with ancient history encompassing epigraphy and papyrology as well as literary-based studies, and classical archeology including methodologies inspired by anthropological archeology in addition to the more traditional forms of art historical and architectural analyses.) This shared interest in the domestic realm would seem to make it ideal territory for collaboration, or at least dialog, between ancient historians and classical archeologists. So far, however, such dialog has been relatively limited, with the two groups of scholars tending to address rather different kinds of questions. With respect to Classical Greece, for example, historians have focused on Athens and have tended to be concerned with topics such as the legal status of individual family members and affective relationships between them. Archeologists, on the other hand, have often looked more broadly across the Greek world and addressed questions such as the degree of cultural variation between cities and the nature of the domestic economy (see Trümper, this volume). Where topics have been addressed from both sides of the divide, as, for instance, with the question of the extent of female seclusion in Classical Athens, the arguments put forward on the basis of the archeological evidence

have been slow to be addressed by those working with other types of material. (In fact, even scholars working on this one issue using different types of archeological evidence have not always taken account of each others' conclusions (see Bundrick (2008) 309–10).

Among a variety of factors likely to have contributed to this state of affairs, I would like to single out for discussion here one in particular, which is that the evidence used by historians tends to inform us about slightly different aspects of domestic life from that used by archeologists. For, while historical sources most frequently offer insights into the "family," archeological material almost invariably relates to the "household." This distinction is more important than it may appear. In modern, Western society the terms "family" and "household" often refer to the same entity, namely, a group of people living together under the same roof. In the context of the ancient world, too, there is some degree of overlap, and therefore ambiguity, in the terminology relating to families and households. In Greek and Latin the household is elided linguistically, and arguably also conceptually, with both the family and also with the physical structure of the house (*familia* and *domus* in Latin, *oikos* in Greek). Nevertheless, as anthropologists have long realized, "family" and "household" actually have precise and distinct meanings which are analytically important: households by definition do not necessarily comprise people related by blood, while those who are closely related biologically may reside in different houses. Thus, when an archeologist looks at a house, she cannot "see" the possible biological or social relationships between its occupants, while a historian reconstructing a family's genealogy cannot "know" where individual family members resided at any particular point in time unless this is explicitly stated in his source material. Where relevant information does exist, some text-based studies have managed to cross this divide successfully (for example, Bradley (1994) 76–102 on household slaves; Cooper (2007a) on the character of households in Late Antiquity). But the nature of the evidence has meant that it is virtually impossible for archeology to do the same. These problems have led archeologists and historians to ask different kinds of questions, playing to the strengths of their sources, but such a strategy makes it hard to reach conclusions which add up to more than the sum of their collective parts.

In this chapter I explore the problem and suggest some possible ways in which ancient historical and archeological research might fruitfully be brought into closer dialog in the investigation of the domestic sphere. I use as an example evidence from villages in Roman Egypt. Because the arid conditions here have led to the exceptional preservation of organic material, the region combines some of the most extensive and detailed textual information on families (which survives in the form of documentary papyri) with some of the best-preserved domestic architecture anywhere in the classical world. While this information is atypical in its level of detail, it makes a good test case since it is surely here, if anywhere, that the possibility exists of bringing archeology and text closer together and of drawing methodological conclusions which can be useful in other parts of the ancient world. Not by coincidence, scholars working with this material have already begun to use the two sources in tandem, and it is with some of these studies that I begin my discussion.

2   Archeology and Text in the Investigation of Households and Families in Roman Egypt

While the archeological sites of Roman Egypt represent an outstanding opportunity in terms of the range of materials surviving, the long history of investigation at many of them has meant that the interests of investigators, and therefore the kinds of study they have undertaken and the information they have chosen to record, have changed through time. I want to focus here on two sites which illustrate both the potential and the difficulties involved in trying to work with the full range of evidence from these sites in the most productive way. These are the villages of Karanis in the Fayum, inhabited from the second century BCE until at least the late fourth century CE, and Kellis in the Dakhleh Oasis, which was occupied from the first century BCE to the fourth century CE.

Karanis was first explored by archeologist Flinders Petrie in the late nineteenth century and a few years later by the papyrologists Bernard Grenfell and Arthur Hunt. The primary aim of most of this work was to recover papyri, and little account was taken of the archeological context from which those papyri were retrieved. In 1925 fresh excavations were initiated by the University of Michigan. By this time large sections of the village, including its center, had disappeared, carried away for use as fertilizer because of the high organic content. Nevertheless, enough remained for the Michigan team to initiate a project aimed both at recovering papyri and also at learning something about the life of the village from the exceptionally well-preserved houses in which most of those papyri were found. Although there was considerable variation, many of the houses were relatively small (ca. 30m² in ground area). The ground floor most frequently comprised two rooms with additional living space in one or two upper storeys, and storage in a subterranean basement. Most of these dwellings also had the use of an external courtyard which played a major role in the lives of the occupants, serving as the location for animal pens, ovens, and a variety of other facilities (Figure 1.1).

Between 1925 and 1935 an immense volume of material was recovered from Karanis. Study of the papyri has still to be completed (see Gagos (2001) 517–18), while the architecture has been published only in summary form (Husselman (1979) xi). Scholars have long been aware of the potential of the papyri to provide insights into family life (for example, Bell (1952)), but in the publications the approach to the architecture and the many artifacts recovered from the site was purely descriptive (as was the case with the archeological remains of housing throughout the classical world until recently). Lately, initiatives by papyrologists working with the Karanis material have raised the possibility of reuniting papyrological and archeological evidence in order to explore domestic social life from both perspectives together. These have been encouraged by an increasing tendency to study documents as groups or archives, rather than in isolation (Gagos (2001) 514–16), as well as by a desire to adopt a more problem-oriented approach to the texts themselves (tentatively labeled the "New Papyrology" by Bruce Frier (1989) 217–26).

Image not available in this electronic edition

Figure 1.1   Courtyard of house C118, Karanis, viewed from the southeast. Kelsey Museum of Archaeology. Karanis Excavations of the University of Michigan in Egypt, 1928–1935: topography and architecture, Kelsey Museum Studies Vol. 5. Ann Arbor, University of Michigan, plate 87b.

In 1994 Peter van Minnen proposed a "house-by-house or family-by-family" approach to Karanis and its material remains (van Minnen (1994)). Van Minnen used as an example a house (dubbed B17 by the excavators) which yielded a particularly rich group of Greek papyri, many of them relating to a man named Socrates. Based on this collection of private letters, tax receipts and other documents, together with related material found elsewhere at Karanis, van Minnen was able to discuss Socrates' occupation (tax-collector), sketch his character (a man of learning but with a sense of humor), outline his family tree (including naming his parents, brother, wife, and children) and suggest the approximate year of his death (shortly after 171 CE). The texts thus provide a rich vein of information about Socrates and his family. As van Minnen pointed out, however, there are some topics which they do not address. It is here, he argued, that archeology should play a role. Based on the estimated size of the house, van Minnen suggested that at least seven people may have resided there, but he was unable to determine who these individuals may have been. He proposed that items such as castanets and spindle whorls, listed among the objects found in some of the rooms, were evidence of the presence of women, although the identities of those women could not be known.

No plan of house B17 appears to have been recorded by the excavators. It is therefore impossible to place in an architectural context the castanets and other items listed as being found here, in order to explore what the organization of activities might reveal about the identities of the different members of household. Equally importantly, a lack of stratigraphic information for this building means that it is difficult to tell when most of the items were deposited. Van Minnen's interpretation assumes a rather static picture of the architecture and its occupants. But while it might be tempting to identify Socrates' inkwell among the objects recovered from "his" house, we need to recognize that the material from that house represents a palimpsest, a partial record of a sequence of activities carried out by a number of individuals over many years or perhaps even over several generations. Given these problems there is a limit to where the archeology of house B17 can take us in the search for information about Socrates and his family.

Van Minnen, however, has not been the only scholar to argue for a more interdisciplinary approach to understanding the domestic sphere at Karanis. Robert Stephan and Arthur Verhoogt have recently begun to restudy a different documentary archive, this time belonging to the soldier Claudius Tiberianus, written in both Greek and Latin and coming from house B/C167, which is rather better documented in the excavation records (Stephan and Verhoogt (2005)). Stephan and Verhoogt's interest arose from their discovery that this relatively well-known group of letters belonged to a larger collection of documents all found in the same house, many in a single archeological context. The additional material is enabling them to investigate Tiberianus' family in more depth than has been done previously, revealing the identities of further individuals who may have been related to him. At the same time, they have also been prompted to consider what else might be learned about his household using archeological evidence from the house, and this study is still ongoing. Stephan and Verhoogt are rightly cautious about the association between their archive and the house in which it was found. As they point out, it is impossible to know with any certainty who lived here and how the majority of the letters came to be stowed under the stairs where the excavators found them. At the same time, although a plan of the house is available, it is unclear how the objects found relate to the two successive architectural phases of the building, which seems to have been in use for about a century.

Some of the difficulties encountered both by Stephan and Verhoogt and by van Minnen result from problems with the excavation and record-keeping of the individual buildings they have been looking at. But there is also a variety of other factors which complicate interpretation of the site. In addition to disturbance by previous investigators and fertilizer-diggers there is also uncertainty about the date at which the settlement was finally abandoned (Pollard (1998)). Unless they can be resolved, such questions will hamper attempts to reinterpret any house (or other building) at Karanis.

In some ways the outcome of these two studies is discouraging: in such rare cases where it seems that archeology and texts should be able to "speak" directly to each other, their juxtaposition does not seem to have offered much more information about the families or households in question than could have been gleaned from the texts alone. In the case of house B/C167 it is unclear whether Tiberianus ever even

lived in the house, or whether the archive of letters was kept and passed on by others inside or outside the family, until it was finally forgotten under the stairs. Thus, it is hard to know what relevance the architecture and finds may have for any investigation of his household. Even if we accept van Minnen's assumption that house B17 was inhabited by Socrates, neither the archeology nor the texts can tell us who else lived there with him. In both instances, then, the documents reveal interesting detail about the individuals and families in question, but the archeology fails to match this level of resolution. Furthermore, even when both sources are combined it is not possible to be precise about the nature of the social group living in any one specific structure. How far is this a problem with the nature of the evidence from Karanis in particular, and how far is it a more general difficulty with trying to use texts and archeology together in this way?

To explore whether data from a different site which lacks some of these shortcomings will give more productive results, I want to turn to some of the possibilities offered by material from the village of Kellis in the Dakhleh Oasis, some 200 miles west of the Nile valley, where recent work has also attempted to bring texts and archeology together to reconstruct households. Here again, exceptional preservation of domestic architecture is coupled with a rich array of texts, mainly in Greek and Coptic. Included are private letters as well as official documents relating to the lease and sale of property, loan agreements, receipts and other financial records. Work at the site is still continuing, which means that a final archeological publication is not yet available, but preliminary reports provide sufficient material to explore how far juxtaposing the archeological and written sources can enhance our understanding of the erstwhile inhabitants.

The houses at Kellis are somewhat different from those at Karanis: instead of being on multiple levels they generally seem to have been single storey, with a larger number of rooms, which were organized around one or two internal courtyards. I focus here on two adjoining properties, houses 2 and 3 in Area A, at the center of the site, which were constructed early in the fourth century CE and abandoned close to the end of that century. These are not among the most elegant found so far (larger residences of somewhat earlier date with wall-paintings and central spaces resembling atria were located elsewhere, in Area B: Hope and Whitehouse (2006)), but they do offer a relatively close parallel for the Karanis structures in terms of the quantity and range of documents recovered.

On the basis of an archive found inside, house 2 has been interpreted as the home and workplace of a carpenter named Tithoes son of Petesis, who lived during the second half of the fourth century CE and whose family tree can be partially reconstructed over three generations. But the situation is complicated: a further group of texts from the same house relates to a second individual, Pausanias son of Valerius, who, the excavators suggest, may also have occupied the house but perhaps at an earlier date, during the mid-fourth century CE (Hope (1997) 9).

By looking further at the archeological evidence for the organization of the house itself, the Kellis team have been able to add an extra dimension to their discussion: house 2 is modest in size and irregular in plan (Figure 1.2). An L-shaped residential section, entered from the south, comprised eight rooms. The occupants may also have
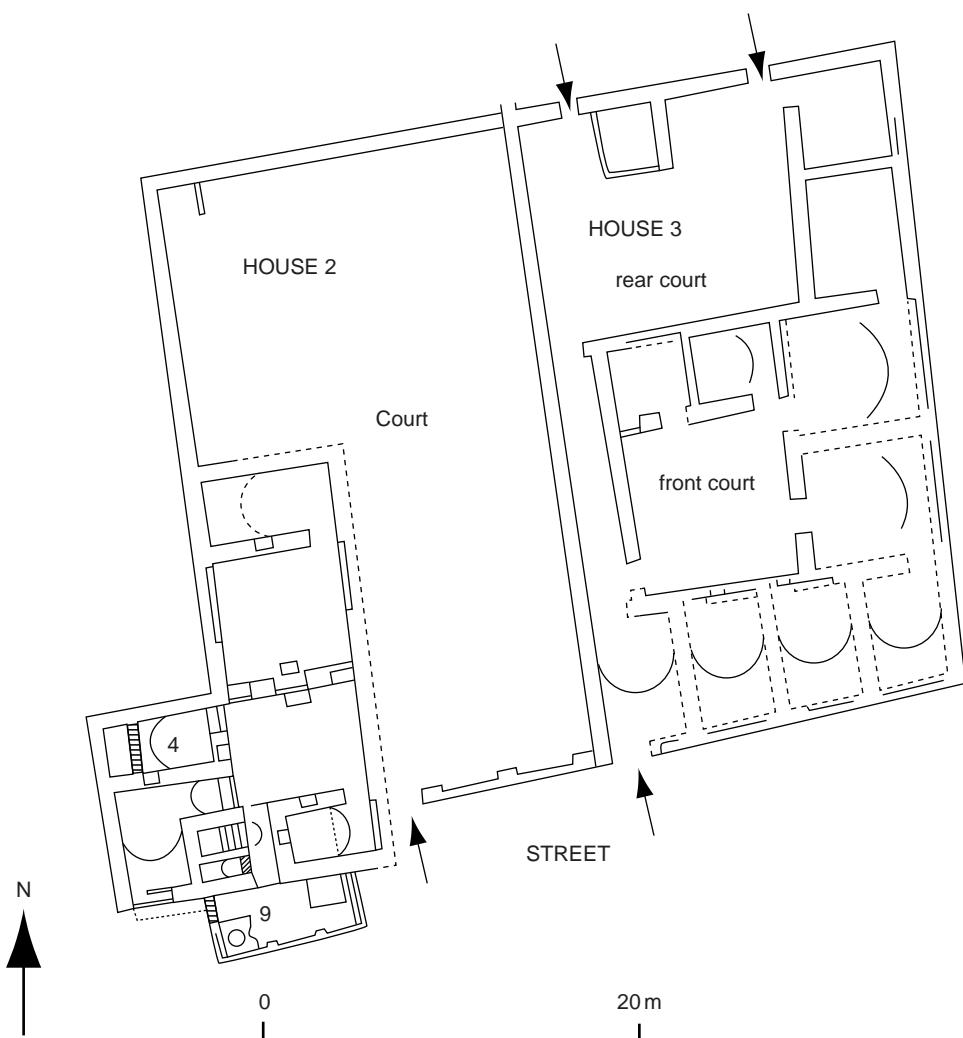
Figure 1.2 Plan of houses 2 and 3, Kellis; plan redrawn based on Hope (1987) fig. 2.

had access to a large courtyard to the east. A further, unroofed, space (room 9) was added by annexing part of the street on the south side and seems to have been used for cooking. Among the finds from this area were two wooden *codices*. Elsewhere in the house (room 4) were found carpentry tools together with sections of wood which may have been in the process of being prepared for the manufacture of further *codex* pages (Hope (1997) 9).

It is, of course, tempting to connect the documents referring to Tithoes the carpenter with the wooden *codices* and carpentry tools found here. Colin Hope, the excavator, is rightly cautious, however, stressing that one cannot assume that either the tools or the wooden *codices* were necessarily associated with Tithoes, since it cannot be proven that he was the final occupant of the house (Hope (1997) 10). A further aspect of the

evidence also raises questions about the relationship of both Tithoes and Pausanias to the building itself: the documents relating to the two individuals seem to come mostly from the same archeological contexts, and many seem to have been stored together in ceramic jars which might have fallen from the roof when the building collapsed (Hope (1999) 107). A question arises as to why Tithoes would have retained the material relating to his predecessor Pausanias. It is possible that there was some kind of familial connection between them which remains unrevealed by the texts. But one is also led to consider the possibility that there are reasons for the texts being found in the house other than that the men actually occupied the property.

In short, it is impossible to be precise about the occupants of house 2, even with detailed information about the archeology and a range of documentary material. The neighboring house at Kellis, house 3, provides an opportunity to explore some of these issues a little further using a richer database of finds. Here, the excavators note "an approximate total of 2,500 pieces of inscribed papyrus" as well as several wooden boards and two wooden *codices* (Hope (1991) 42). Only a small minority contained sufficient legible text to be considered worthy of publication, but even so these total over a hundred texts. Based largely on the Greek material, Klaas Worp has been able to reconstruct a tentative family tree for Aurelius Pamour(is) son of Psais, who lived during the early fourth century. The tree comprises the names of his wife and brother-in-law as well as those of three children, five grandchildren, and two great-grandchildren (Worp (1995) 50–54). Worp hypothesizes that these documents form a family archive but also notes that "quite a few texts were addressed or refer to persons whose links with the family of Aurelius Pamour(is) are … not obvious" (Worp (1995) 52). Indeed, other groups of documents can be isolated among the material. For example, several late fourth-century letters and contracts, in both Greek and Coptic, refer to a garment manufacturing business run by a woman named Tehat with the help of a male relative (Bowen (2001)).

Worp suggests various explanations for the diversity of individuals appearing in the Greek papyri, including occupation of the house by a series of families. It is also possible that part of the building was rented to unrelated individuals, a practice attested by numerous lease and rental agreements from Roman Egypt, including several from this very house (compare Gagos (1999) 757: as Gagos points out, it is not clear that any of these documents from house 3 relates to the house itself). The papyrological material thus hints that the house may have had a complex history, changing hands over time and/or being shared between different groups of occupants.

How far does the archeological evidence help to untangle the complexity of this occupation history? House 3 is a somewhat larger house than house 2 and is organized differently (Figure 1.2). It was entered from the south via a street door which was protected by a screen wall preventing sand from entering. Inside, the lobby gave onto a corridor running through to the back. Space effectively fell into two parts: at the front, a door from the corridor led into a small courtyard off which opened six rooms (two indirectly) and a staircase which presumably led to space on the roof. At the rear lay a second, larger courtyard in which two ovens and a series of animal pens were located along with a doorway leading to a further room. A second entrance to the house led from this northern court.

Full publication of the architecture and finds will help in assessing in detail the roles played by the different rooms. So far, however, there is little indication that the house was divided into separate, self-contained units. While space was arranged around two different courtyards, their functions seem to have been complementary and the rooms were laid out as part of an integrated whole. The southern courtyard served as a light-well and access route while that to the north hosted domestic tasks and livestock. There is no suggestion that areas for essential activities such as cooking were duplicated, as one might expect if more than one group resided here. The two entrances also seem to have been functionally distinct rather than providing access to independent living units. In short, the archeological information published so far contains little indication of the kind of complex occupation history suggested by the documentary texts. While it is possible that more than one household may have been resident in the house at once, there is nothing to demonstrate this in the archeology. As with our other examples, we are therefore no closer to understanding the nature of the social group once occupying this structure.

In addition to the inscribed materials, numerous small items were present in house 3 when it was excavated, especially in the front courtyard, where finds are described as "prolific" (Hope (1991) 42). These include not only pottery and other containers such as baskets and boxes, but also furniture, clothing, toiletries, jewelry and small, bronze coins. The quantity and diversity of artifacts left in house 3, set alongside the number of inscribed materials and range of individuals mentioned in them, raises questions about the function of the building and the process by which it was abandoned. Iain Gardner, who published the Coptic texts, comments that "There would seem to be more textual remains and artifacts than can be accounted for by a simple residential context" (Gardner (1996) ix). For this reason, both he and Worp suggest that the building may have been used as a "storage place," perhaps during the abandonment of the whole settlement at the end of the fourth century (Worp (1995) 52; Gardner (1996) ix).

A further possibility may also help to explain the quantity and variety of finds and papyri in house 3: study in other cultural contexts has highlighted a variety of general processes which can lead to the deposition of items in particular locations on an archeological site (Schiffer (1996)). In particular, such study highlights the use of abandoned houses as refuse dumps. This discussion is relevant to understanding the distribution of artifacts in Roman Egypt, including papyri. If house 3 were used as a dump, this might explain both the quantity and diversity of material found there and the apparent disparity in finds between it and house 2.

Given such interpretative problems, how securely can we argue that Aurelius Pamour(is) or Tehat ever lived in house 3? Or even that Pausanias or Tithoes lived in house 2? And if we cannot, how should we proceed if we want to use archeology and texts together? While my argument has necessarily been rather detailed, my general point should by now be clear: even though the excavations at Karanis took place a long time ago and are comparatively poorly documented, many of the problems raised by van Minnen's and Stephan and Verhoogt's studies still recur with the use of better, more recently acquired data sets. This is because even where careful records are kept, it is difficult to be certain about the nature of the connection between the houses

whose architecture we are studying and the documents found in and around them which mention individuals and their families or households. What seems to be required, then, is a change in approach.

In the remainder of this chapter I would like to explore one alternative strategy for using archeology and text together in order to investigate houses and households in Roman Egypt. Specifically, I suggest that by shifting focus and looking at families and households as a group, rather than an individual, level, it should be possible to sidestep some of the difficulties encountered in pursuing the micro-scale approach discussed above. At the same time, I argue that the archeology can be used more effectively by analyzing it independently of the texts, rather than as a supplement to try to fill in details which the documentary sources omit.

3   Towards a Closer Dialog about the Domestic Sphere: Continuity and Change in Households at Karanis

In recent years classical archeologists have tended to abandon the traditional search for named individuals and historically known events, realizing that archeology is rather better at elucidating larger-scale social patterns and longer-term processes. There is much to be learned about households and families by comparing some of the general patterns of domestic social life which documentary and archeological sources reveal. The key is to frame parallel or complementary questions in such a way that they can be addressed using both sources. In this section I would like to offer a brief example of the kind of work I have in mind by exploring one specific issue, namely, the degree of stability and change in domestic groups (families or households) at Karanis. By choosing to work at a village level I hope to eliminate the difficulties discussed above, while retaining a unit of analysis small enough to present a relatively local picture.

For Roman Egypt as a whole, Roger Bagnall and Bruce Frier have used census returns to look at household size and composition (Bagnall and Frier (1994) 57–66; see also Huebner, this volume). They conclude that the average household in an Egyptian village comprised 4.82 people. This figure masks considerable variation in the scale and configuration of the households in question, which ranged from single individuals through conjugal households and sibling groups, to those composed of extended families or multiple family groups. Some documents also reveal the presence of people more loosely affiliated with the household but resident there, such as lodgers or slaves (the latter were usually single, but on occasion whole slave families are recorded).

Although Bagnall and Frier's work shows that in modern classificatory terms the households recorded fall into a variety of different types, they also point out that the picture is more complex. In seven instances members of the same household are listed in documents resulting from two, or even three, successive censuses compiled at 14-year intervals, giving an insight into how that household changed through time and revealing a "life-cycle" in which one configuration was transformed into another by births, marriages and deaths or divorces. The relatively long intervals between returns give the impression that the households in this small sample were in a constant

state of metamorphosis. But can the archeological evidence together with other types of documentary source (such as letters and legal contracts) help to provide a broader, if less precise, picture of how the process of change affected households like these? Evidence from Karanis can be used as a test case, supplemented with papyrological evidence from other Egyptian sites.

The overall impression the excavated houses give for the best-documented phases of occupation (approximately the mid first century to late third century CE) is of continuity in spatial organization, with new walls following the lines of previous ones and properties being extended upwards following their old plans as their basements filled with sand. A closer look at some areas of the village, however, reveals more substantial alterations. These can be seen especially clearly in a housing block located in the northeastern part of the site, shown in Figure 1.3 (discussed by Husselman (1979) 15–16). In its earlier form (level C: Figure 1.3a) the block incorporated ten, apparently

Figure 1.3a *Insula* from Karanis Area 10–12, F–G, phase C. Redrawn based on Husselman (1979) map 112.
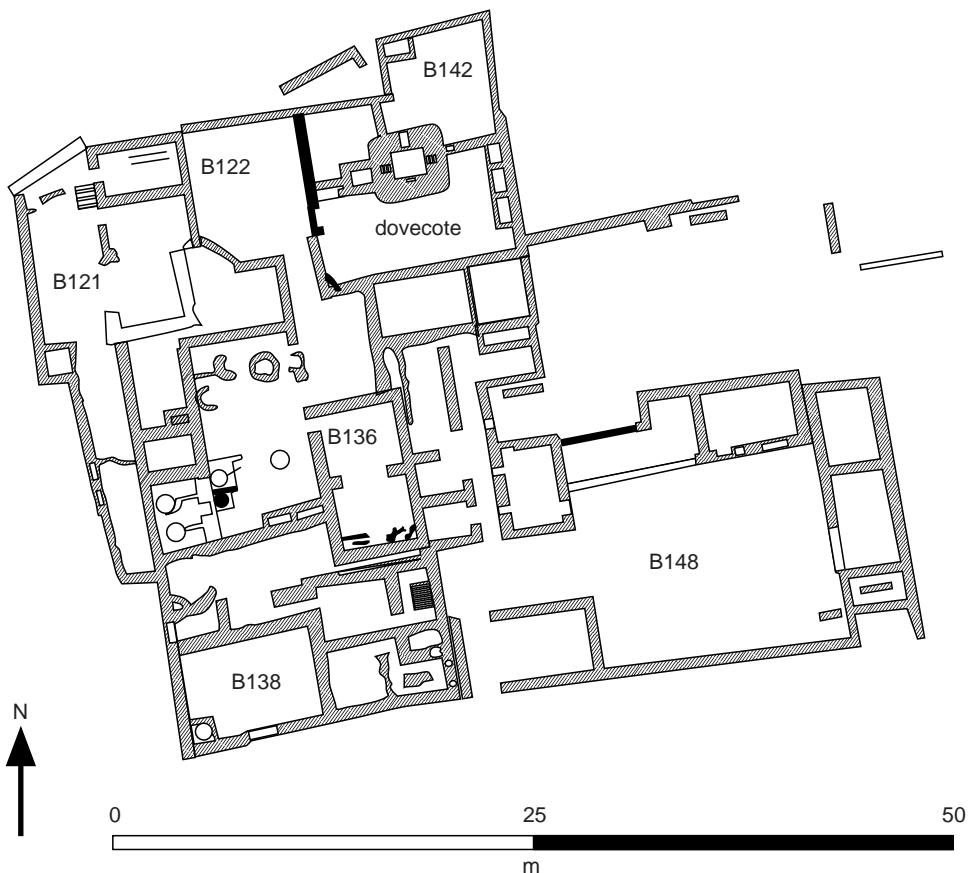
Figure 1.3b *Insula* from Karanis Area 10–12, F–G, phase B. Redrawn based on Husselman (1979) map 162.

separate, properties and included a dovecote (visible as a square structure at the center of C91) and a granary (identifiable in the subdivided space south of C113N and north of C111). A number of modifications can be detected by comparing the plans of the area in this period (the later second century CE) and in the succeeding level B (Figure 1.3b: dated to the late third century CE). The most radical involve changes to the boundaries of the properties themselves. These include the agglomeration of apparently self-contained units into fewer, larger structures; the extension of property boundaries; and a decrease in size. In some cases entire buildings even ceased to exist and were not replaced.[1]

Some of the processes which may have given rise to these changes in property boundaries can be seen in documentary papyri from the village, which reveal that houses were regarded as economic assets as well as being places to live. In many cases individuals owned part-shares and sometimes had interests in more than one dwelling. This frequently appears to have been a result of patterns of inheritance, which split houses between several heirs. For example, in *Michigan Papyri* (hereafter, *PMich*) inv. 4716

(a copy of a census return for 161 CE found in house B17) three houses and two court-yards, inherited from their mother, are shared between Sab( ) and an unspecified number of brothers. Thais, wife of Sab( ), is also said to own property: a house and courtyard plus a half share of a further house and courtyard, inherited from her own mother.

A variety of contracts exists for the sale of part-shares in houses. Such part-shares are normally spatially unlocated.[2] A house is sometimes explicitly described as undi-vided and there is little archeological evidence to suggest the physical division of houses. The fact that courtyards, dovecotes and granaries are commonly listed sepa-rately from the houses themselves might seem to offer one possible way of separating out the shares of different individuals, but there are few archeological examples of changes in access patterns designed to accommodate such divisions.

Sales of part-shares of houses may have served to concentrate portions of a divided property back into the hands of fewer individuals, and there are many contracts drawn up between family members which might have had this effect.[3] At a larger scale, neighboring properties also sometimes seem to have passed into the hands of one individual or group of individuals. This is seen in a loan and lease document of 120 CE relating to a house in the village of Bacchias (*PMich* 108), in which the location of the house being leased is described by identifying the owners of the neighboring properties; these are, on the south and west sides building sites belonging to Katoites son of Menches and his associates, and on the east side a courtyard belonging to Horos son of Katoites. Such a pattern of ownership would potentially have enabled the boundaries of individual plots to be redrawn, especially where, as in this case, some of those plots were vacant. Sales of parts of houses could also have effected similar boundary changes. For instance, *PMich* inv. 1281, from Tebtunis, dated to the first century CE, records the sale by Psenobastis to Labesis of part of a courtyard on the east side of Psenobastis' house, which abuts the house of Labesis. It therefore seems likely that this sale enabled Labesis to extend his house at the expense of his neighbor's.

Despite a potentially fragmentary system of house ownership, therefore, both texts and archeology suggest that the houses themselves generally remained undi-vided.[4] The main change we see is that houses increased and decreased in size as land was passed between neighboring properties. But what does all this say about the occupants of these properties? There are instances in which an individual appears to have resided in a property of which he or she is part-owner (for exam-ple, in *PMich* inv. 4715, dated to the mid second century CE, one Sisois lives in a house of which he has a half share). Where an individual or family has interests in more than one property, however, as in the case of Thais and her husband Sab( ) in *PMich* inv. 4716, mentioned above, some of the properties listed must have been empty, rented out or occupied by other family members. As noted above, there is ample documentary evidence for such rentals. Other forms of transaction might also lead to temporary occupation of a property by someone other than the owner: for instance, there are loan agreements where the lender is granted the right to reside in a house in lieu of being paid interest on a loan. This is the case in the loan and lease document *PMich* inv. 108, mentioned above, in which Hermas son of Ptolemaios, gives Tapekysis the right to reside in a house which he owns. It is

unspecified whether Hermas himself would simultaneously have occupied the house, but this seems unlikely since one clause in the contract specifies that Tapekysis is to be reimbursed for all repair and construction carried out in the house, which is to be her responsibility.

Such changes in occupancy, along with the morphing of households from one form into another noted by Bagnall and Frier (1994), must have altered the requirements placed on domestic space and been an incentive to modify the architecture, and indications of this can be seen in the archeology. In our example housing block (Figure 1.3) areas which were formerly subdivided are subsequently combined into fewer, larger, spaces. In addition, the excavators noted more minor changes made to individual structures and rooms, sometimes within the period indicated by a single stratigraphic layer. Individual architectural features suggest changes in the roles played by the different rooms.[5]

Minor alterations to the rooms of houses in this block are not discussed in detail in the site publication, but comments on house C45, located to the northwest, indicate the kinds of changes which must have been made (Husselman (1979) 69). These include construction of new amenities such as ovens and storage bins, as well as upgrading of facilities such as floors and the destruction of unwanted ones such as old ovens and storage compartments. Like some of the alterations made to the block discussed above, these took place during the occupation period of the C layer but should not be assumed to have been contemporaneous with each other: although the excavators' distinction between the different layers implies the existence of separate, well-defined building phases, their analysis of the changes made in individual blocks and structures within each layer shows that there was in fact a continuous cycle of minor modifications. Details of the distribution of artifacts in these properties are not included in the publication and can provide additional information about patterns of change, but they are unlikely to alter substantially the overall picture, which is one of relative stability in spatial organization, an interpretation corroborated by the more comprehensive information from the two Kellis houses discussed above.[6]

Overall, archeological and textual evidence offer different impressions of the balance struck between continuity and change by households at Karanis. While patterns of multiple ownership are highly visible through the documentary sources they seem to have had only a limited effect on the houses themselves. Rather than the subdivision of property between different owners, the principal form of substantial alteration was the changing of property boundaries or the aggregation of what were formerly more, smaller spaces into fewer, larger ones. At the same time, evidence for the occupancy of a single property by more than one household is virtually invisible in the architecture of the houses, suggesting that alterations to the physical structure may not have been required to accommodate such arrangements. Thus, while the texts suggest a wide variety of living arrangements and patterns of property ownership, and show that these changed through time, the organization of the houses themselves was fairly stable. The spatial requirements of different forms of household may therefore have been insufficiently different for alterations to be made to individual properties during occupancy by a particular household.

This tendency towards stability in domestic organization should also be understood in the context of the resources and social status of the households involved. The

evidence discussed here comes from village locations and the owners of these houses would probably have had relatively limited resources to spend on alterations to their homes. At the same time, however, mud-brick architecture is relatively easy to change. The lack of significant adaptations may therefore have something important to say about domestic ideology, suggesting that the concept of the household itself may have been relatively fluid. Physical boundaries do not appear to have been required to separate co-resident groups, indicating that there may not have been a perceived need for any kind of "privacy" between them. Nor do separate facilities for activities such as cooking seem to have been required for each group. Rather, a physical house seems to have operated as an organic whole despite changes in the make-up of the occupying household or households. This suggests that clear distinctions may not have been drawn between individuals and groups with or without biological relationships. Thus for practical purposes it is the household, rather than the family, which seems to have been the important social unit in daily life at Karanis.

4   Conclusion: Archeology and Text, Family and Household

While there are clearly many significant cultural and environmental differences between Egypt and other parts of the classical world, my discussion of the material from Karanis and Kellis yields some general points about households and how they can be studied using the archeological and textual sources. These are not intended to be prescriptive, but they do, I hope, show some of the potential rewards of working with archeological and textual sources together in a manner which is methodologically aware.

In comparison with the majority of excavated Roman dwellings, our Egyptian village examples are small and relatively unsophisticated in their decoration. In social and economic terms some of their closest parallels are the lower-status apartments explored at sites such as Rome, Ostia and Pompeii (see Dickmann, this volume), although these are obviously very different in terms of their urban setting and Italian location, and the Pompeian examples are also rather earlier. In these cases, apartments in the form of rooms or suites within larger structures have usually been identified through their separate entrance arrangements. The Karanis evidence highlights the fact that other configurations are possible, and that these should be considered when interpreting living spaces from classical antiquity. Hints that such flexible ideas about household definition are in fact more widely applicable in the Roman world can already be seen occasionally in some excavated structures and in some of the legal sources relating to multiple dwellings.[7]

At a more general level, the Egyptian material also emphasizes the potential importance of the household, rather than the family, as a unit of analysis in the Roman world. Even here, however, where we have exceptionally good evidence preserved in individual houses, when we look closely at those houses together with the documents and other associated objects, families and households both seem to evaporate, proving

hard to define clearly or study in detail. These problems demonstrate the importance of the way in which questions are framed. The scale of inquiry selected governs the manner in which evidence can be used and what can potentially be learned: as we have seen, at the level of a single household it is difficult to bring archeological and textual sources into dialog because convincing links between individuals and phases of buildings or objects are elusive. At a slightly larger scale, however, that of the individual community, such links are unnecessary. Here I have offered an example of a single issue studied at that level, looking briefly at the nature of changes affecting households, but a range of other social questions could be tackled on a community basis, including, for example, the role of women or the distribution of wealth. Examination of these and other questions on a larger, regional, basis is also possible and this offers the potential for comparisons between individual settlements or between different types of settlements (for example, between villages and towns). As I have stressed, the issues need to be framed to allow for parallel, independent treatment through both archeological and textual sources. Such analysis gives a much richer and more nuanced picture by opening up different perspectives on individual issues.

FURTHER READING

The following provide further discussion of some of the issues I have touched upon. On the role of papyrology within ancient history, see Bagnall (1995). On some of the general possibilities offered by combining papyrological and archeological evidence, see Gagos et al. (2005) 171–88. Some of the earlier anthropological discussion over definitions of family and household is reviewed in Yanagisako (1979) 161–205, see especially 162–66. On definitions of *familia* and *domus*, see Saller (1984a) 336–55); for definitions of *oikos*, see MacDowell (1989) 10–21.

For a detailed study of how far it is possible to reconcile textual and archeological material for housing in Ptolemaic and Roman Egypt, see Maehler (1983) 119–37. Written evidence for housing in Roman Egypt is discussed by Genevieve Husson, see especially Husson (1983). The documents from the Tiberianus archive are brought together in Strassi (2008). While a final publication of the archeology from Kellis is not yet available, some of the Greek and Coptic texts from houses 2 and 3 have already appeared in the Dakhleh Oasis Project monograph series (Oxford). In addition to the scholarly publications, a database of papyri from Karanis and a range of other sites are available online at the website of Advanced Papyrological Information System (www.columbia.edu/cgi-bin/cul/resolve?ATK2059). Recent discussions of Roman families in Egypt include Alston (2005) and Bagnall (2008). For further comments on the tax rolls and also on epigraphic sources as evidence for household composition in Egypt, see Huebner (this volume), who also elaborates on the use of modern models to classify household composition.

Housing of lower-status households at Rome is discussed in, for example, Wallace-Hadrill (2003). Brief overviews of evidence for apartments at Ostia, including the Garden Apartments and House of Diana, are presented in Meiggs (1973) 238–51 and Hermansen (1981) 17–53. My reading of the Italian material is a little different from that of some other scholars, for example Storey (2001) 398 argues that in Roman culture a separate entrance was a defining feature of a residential unit.

ACKNOWLEDGMENT

NOTES

1 Examples of the changes noted are as follows. Agglomeration: C74, C114 and C92 were combined to create B148; extension of property boundaries: B121 incorporated part of a former street, CS100, and part of a former neighboring property, C113N; reduction in area: C111 lost space to its neighbor B136 when it became B138; disappearance of buildings: C118 and C119 became open spaces in the B level.

2 As, for example, in *PMich* 5865 which is dated to the earlier third century CE and from Karanis itself. In rare cases, such as *PMich* inv. 1267, a contract from Tebtunis drawn up in 30 CE between a woman and her son, a spatial location is given – in this case the sale is of a half-share in two non-adjoining rooms in an undivided house.

3 For example, in *PMich* 5806, a copy of a document dating to 121 CE, Gaius Sempronius Priscus cedes to his brother Marcus Sempronius Vestinus one tenth of a house and court in exchange for the cancellation of debt.

4 Brian Muhs has reached the same conclusion about Ptolemaic Hawara: Muhs (2008).

5 Examples of these changes are as follows. Aggregation of space: many of the rooms of C91 disappeared in its level B form, B142; changes in room function: vaulted storage chambers in granary C117 were replaced by residential rooms in its successor, structure C73; changes in the roles played by individual rooms: the locations of doors and windows in C117/C73 were altered.

6 I am currently preparing a longer study of changing patterns of domestic activity in houses at Karanis, which will include analysis of unpublished evidence on the distribution of finds.

7 At Ostia, for example, there are instances where, although separate rooms or suites seem to represent independent apartments, different entrances and thoroughfares are not provided. This results in various arrangements in which the spaces belonging to different suites flowed into each other (for instance in the Garden Apartments) or in which much interior space seems to have been shared (as in the House of Diana, converted from a single-family residence).

Space and Social Relationships in the Greek *Oikos* of the Classical and Hellenistic Periods

Monika Trümper

1 Introduction

Inspired by socio-historical, anthropological and cross-cultural research, recent scholarship has explored the dialectic relationship between social relations and the spatial organization of the Greek *oikos*, and has investigated domestic organization as reflecting wider social and political changes. This chapter discusses the approaches and consequences of this research and the question of whether Greek houses can be successfully repopulated, by focusing on archeological remains of townhouses of the Classical and Hellenistic periods.

When examining this topic, one is confronted with a methodological crux: one can draw on rich evidence of iconographic, textual, and archeological sources, but because of the different nature, date, and provenance of these sources, it is much debated whether they can complement and inform each other or must be explored as entirely separate discourses (cf. Nevett, this volume). Iconographic sources include mostly images on Attic vases of the sixth to the fourth century BCE, which are not, however, faithful representations of "daily life" and domestic space in Greek households. Instead, they display a highly complex, constructed and symbolic imagery (Nevett (1999); Jacquet-Rimassa (2002); Bundrick (2008)). Textual sources of the Classical period were predominantly written by Athenian upper-class males such as Aristophanes, Aristotle, Demosthenes, Lysias and Xenophon, and are therefore biased and limited in significance. Information on Hellenistic *oikoi* is provided by a few, varied sources,

such as Athenian comedies, papyri from Ptolemaic Egypt and epigraphic rental records from Delos (Patterson (1998); Nevett (1999) 10–11). Finally, remains of houses that have been identified as Greek and date from the Iron Age through to the Roman Imperial periods have been discovered all over the Mediterranean, but very little is known about domestic architecture in Athens. Although the disparity of the various sources is often acknowledged, all socio-cultural research on Greek houses starts from the textual evidence (Hoepfner and Schwandner (1994); Nevett (1999); Antonaccio (2000); Ault (2000); Cahill (2002); Westgate (2007a); criticized by Becker (2001) 553). When dealing with historical cultures, this is an obvious approach in order to gain crucial data for the exploration of household relationships, behaviors, and activities. In the following, however, the focus will be on investigating archeological remains as possible sources of social patterns and behavior. After a brief survey of written evidence on Greek households, which focuses on its impact on the study of domestic architecture, methods and approaches in exploring Greek townhouses are discussed and exemplified in three case studies from the Classical, Late Classical, and Hellenistic periods respectively.

2   *Oikoi* According to Written Evidence

The Greek term *oikos* designates both the property and the members of a citizen household. Conceptually the *oikos* of the Classical period is often equated with the nuclear family that consisted of a couple and their children (and possibly slaves), inhabited a single-family home, and was organized along clear hierarchies and dichotomies: male-female, free-slave, and insider-outsider. It has recently been emphasized, however, that the (Athenian) *oikos* was not a static unit, but often a complex entity, which included various types of kinsmen (grandparents, aunts, etc.) and also non-kinsmen (slaves, friends, concubines, etc.) and owned more than one house. Consequently, houses could have accommodated various groups other than nuclear or extended families, and average household sizes cannot be safely calculated (Cox (1998) 130–208). It is now scholarly consensus that the notion of women being strictly isolated and secluded in their homes is an ideal concept, whose implementation could at best, if at all, be afforded by the wealthy elite (Cohen (1989) Katz (1995)). It is still assumed, however, that the head of the household must have controlled women strictly, especially their contact with male outsiders in order to guarantee the legitimacy of his offspring, and that this concern had a major impact on the organization of domestic space (Nevett (1999), criticized by Bassi (2001)). The contrast between male/outside/public and female/inside/private is thought to have significantly shaped Greek society and consequently men were often not at home. Houses were nevertheless the setting for important male activities such as the reception and entertainment of guests, notably during the *symposion* (drinking party). Other typical daily activities of households mentioned in texts include storage, processing, preparation, and consumption of food; washing; textile production; upbringing of children; and the performance of domestic cult. Thus, literary sources evoke the ideal of an agrarian-

based self-sufficiency and stigmatize an involvement of citizen households in non-agrarian, banausic, and mercantile activities (Ault (2007)). Households at the margins of Greek *polis*-societies – including, for example, the poor, non-citizens and communities at the boundaries of the Greek world – are little known and discussed, both in their socio-cultural significance and with a view to the traces that they might have left in the archeological record (see, however, Ault and Nevett (2005)).

From the scanty, scattered evidence of the multi-ethnic societies of the Hellenistic period it is variably concluded that traditional nuclear families were still prevalent, but also that *oikoi* defy any generalizations, with alterations in family structure and alternative household-models, as well as the display of social status, becoming increasingly important. Women had greater autonomy than before, could own property, and entered the public sphere, notably as benefactors (Pomeroy (1997a) 193–229; Patterson (1998) 180–225; Schmitz (2007) 59–62, 142–247); this change in status is believed to have influenced concepts of domestic space (Nevett (2002), (2007a)).

In sum, written sources inspired three major topics of current household archeology: the domestic economy; the interrelation between social status and domestic architecture; and the gendering of space in citizen *oikoi*.

3   Approaches to and Problems in Analyzing Domestic Architecture

While both physical factors – including climate, topography, level of technology, and available building materials – and socio-cultural factors – such as economic resources, adoption of certain house-types, and the social function and use of houses – significantly affect house designs, socio-cultural conventions are far more important, and it is much more intriguing, but also challenging, to retrieve these from the archeological remains. The latter consist of two categories: fixed features – including architecture (designs and elements), decoration with stucco and non-perishable pavements, and fixed furniture such as statue bases, hearths, and bathtubs – and movable items – including furniture and finds, especially pottery. The exploration of both categories (for convenience subsumed in the following under architecture versus find assemblages) has its heuristic value and intricacies.

For a long time, architecture was the focus of research due to its superior state of preservation, but its study was recently criticized as resulting in largely useless typologies (pastas-, prostas-, peristyle-, and Herdraum-house: Nevett (1999) 22–23). Architecture is, however, less sensitive to site-formation processes than find assemblages and reveals the often neglected, but crucial, history of houses as well as the "socio-culturally intended" use of domestic space. If houses show recurrent patterns in layout and equipment with specific spaces, this suggests a planned similar function, which was determined by common practical requirements, cultural values, and behavioral norms. Also, fixed features allow for an identification of the few rooms in Greek houses that apparently had a specific intended – single or primary – function: bathrooms (waterproof decoration, bathtubs); latrines (waterproof decoration, canals);

storage and work rooms (storage vessels, conclusive installations such as oil presses and mills); and *androncs* (banquet rooms: raised borders for couches, off-center doors, finer decoration, drains). Kitchens as fixed places for cooking seem to have been largely absent, and the few preserved fixed hearths served primarily for heating rooms (Foxhall (2007); Tsakirgis (2007)). For the majority of rooms, architecture allows only for (1) establishing a hierarchy of rooms within each house, based on features such as size, height, form, location, accessibility, relationship to other rooms, access to light and air, decoration, and architectural elements (windows, doors, niches, columns, drains, etc.) and (2) assessing how these rooms were organized in the house, for example, in suites or around the courtyard (Trümper (1998), (2007)).

Find assemblages offer an intriguing insight into the real (versus ideal/intended) individual use of houses, albeit commonly only for a single point of time, notably the last instance of use. Furthermore, they are significantly influenced by complex site-formation processes and commonly do not reveal complete pictures, frozen in time. An assessment of general patterns in find distributions requires a sizable number of preserved household assemblages, which is currently provided by only a single Greek site: Olynthus. Finally, many objects were multifunctional, that is, they cannot be assigned to a specific activity and user, and thus cannot serve to determine the presumable single or primary function of an architectural space. The analysis of large amounts of finds requires the use of databases, however, and thus also the labeling and grouping of finds, which is necessarily influenced by individual scholarly judgments (Allison (1999); Nevett (1999); Ault and Nevett (1999); Cahill (2002); Ault (2005)). For all of these reasons, the integration of architecture and find assemblages is also difficult. A deviation between intended and real use can only relatively safely be determined for specialized rooms – for example, the "misuse" of a bathroom for sleeping or cooking. While intriguing in its micro-historical potential, the study of household assemblages remains methodologically challenging and cannot answer all the questions that architecture fails to solve (Trümper (2005a); Dickmann (2006); Nevett (2008)).

In addition to architecture and find assemblages, an interesting hybrid category must be mentioned: graffiti as a fixed feature that reveals the actual use of domestic space (Langner (2001) 93–95).

A common problem in the study of houses and households is the denomination of rooms. Both ancient (Greek and Latin) and modern terms have been repeatedly criticized as ideologically charged and implying specific functions – for example, *gynaikonitis* as women's or private living quarters. If properly defined in their meaning, both ancient and modern words are useful tools to facilitate the description and assessment of domestic architecture, however, and they are here used for the specialized rooms mentioned above (Trümper (1998) 15–21; Dickmann (1999) 23–40).

4 Single-Courtyard Houses of the Classical Period

The most popular house-type of the Classical period included several rooms that were grouped around a courtyard and obviously conceived for some kind of differentiated use. This house-type can best be studied in the city of Olynthus in northern Greece,

which was founded in 432 BCE and destroyed and essentially abandoned in 348 BCE. American excavations (1928–38) recovered the designs of more than 100 houses and recorded an enormous number of artifacts from these houses – a phenomenon that makes this city the most important site for the study of Greek houses (Robinson (1929–52); Cahill (2002)). The building lots of Olynthus were remarkably similar in form and size – square, about 296m² – which suggests a certain (intended?) homogeneity of households. But the layout of the houses that show relatively few traces of architectural changes differed from the beginning. Find assemblages reflect the use of houses shortly before the city's siege and violent destruction in late summer, but are significantly disturbed due to complex formation processes (Cahill (2002) 45–72). A comparison of two houses demonstrates the great variety in design and domestic assemblages.

House A vii 4 (Figure 2.1) was provided with an entrance in the south and organized around a courtyard (i), which served room h, a suite of anteroom and *andron* (j–k), and the distributive space f. The latter provided access to six rooms (a–g), which included a bathroom (c) and a flue (d). A staircase led from the courtyard to the upper storey extending over rooms a–g. Except for the *andron*-suite, which was decorated with colored plaster and cement floors, and the bathroom with its waterproof decoration, all rooms had plain walls and earth floors. The analysis of the find assemblage provides an ambiguous picture. The bathroom and *andron*-suite contained only a few finds that correlated with their intended use. Room g was identified as a small storeroom from the presence of a pithos. Room a was entirely bare. Room h, which is interpreted as a shop or workshop because of a separate street entrance, contained only a few miscellaneous finds; but weights and scales discovered in the domestic section of the house were probably related to retail trade carried out there. Several architecturally distinct spaces (b, e–f, i) seem to have been used for a variety of similar activities – such as preparation and consumption of food, storage of household goods and weaving – since tableware and related objects were found in all of them, and loomweights in i and b. Nothing is known about the decoration of and finds from the upper storey (Cahill (2002) 103–108).

House D v 6 (Figure 2.1) had the same size and shape as A vii 4, but a significantly different layout with about 17 rooms. Two separate suites of rooms with entrances from the street (e, i, l–m; n) occupied the southwest part of the lot. The house itself was entered from room p, which gave access to the courtyard (j) and the best-decorated room of the house (q). The courtyard was probably provided with a portico (g) and served only room o and the distributive space h, which gave access to six rooms (c–d, f, k and a–b through room c). Except for three rooms, which were revetted with simple (d, k) and painted plaster (q), none of the rooms was decorated. Rich artifact assemblages from the two independent suites include coarsewares, mortaria, storage vessels, and tables, suggesting that these rooms were small restaurants or other food-processing businesses. The best-lit areas of the house (c, g–h, k, o–p) contained only a few finds that do not allow for safely determining activities performed in them. But room d provided an extensive assemblage of tableware, cooking ware, storage vessels and basins, and probably served for storing domestic equipment that was used in the
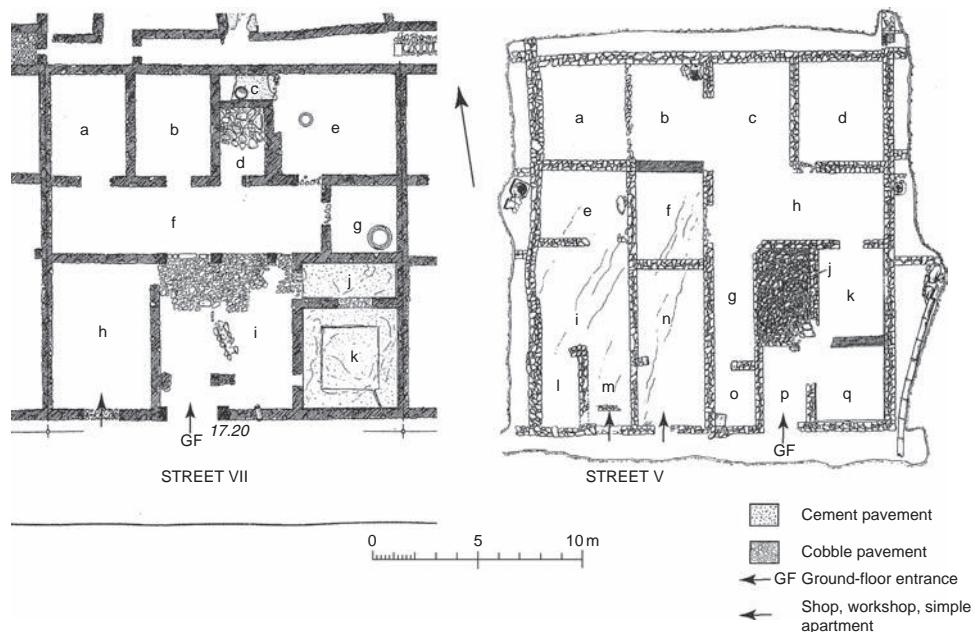
Figure 2.1 Houses A vii 4 and D vi 6, Olynthus; M. Trümper, after Robinson (1938) figs 99 and 133.

adjoining rooms. Room b yielded a group of loomweights and might have been used for weaving or storing weaving equipment (Cahill (2002) 133–36).

Despite many differences, both houses shared common features such as a courtyard, a distributive space, one better-appointed room, and rooms with separate street entrances, which testify to income from the mercantile activities scorned in elitist texts. While business in room h of house A vii 4, which was connected to the house by a door, was probably conducted by the inhabitants themselves, the entirely independent suites in D v 6 could have been rented to outsiders. Within the context of Olynthus' domestic architecture, house A vii 4 is commonly considered to be representative of the typical Olynthian single-family home and house D v 6 to be an exception, mainly interesting for a sales inscription that mentions the last owner, Zoilos, but does not allow for conclusions about his household and economic status; it only confirms that Zoilos was a citizen because in Greek cities non-citizens commonly were not allowed to own property (Hennig (1999) 592–96).

Attempts to repopulate Olynthian houses have focused on the identification of gendered space, either by looking for supposedly gender-specific structures, such as kitchens or *andrones*, or by analyzing evidence for gender-specific activities, such as cooking, weaving and drinking. The three-room suite (c–e, "kitchen-complex") found in house A vii 4 and in 43 other houses is idiosyncratic to Olynthus and interpreted as important space for women's daily tasks that would have included cooking in the flue, and food preparation and weaving in the unadorned, heated main room.

Only 16 of 44 flues showed evidence of cooking, however, and the main rooms ("*oeci/ oikoi*") were remarkably bare and yielded no female-specific assemblages. Instead, evidence for cooking (on portable braziers) was found in many different spaces of the houses and evidence for weaving in all types of rooms with the exception of *andrones*, flues, bathrooms, and entrance areas (Cahill (2002) 148–93). If the "*oikos*" was the best-heated room of the house, particularly in winter, men would most likely have used it as well, and they certainly had to pass through it in order to reach the bathroom.

Upper-storey rooms have also frequently been identified as gendered space, reserved for women and children, but in the absence of conclusive archeological data from Olynthus and other Classical cities, this claim remains unfounded. Since scholars located specialized "bedrooms" likewise – and also entirely hypothetically – on upper floors, gender separation would not have been consistently implemented there anyway (Hoepfner and Schwandner (1994); Hoepfner (1999)).

The third alleged gender-specific space in Olynthian houses is the *andron*(-suite), which was identified in 31 houses. Although it was preferably located adjacent to a street wall, access was often provided from the courtyard so that guests of drinking parties had to enter a crucial part of the house. *Andrones* yielded almost no finds that would support their intended primary function or testify to the performance of other activities; therefore it remains entirely hypothetical whether this space was restricted to male use or also utilized by other household members outside *symposion*-hours (Nevett (1999) 70–71). That typical *symposion* ware, namely kraters, was discovered in many houses without *andrones* suggests the occurrence of drinking parties in spaces that are not safely identifiable as specialized rooms (Cahill (2002) 180–90).

Thus, the archeological evidence of Olynthian houses does not support the recognition of spaces whose use was restricted to either gender – with the possible exception of *andrones*. While this lack of segregation might go back to the specific seasonal organization of household activities in late summer, when daily tasks were preferably carried out in open, well-aired spaces, it seems more likely that it reflects social practices, which did not stipulate a strict spatial separation of household members; for, in addition to gender, other possible socially distinctive categories such as age and status had also no clearly recognizable impact on the organization of domestic space. It has still been argued, however, that gender relationships together with relationships between household members and outsiders exerted a major influence on domestic organization: the main aim would have been to control fully and efficiently social interactions between female household members and male outsiders. This would have been achieved by restricting access to the house to a single street entrance, by opening all rooms individually to the courtyard and by omitting connecting doors between rooms. Thus, individual rooms would have been private, but movement between rooms would have been relatively public and could be fully supervised and controlled from the courtyard or one of the surrounding rooms. These features would not only have characterized houses in Olynthus, but Classical houses in the entire Mediterranean (Nevett (1999) 68–79, (2007b) 8). The necessity of and the strategies for gender segregation are derived from Athenian texts and ethnographic parallels, namely, the domestic architecture of various Islamic societies; but the latter are only briefly

discussed, without comprehensively integrating the socio-historical context of these cultures (Nevett (1994), (1999) 30–31; others have invoked comparisons with historical Mediterranean societies: Antonaccio (2000)). Thus, this intriguing interpretation entails conceptual problems and is also not entirely corroborated by the archeological evidence. First of all, if men were mostly absent from the houses during the day, it must be questioned who would have controlled women in their movements and outside contacts. Also, why had movements between rooms to be controlled if the crucial point was to avoid contact between women and outsiders – which could easily have been achieved by temporarily keeping women in spaces inaccessible and invisible to visitors? Finally, what kind of privacy would have been granted (or conceptualized) in rooms that were most likely never entered by outsiders, such as rooms a–g in house A vii 4 and their upper-storey equivalents: personal privacy for individual household members – which would be an astonishingly modern concept?

The number of entrances and its significance can only be evaluated by clearly defining standards. Comprehensive cross-cultural studies would most likely show that one street entrance is the default solution for average-sized houses in many societies, and any higher number of entrances must be explained as an unusual phenomenon (see below). To monitor access to a house successfully (and also movement within a house), what is required is not to limit the number of entrances, but to ensure that they could be securely closed by lockable doors, which would have prevented both unwanted exits and entrances. The organization of rooms in relationship to courtyards depends on the shape of building lots. While square lots facilitate direct accessibility of all rooms from the courtyard, which was certainly desirable for lighting and airing purposes, elongated rectangular lots commonly require the arrangement of interconnected room-suites. In fact, such suites existed in Classical houses of all different shapes and sizes: in rectangular examples of Piraeus, Priene and Agrigento, but also in the roughly square houses of Kassope, Leukas, Halieis, Orraon and Himera. The courtyard of Greek houses was commonly conceived of and, weather permitting, served as the center of domestic life and activities, but for manifold practical reasons rather than for control purposes (Ault (1999)).

In sum, while the design of the houses of Olynthus – and also of other cities of the Classical period – suggests some kind of intended differentiation in the organization of households, the nature of this differentiation – for example, according to social relations or activities – cannot be fully determined from the archeological evidence. Both architecture and domestic assemblages indicate that most rooms were multi-functional and finds show that architecturally distinct rooms could be used for the same activities, in one and the same house as well as across different houses. A solution to this dilemma is the currently popular model of a differentiation according to time (day, season, family life cycle, etc.) rather than space. This integrates all possible significant relationships within households as well as between its members and outsiders. Whenever contact between, for example, outsiders and certain household members was not desired, the latter could retreat to spaces that were not visible and accessible to visitors. Not the activity itself, but rather its participants would have determined where the activity took place. Thus, different household members and guests might have eaten and drunk in different spaces, or slaves and free women of the

households might have woven and cooked in different spaces. All openings could be closed by doors, shutters, or curtains, and thus space could be flexibly negotiated according to individual needs (Dickmann (1999); Nevett (1999); Antonaccio (2000)). Ultimately, the validity of this intriguing model cannot be proven, because this would require participant observation of households; furthermore, it is applicable to houses of all different sizes and designs and does not help to repopulate such different houses as A vii 4 and D v 6 in Olynthus. Their different layout might have been motivated by manifold factors such as the size, structure, social status, economic means and interests or individual preferences of their households. An analysis of all Olynthian houses suggests that, despite similar plot sizes, the socio-economic status of households was (already) visibly reflected in the design and decoration of houses and significantly accounted for differences between houses. Furthermore, it reveals distinctive patterns in the distribution of similarly appointed houses: thus, houses with more specialized and better-decorated rooms were grouped in the same blocks, which therefore formed social and not just physical units (Cahill (2002) 194–222).

5   Multiple-Courtyard Houses of the Late Classical and Hellenistic Periods

While the single-courtyard house remained prevalent throughout Late Classical and Hellenistic times, a new house type with two or more courtyards also emerged in this period. The urban layout and the availability of sufficiently large plots were certainly crucial conditions for the installation of this house type, but the choice was obviously also determined by socio-cultural factors. Some single-courtyard houses in cities such as Pergamon and Delos are considerably larger with sizes up to $1,500m^2$ than some of the double-courtyard equivalents with sizes of only $500–600m^2$. Nevertheless, multiple-courtyard houses commonly represent the upscale version of domestic architecture in their urban context and are rare overall in the archeological record. Their assessment must be based on architecture alone, because for none of them is the find assemblage sufficiently known. While it is generally recognized that the multiplication of courtyards allowed for an increased differentiation in the use of domestic space, it is commonly ignored that two patterns of differentiation can be distinguished.

In the first variant, houses are subdivided into a well-appointed part, including a peristyle-courtyard and lavishly decorated rooms, and a more modestly equipped section with a plain courtyard and simple rooms. Examples include houses in Delos, Eretria, Erythrai, Maroneia, Megara Hyblaea, Morgantina, Pella and Priene. These are usually linked to Vitruvius' description of the Greek house (6.7.149–51) that comprised a richly decorated *andronitis*, which served for male "public" representation, and a more modest *gynaikonitis* for "private" family life. It has been argued that the physical organization of these houses reflects, first, the need to enforce social separation of households more rigorously than was possible in single-courtyard houses and, second, the considerably increased significance of houses as symbols of wealth and social status – most prominently on display when entertaining outsiders (Reber
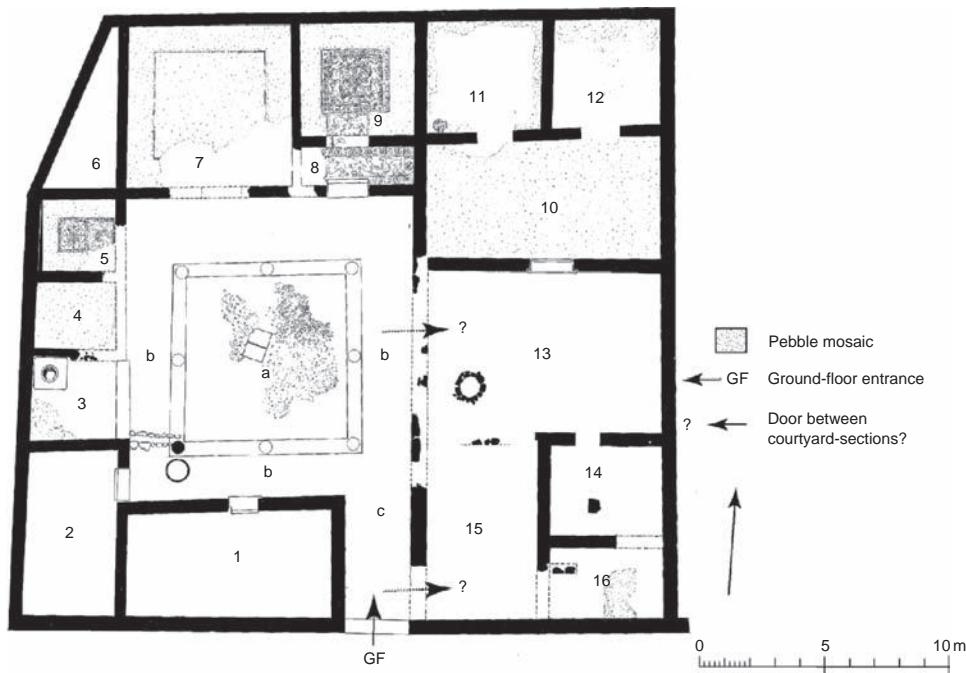
Figure 2.2 House of Mosaics, Eretria; M. Trümper after Ducrey et al. (1993) fig. 25.

(1988); Kiderlen (1995); Hoepfner (1996); Reber (1998) 166–69). The reasons for this trend, which was already noticeable in Olynthian domestic architecture, were certainly manifold. It was hardly promoted by a supposed general "crisis of *poleis*" and a subsequent retreat into "private" life in the fourth century BCE – much criticized, but still cited (Walter-Karydi (1998); Nevett (2007a) 219–22), although this seems incompatible with the increased social significance of houses. Instead, this trend is most likely owed to changed socio-cultural norms and practices, which facilitated the open display of individual achievements, and local historical conditions – for example, the political independence of Eretria after 411 BCE. Also, later in the fourth century, lavish royal palaces might have served as models for ambitious wealthy homeowners.

Several problems remain in the assessment of these houses and their households, which will be demonstrated in a brief discussion of the **House of Mosaics in Eretria**. This house was built in the early fourth century BCE on a square lot of about 625m² and subdivided into a better-appointed, larger western section and a more modestly equipped eastern section (Figure 2.2). The western section comprised the single vestibule (c) that led into the peristyle-courtyard (b) that was surrounded by three lavishly decorated *andrones* (5, 7, 8–9); room 4, identified as a "cloakroom" for guests because of its fine pavement and finds (marble table, amphora, relief); and three unadorned rooms with a well (1–3) that probably served as storage and service rooms. The eastern part was accessible from the western, but

the number, location and design of connecting doors is unknown. It was organized around an unadorned courtyard with a well (13) and included a suite of three well-decorated rooms (10–12; pebble mosaic, colored plaster), identified as "living rooms" or "sleeping quarters"; and three service rooms (14–16), among which were recognized a bathroom (16) and a kitchen (14) (Ducrey et al. (1993) 42–48; Reber (2007) 282). The problematic denomination notwithstanding, the house was clearly organized along two different axes: in addition to the east-west subdivision, both sections comprised better-appointed rooms in the northern half and plain rooms in the southern half. If the western service rooms, which seem to complement rather than to duplicate the eastern ones, were also used by women, the "*andronitis*" would not have been an exclusively male "public" area. This is also suggested by the accessibility that efficiently prevented outsiders from entering the eastern part, but required all household members to enter and cross through the western section. Both the presence of "private" service rooms in the "*andronitis*" and the accessibility do not correspond with Vitruvius' description that mentions separate street-entrances for each part (Rowland and Howe (1999) fig. 97). The accessibility of double-courtyard houses was recognized as crucial for the concept of surveillance of the household. It has been argued that control over access to the house would still have been maintained by limiting it to one single street entrance; but the design with separate sections would have rendered it difficult to survey activities in different areas simultaneously (Nevett (1999) 107–16). This is a curious dilemma, which (again) raises doubts as to the relevance of gender control within houses: a supposedly innovative and prestigious design would have incorporated serious conceptual flaws. Furthermore, access and circulation patterns differ in the various multiple-courtyard houses and defy a uniform interpretation, and also the notion of a chronological development or clear-cut regional differences. The organization of an outer "public" that gave access to an inner "private" part was chosen in Late Classical houses in Eretria and Hellenistic houses in Megara Hyblaea and Priene, but the reverse was reconstructed for another Late Classical house in Eretria and – entirely hypothetically – for a contemporary example in Maroneia. A communal entrance that served both parts was provided in the Hellenistic houses of Pella and Morgantina; in the latter the "*gynaikonitis*" was wide open to the vestibule, however, while the "*andronitis*" was closed off with a door and also had a secondary street entrance. By contrast, houses in Erythrai and Delos had separate (main) entrances and interconnecting doors between the different parts. These differences in accessibility suggest that modes of differentiation between the parts varied as well. Apart from a segregation of "private" and "public" space, there may have been different grades of "public" space; for example, the supposed "*gynaikonitis*" in the houses of Morgantina was partially visible and may even have been accessible to guests.

   Although most of the multiple-courtyard houses provided a variety of lavishly decorated rooms, the impact of this multiplication of rooms that were appropriate for the reception of guests on the social practices and behavior of households remains unknown. Were these rooms used simultaneously, at different stages during one single event, for different social events or mainly for a conspicuous display of wealth? Did

social events significantly increase in frequency, nature, and number of participants? Did the increased spatial differentiation entail a corresponding differentiation in use? For example, were lavish rooms exclusively accessible to men or also to women outside reception hours, particularly if they were no longer designed as specialized *androones* (Trümper (1998) 145–51; Nevett (2007a) 217–18)? Ultimately, it cannot be excluded that the spatially more differentiated multiple-courtyard houses were used in a way similar to the single-courtyard equivalents: flexibly and following a differentiation in time rather than space. The only crucial difference was that some of the "meaner" parts of the house were now grouped around a separate courtyard and thus household members could continue to work comfortably in the open when guests were visiting in the peristyle-courtyard section. Finally, the size and structure of households of multiple-courtyard houses cannot be reconstructed from the archeological record. While a dwelling like the House of Mosaics in Eretria does not have significantly more unspecialized rooms than, for example, the House of Zoilos in Olynthus, the House of Dionysus in Pella clearly stands out for its number of unspecialized rooms on the two floors of its "*gynaikonitis*" (and for its possible third service courtyard). Wealthier households could certainly afford more slaves, who did not necessarily need separate spaces, but it is unclear whether they also consistently accommodated extended family groups as a symbol of social status, as reconstructed for the Roman world and proposed for the house in Pella (Wallace-Hadrill (1994) 91–117; Nevett (2007a) 219).

The second group of double-courtyard houses included a peristyle-courtyard with a range of lavishly decorated and plain rooms (often on two levels) and a secondary section that was usually much smaller, included only simple service spaces and was often added later. A good example is **Peristyle house 1 in Iaitas** (Figure 2.3), which was built around 300 BCE and organized around a single, double-storeyed peristyle-courtyard. Thus, originally all needs of the household were met in a single-courtyard arrangement, which provided two entrances (main entrance 1, secondary entrance 7), and – on two floors – a series of differently sized unspecialized rooms as well as two lavish reception suites each with two *androones* (15–17). Around 200 BCE, the house was extended in the west (total surface area of 816m^2) to incorporate a separate service section that comprised a small courtyard with a simple colonnade and oven (23), a lavish bath suite (20–21), and two double-storeyed plain rooms (24–25) (Dalcher (1994)). What this extension entailed for the use of the original house and the behavior and composition of the household is unknown, but the new courtyard section hardly qualifies as "private living quarters" as in the aforementioned multiple-courtyard houses. While guests will not have entered the secondary courtyard, they were obviously from the beginning entertained on both levels of the peristyle-courtyard section and later most likely also in the bath suite (Trümper (forthcoming a)). This design raises the intriguing questions of who mainly used the secondary courtyard and for what purposes. Was this conceived of as solely additional space for various activities performed by all household members, as some kind of – albeit generously appointed – slave quarter or as simple living quarters for a (poorer) group of the extended family?
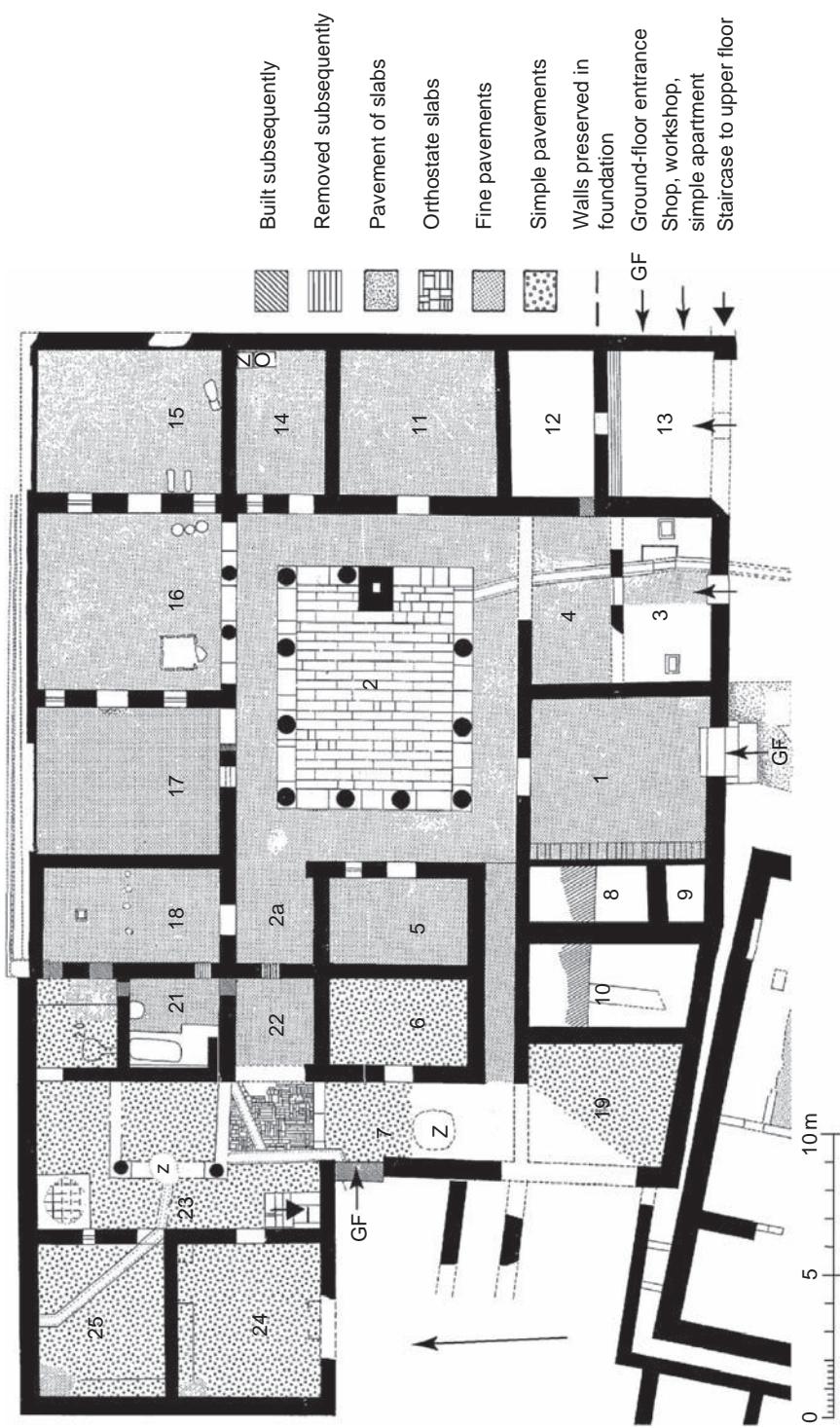
Figure 2.3 Peristyle house 1, Iaitas; M. Trümper after Dalcher (1994) Beilage 3.

Legend:
- Built subsequently
- Removed subsequently
- Pavement of slabs
- Orthostate slabs
- Fine pavements
- Simple pavements
- Walls preserved in foundation
- GF Ground-floor entrance
- Shop, workshop, simple apartment
- Staircase to upper floor

6   Differentiation in the Domestic Architecture of Late Hellenistic Delos

The trend towards a differentiation within houses and between houses continued and even increased in the Hellenistic period, as best exemplified by the domestic architecture of Delos. A small island in the center of the Cyclades, Delos was famous for its panhellenic sanctuary of Apollo. Under Athenian supremacy in the fifth and fourth centuries, Delos enjoyed a brief interlude of independence from 314 to 167/166 BCE when the Romans handed control of it back to Athens and declared it a free port. Delos developed into a booming cosmopolitan trade center with merchants coming from all over the Mediterranean world, and the city grew considerably. Due to the rivalry of increasingly successful Roman ports like Puteoli and Ostia, the business-driven inhabitants left Delos in the first century BCE, abandoning their houses and taking most of their possessions with them. Few houses seem to have been destroyed when Delos was sacked in 88 BCE by the troops of Mithridates and again in 69 BCE by pirates. French excavations, continuously carried out since 1873, have revealed over 90 well-preserved houses, most of which were probably built and decorated after 167/166 BCE. Finds were only recorded on a systematic basis for houses excavated after the Second World War.

Although Delos offers the best evidence of Greek domestic architecture of the Late Hellenistic period, an assessment of its houses and households is complicated by two factors. First, sufficient information on the social structure and organization of society after 167/166 BCE is lacking. While epigraphic evidence attests to the existence of important families, local *polis*-elites and a cosmopolitan population, it is unknown whether the family was the dominant focus of the social structure and which social strata were primarily present in Delos – slaves, freedmen, or higher classes (Roussel (1916/1987); Bruneau and Ducat (2005) 41–44). Epigraphic evidence and the archeological record testify to a lively property and rental market, which might reflect a corresponding differentiation of the population according to socio-economic status, ethnic provenance, and settledness. With one single exception (the House of Cleopatra and Dioscurides), it is impossible, however, to identify the owners of individual houses. Second, since for the Late Hellenistic period Delos is unique in the number, preservation, and publication of its houses, it must remain open whether its domestic architecture is representative for contemporary Hellenistic Greek cities or a result of the island's specific status as a free port.

The domestic architecture of Delos provides a broad variety of habitation units, including simple rooms over shops, modest mixed working-living complexes, separate upper-floor apartments, single-courtyard houses, and multiple-courtyard houses (Trümper (1998), (2003a), (2003b), (2005a), (2005b), (2007)). Predominant among these is the single-courtyard house, represented in different shapes and sizes from 53m² to about 800m² in ground floor area, with an average of only 120m² for the most common house type. Recently, significant non-Greek influence and patterns have been identified in both the spatial organization and decoration of houses. This influence has been recognized either as clearly Italic/Roman or, more generally and

vaguely, as a cultural fusion, introducing different priorities and social practices (Nevett (2002), (2007a); Tang (2005) 29–67). A comprehensive critical analysis of all houses shows, however, that in design they are not visibly less Greek than the houses discussed so far and that non-Greek identity is expressed in rather marginal parts of the decoration, if at all. The different structure, ethnic provenance, and socio-economic status of households notwithstanding, everybody lived "Greek" in Delos (Trümper (1998) 136–37; Wurmser (2007) 561–63). This will be demonstrated by briefly discussing several houses and some general characteristics which might give insight into the organization of Delian households.

Houses I–IV and VI–VII of the *Insula* of the Bronzes (Figure 2.4) with surface areas of 110–232m² represent the prevailing house-type ("normal house," Trümper (1998)) in Delos, which comprised a central courtyard with simple "service rooms" and a vestibule opening off to the front, and a group of two or three better-appointed "living rooms" to the rear. Additional rooms on the upper floors were accessible by internal staircases or by separate staircases, in which case they were probably inhabited separately (Houses II, IV). Specialized rooms included only latrines (Houses I/EM, VI/FK, VII/FS) and bathing installations (House I/EP–EQ). While only House II had a richly decorated room (EE), most likely installed for entertaining guests, and a peristyle (both added later), the upper storey of House VII – the only habitation of the *insula* destroyed by fire – yielded rich furniture (Trümper (1998) 180–90, (2001); Siebert (2001) 55–84). The other households must have used one of their multifunctional rooms for the possible reception of guests, probably the large broad room in the rear, which was commonly best decorated, or rooms on the upper floor. The fairly homogenous design of this *insula* suggests that its houses were conceived for households of similar size and socio-economic status; the only exception was made by the owners of House II, which was repeatedly embellished and enlarged to incorporate finally the entirety of House I as a separate service section with a latrine and lavish bathing suite (EM, EQ–EP). The only potential indications of the origin of the owners are altars with "liturgical" paintings for the cult of the *lares compitales*, a cult usually performed by slaves and freedmen of Italians or Romans. Such altars were found outside Houses II and VII, which therefore were probably inhabited by Italians or Romans at one point (which cannot safely be determined) of their complex history.

The House of the Trident (Figure 2.5) occupied a trapezoidal lot of 286m² in the densely built Quarter of the Theatre. In the last phase of its complex building history it was organized around a lavishly decorated courtyard (d) with Rhodian peristyle, fine mosaics in the open area and the porticoes, rich stucco and an aedicule over its cistern-mouth. It had a main entrance (a) on the Theatre Street with a long corridor and two thresholds, and a secondary entrance (h) on a side street, which also included a staircase to the upper storey. Both entrances led to the courtyard, but the main entrance was placed along the axis of the raised eastern portico of the peristyle and the richest room of the house. The arrangement of rooms is similar to that in the aforementioned houses, with more modestly equipped rooms in the front (e, f) and a suite of differently sized and designed, richly decorated rooms in the back (i–k). The house includes several features that have been identified as ethnic markers: to the original design of the house in its currently visible extension belonged the axial

Figure 2.4 *Insula* of the Bronzes, Delos; M. Trümper after Siebert (2001) Plan III.

Legend:
- Stone wall
- Earth wall
- Blocked door
- Gneiss slabs
- Marble chips
- *opus tessellatum* mosaic
- Terracotta slabs
- Drain
- GF Ground-floor entrance
- UF Separate upper-floor entrance
- Staircase to upper floor
- Shop, workshop, simple apartment
- A Altar, liturgical paintings

10 m
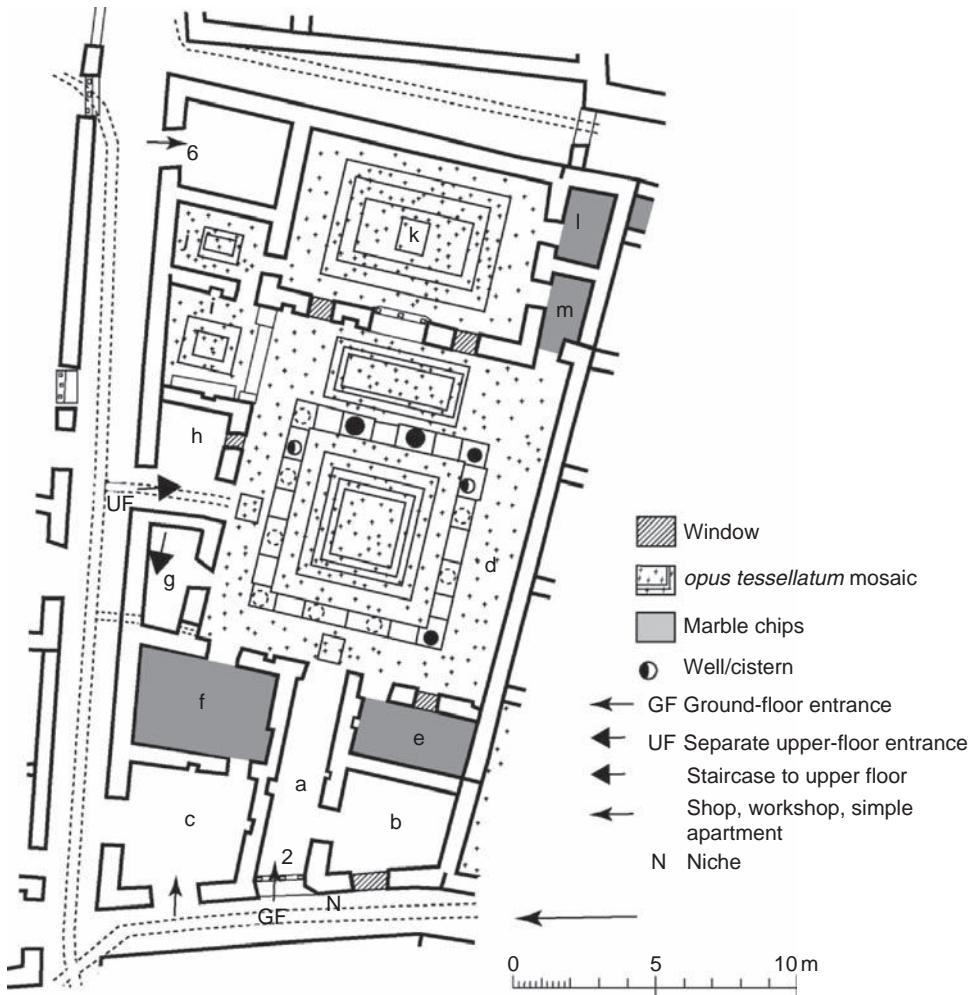
Figure 2.5 House of the Trident, Delos; M. Trümper after Chamonard (1922/1924) pls III–IV.

layout – identified as a Roman characteristic (Tang (2005) 57), but also employed in structures built by Orientals and recognized as a common trait of Hellenistic architecture (Trümper (2006)) – and symbols of Hadad and Atargatis on the Rhodian peristyle, betraying Syrian influence. In the same or a later phase, a niche next to the main entrance, perhaps serving for the cult of the *lares compitales*, and a pavement on the upper floor were installed, using a technique that was probably imported from Italy. Difficulties in identifying the supposed ethnic provenance of certain features and the presence of possibly competing ethnic markers are both typical of Delian architecture and defy clear determination of the cultural identity of builders and owners. This particularly concerns houses, which were frequently remodeled and most likely often changed owners during their period of use (Trümper (1998), (2006)). Whether a

single owner combined different cultural traditions in his house or houses were successively inhabited by owners of different origin that each left their own cultural indicator, ethnic markers were marginal and had no major impact on the design of houses nor probably on the organization and behavior of households. Only because layouts and equipment were so similar in Delian architecture, built according to a common Greek-Hellenistic language, could houses easily change owners and accommodate a cosmopolitan population.

The houses analyzed so far include several features which were considered to reveal an organization of households that differed significantly from that in previous periods (Nevett (1999), (2002), (2007a)). This regards first the multiplication of street entrances which would have complicated the monitoring of social contact between household members and outsiders and thus would attest that control of women and probably also their seclusion from outsiders was much more relaxed. Only 18 houses in Delos had two entrances. Apart from the practical function that two entrances often provided access from two different streets, affording two entrances was foremost a means of social distinction. This is obvious from the fact that in most instances, the second entrance was added later, often with considerable effort and clearly as a status symbol; and that the two entrances were always clearly ranked as lavish main versus modest service entrance. Both entrances could be fully controlled by lockable doors, and even in an axial layout visibility of the interior from the street could easily be monitored because many vestibules had two thresholds. Thus, access to and views of the Delian houses could be as carefully controlled as in Classical single-entrance houses, and the houses with two entrances even allowed for a differentiation in access according to social status (for example, guests versus servants) and activity (for example, delivery of goods to the secondary entrance) (Trümper (1998) 30–40).

The House of the Trident and House II of the *Insula* of the Bronzes are representative of what is commonly recognized as a significantly enhanced, luxurious lifestyle. While this phenomenon is overestimated for Delos, because its numerous modest habitation units are usually ignored (Trümper (2005b)), many houses are overall much richer than their Classical equivalents and have well-appointed courtyards and several lavishly decorated rooms of different shapes and sizes; the latter were preferably fully visible and accessible from the courtyard and usually not designed as specialized banquet rooms (*andrones*). The assessment of this trend with a view to the organization of households, however, involves two closely interconnected problems. First, due to the lack of finds and other conclusive sources, the range of activities performed in these houses cannot safely be determined. Did these activities differ from those in earlier houses of inland cities because of the specific socio-economic context of the free port? For example, was there less domestic production because the port could meet a large variety of households' needs in its many shops through imports and a highly specialized and diversified economy? Did business life in the port entail a wider variety of social occasions beyond formal drinking parties in the evenings?

Second, it is unclear whether the increase in richly appointed spaces was due to a rise in the importance of social life or to a general enhancement and improvement of lifestyle and living standards without implications for the social significance of

houses. Did the decoration still distinguish "private" from "public" areas or were the rich rooms also or primarily intended for use by the entire household (Trümper (1998) 145–51, (2003a), (2007); Westgate (2007b))? It is also largely unknown who used the most modest rooms of houses. Latrines were most often placed immediately next to entrances and thus could easily have been used by household members and outsiders alike; fairly common in Delos, where 65–75 percent of all houses afforded one, latrines were rare in contemporary houses of other sites (Trümper (forthcoming b)). Astonishingly, fewer Delian than Olynthian houses had separate bathrooms (17 percent versus 25–31 percent), which were still mostly small and modestly equipped for use by the household. But some Delian homeowners boasted lavish innovative bathing forms (sweat baths) – a much-desired status symbol in houses of the Hellenistic world and probably primarily utilized to impress and entertain guests (Trümper, forthcoming a). As in earlier houses, cooking was usually performed on portable braziers, preferably in well-aired spaces (Trümper (2005a) 373–76). While a graffito in the House of the Lake has commonly been taken as evidence that slaves used modest unspecialized service rooms (critically viewed by Langner (2001) 94–95), it must remain open who else – for example women? – populated these rooms and for which purposes. Finally, despite possibly lavish decoration, courtyards still had to be entered in order to draw water from wells and cisterns, and none of the open areas were decorated with pools or fountains (*contra* Nevett (1999), (2002), (2007a)), which would have rendered them unusable. That rich courtyards and rooms were too "prestigious" to be used for "meaner" domestic tasks (Nevett (1999), (2002), (2007a)) is a modern assumption, as criticized by scholars analyzing household assemblages of Campanian houses (for example, Allison). In the absence of conclusive finds for the use of Delian courtyards, one might hypothesize that, although courtyards changed in appearance, they did not necessarily change in their use as multifunctional centers of household life. Ultimately, while Delian houses differed from Olynthian and Classical double-courtyard houses in many aspects, households and their various activities could easily have been organized in a similar way, for example, if specific social control was desired. Since many rooms of Delian houses were provided with lockable doors, household members could easily be secluded from outsiders at any time. One aspect that certainly changed dramatically from the Classical to Late Hellenistic period, however, was the extent of lavishly appointed areas that were visible and possibly also accessible to outsiders entering the courtyard. This trend was already well observable in the "*andronitis*" of Greek double-courtyard houses, and it cannot convincingly be linked to non-Greek cultural influences.

A final, crucial question in the organization of Delian households concerns the use of upper floors, which are attested in 75 percent of all houses by finds or staircases. They will not have served as "private" living quarters because many upper floors were inhabited separately, as confirmed epigraphically, archeologically, and by literary sources. Furthermore, almost all of the upper storeys were at least equally rich and in most cases even much more luxuriously decorated than the corresponding ground floors and thus most likely also will have been used for the reception of guests. However, the houses with separate apartments on ground and upper floors no longer granted the "privacy" which is commonly considered to be a main trait of Greek

courtyard houses. The ground-floor and upper-floor apartments were closely connected by sight in the courtyards and by the use of communal space such as vestibules, latrines, and courtyards (Trümper (1998) 90–106, (2007)).

7   Conclusions

Repopulating Greek houses is a challenging task. The intriguing idea that social relationships of households had an impact on or could be reconstructed from house designs has been critically reviewed here. The richest – specialized (*andromes*) and unspecialized – rooms of houses, access to them (vestibules, courtyards) and lavish bath-suites temporarily might have been reserved for exclusive use by free male household members and their guests. No other areas can be identified, however, whose use might have been equally restricted to other household members, particularly free women. Also, the supposed necessary control of these women, deduced from texts, has left no clearly identifiable traces in houses. If social control of household members was required, careful scheduling of activities could easily have prevented undesired contacts at any time and in all house-types discussed here. Thus, while there is clearly a development in design and decoration of houses from the Classical through to the Hellenistic period, the increased alleged openness and luxury of Late Hellenistic houses must not necessarily go back to a relaxation of social control and changed behavior of households. Recurrent patterns in Classical and Hellenistic houses include the presence of courtyards, which could have served as centers of household life at all times and sometimes possibly also as centers of social life, and a clear internal hierarchy of rooms that were mostly unspecialized and multifunctional. Local cultural traditions and requirements influenced the design – square or rectangular shape, single or double courtyard, single- or multiple-apartment houses, etc. – and equipment – room types, sanitary standards, decoration, etc. – of houses. Features such as weather and individual needs determined the actual, highly flexible use of houses, as partially reflected in household assemblages. Although the analysis of architecture and find assemblages provides important insights into the organization of Greek *oikoi*, repopulating individual Greek houses, which means assessing the real size, structure and behavior of individual households, would require participant observation.

FURTHER READING

Hoepfner and Schwandner (1994) is an influential, albeit debated study of Classical Greek domestic architecture within its broader urban, socio-cultural and political context, claiming that ideals of democracy and equality lay behind regular grid plans and obligatory standardized *Typenhäuser* of Classical cities.

Nevett (1999) is an innovative study that focuses on domestic organization of Greek households in the Classical and Hellenistic periods, particularly social relationships (men–women, household members–outsiders); it provides a detailed case study of Olynthus and an overview

of major sites with domestic architecture in Greece, Sicily and southern Italy. For an updated summary, see Nevett (2007b).

Cahill (2002) is the best introduction to the city of Olynthus, analyzing the organization of its public and domestic space, and the economic and social patterns. The realities of social and household organization, as particularly reflected in find assemblages and designs of houses, are compared to ideals espoused by Greek authors. The book includes a detailed discussion of 13 houses and their household assemblages and is supported by an online-database of the architecture and finds.

Nevett (2008) is an excellent summary of research on Greek household assemblages, discussing problems, different approaches, and perspectives for future research.

Trümper (1998) is a comprehensive study of the Hellenistic houses of Delos, based on extensive fieldwork to reveal the building history of over 90 houses. Analyzing the architecture, decoration and urban context of houses, its main aim is to assess the living standards and social structures of houses and significant changes in domestic culture within the period of about 167–69 BCE. For English summaries of central ideas and a more detailed discussion of crucial aspects, see Trümper (2003a), contextualizing Delian domestic architecture within the entire Mediterranean, and Trümper (2007), focusing on differentiation in households. For a critical assessment of the only substantial Delian household assemblage, see Trümper (2005a).

ACKNOWLEDGMENTS

Space and Social Relations in the Roman West

Jens-Arne Dickmann

1   Introduction

For more than two decades, the intensive archeological examination and interpretation of ancient domestic architecture has been a core area of classical research. Behind this work lies a dissatisfaction with strongly typological interpretations which classified buildings mainly according to specific room shapes or architectural features, such as the *andron* in the "Greek" house or the *atrium* in the "Roman" house. Such typologies leave the inhabitants invisible, and it is growing interest in the inhabitants, the day-to-day habits and goings-on within the lives of the family, that has shown just how little we have so far understood the idiosyncrasies of classical domestic architecture. Even after several years of intensive study, historians and archeologists are still searching for valid criteria which permit an adequate interpretation of single buildings, as the most recent controversy surrounding terminology and attempts to determine the role of individual rooms in large townhouses (*domus*) shows.[1] This debate originates from doubts about the reliability of literary documents, especially Vitruvius, whose terminology, it is argued, is only rarely applicable in detail to existing archeological features. Instead of relying solely on Latin terms and their supposed references to a room's uses, we must in the end reconstruct and systematically exploit the archeological context of the excavations such as those in the towns of Vesuvius. Researchers disagree over the limits of material finds, and over which characteristics and qualities of a site to take into account.[2] Suffice it to note here that sites and living spaces themselves underwent changes which impacted upon their usability or their actual use. If, in what follows, we are to analyze to what extent archeological ruins give insights to how their inhabitants lived in these buildings and their rooms as households

and families, we will first of all need to clarify what we mean by the function of one or several rooms. Recent research has identified a large number of homes beyond the Italian peninsula: in the south of France, on the Iberian Peninsula, and in North Africa, but also north of the Alps. But there is little point in discussing such a crucial question in a short chapter by referring to isolated examples from distant regions: it is more appropriate to refer to finds which, through their spatial proximity, are closely related culturally and historically, and from periods in which we clearly understand the social circumstances. For these reasons I will discuss the question of the social importance of living space using examples from the Vesuvius region of the late Roman Republic and early Empire.

2   The *Domus* as Social Space[3]

As a rule, the function of a building or of a single room is determined by *what happens* there. From our own experiences, we expect to distinguish dining rooms, bedrooms and work rooms. Various objects from the houses of Pompeii and Herculaneum seem to suggest such a perspective. However, most recent investigations, especially in Regio I at Pompeii – excavated only in the twentieth century – indicate that the assemblage of objects and instruments gives quite imprecise information about the way individual rooms were used. As a rule, the assemblages of finds do not have characteristics that are specific enough to allow us clearly to map certain activities onto certain rooms (cf. Allison (2004) 124–57). This is reminiscent of the use of room names in literary documents. Roman names for rooms in which several people got together reflect furnishings (for example, *triclinium*) or typical postures adopted there (*cubiculum*). Where functions are indicated, for example, the preparation of food (*culina*) or the storage of goods (the various *cellae*), these concern processes at the house's margins, rather than at its center, thus activities whose visibility was controlled and, where possible, limited (Grahame (1997) 141–44; Dickmann (1999) 23–39).

Both archeological finds and ancient room names suggest that domestic rooms were not classified according to the activities carried on there. This impression is strengthened by another find: the large number of similar rooms around the *atrium* and peristyle would make little sense if we were to ascribe individual functions to each room, unless we suppose that each house had three generations living in it as well as numerous servants. We will show that this is not in accordance with the habits of the time.

Wallace-Hadrill in particular has offered path-breaking alternative accounts for the variety of rooms in the *domus* (Wallace-Hadrill (1994) 38–61; and see now Wallace-Hadrill (2008) 144–96). His model looks to define the function of living spaces and domestic areas according to their social roles, and considers a room's size and furnishings, as well as its classification as a public or private space. Thus, Wallace-Hadrill can contrast the *atrium* – a public and highly valued hall – with the *triclinium* or *cubiculum* – well respected, but private living rooms; and, at the other end of the spectrum, the

cella of the slave (private and little respected) or the *tabernae* (public and equally ill-respected). But such a classification does not capture the plethora of individual rooms around the *atrium* and peristyle. What remains problematic is the notion of privacy, for the various visitors and guests had quite diverse ideas of the private encounter or closeness to the *dominus*. Naturally, these differences are explained by the people's own social origins: a simple *cliens* would have considered a reception in the *atrium* or a nearby *cubiculum* an expression of the landlord's estimation; the same choice of room would have done little, or nothing at all, to meet the expectations of *amici*, come for a conversation. Wallace Hadrill's undifferentiated category of privacy becomes more useful if, instead of sharply contrasting the public with the private, we measure the *degree* of a room's accessibility. Significantly, it is the category of accessibility which was used by Vitruvius and others as a means of distinguishing between various domestic spaces. In 6.5, a passage that forms the basis for Wallace-Hadrill's argument, Vitruvius is less concerned with distinguishing the public (*communis*) from the private (*proprius*) than with who was normally allowed to enter a specific room. Without giving precise rules, Vitruvius explicitly states that even *propria loca* could be open to visitors (*nisi invitatis*). Thus, one and the same room could be put to a use that was public or private to a varying degree. This defining feature of the *propria loca* sets them apart from the *communia*, which could be entered without invitation (by *invocati*) on any occasion. This practice is an expression of the specific social relations of mutual commitments of hosts and guests, *domini* and their *clientes*, *amici*, and *familiares*; and it can be considered the foundation for the construction and use of the *domus*. A distinction of living spaces based on degrees of accessibility yields a flexible hierarchy, which the *dominus* could tweak to the circumstances and expectations of each reception.

If this is true, the elite Roman house can be understood as a series of different rooms and living spaces of distinct and carefully planned outer visibility. In this sense, we could look at the *domus* as a pathway, at whose end small and apparently private living rooms could be opened to guests. Compared with Wallace-Hadrill's static model, the notion of the *domus* as a pathway has the advantage of illustrating the dynamic nature of a process which allowed for a gradual opening, depending on a visitor's social status (see, in detail, Dickmann (1999) 43–48, 275–81). As noted above, a *cliens* and an *amicus* would have experienced and evaluated entry to a *cubiculum* differently. Thus, the classification of a room depends on its concrete use *and* the visitors found in it at any given time. Without being able to reconstruct the associations of a visit to a certain room, this model shows just how much the elite Roman townhouse was structured to reflect, in a differentiated and subtle way, the social relations the *dominus* entertained with his visitors. He re-evaluated these social relations when choosing a location for a meeting, thus setting his guest the task of inferring, from the room where the meeting took place, messages about his own personal standing. If we analyze a Roman house as a place of reception for large parts of the town's community, we are sure to capture the *domus*' most significant function within the town. However, we should not overlook the plethora of daily encounters and goings-on within a household. We should also enquire into the spatial conditions which determined the *domus*' everyday life and management. Since literary docu-

ments shed hardly any light on these questions, our discussion will resort to archeological finds. It will not suffice to analyze single buildings whose history and urban surrounds are hardly known or not known at all. Since elsewhere we rarely have precise knowledge of the genesis of single houses, in what follows we will look at two case studies from the Vesuvius area. But the succession of changes to the architecture of a domestic space, through retrofittings and conversions, is a crucial basis for understanding the internal goings-on in a town house. This means that future finds in other towns will be measured against those in the Vesuvius region. Before both *domus* can be captured and examined as social spaces, some observations with regards to the inhabitants of a Roman townhouse are in order.

3   The Household as *Familia* and *Domus*

Not even the ruins of Pompeii and Herculaneum have so far allowed us to calculate the number of their inhabitants. Even if, today, we assume 10,000 inhabitants (rather than 20,000–30,000 inhabitants, as presumed in the nineteenth century), this remains a speculation.[4] But we do have some indication about the inhabitants of a single *domus*. Calculations based on inscriptions on tombs of the Empire have shown that, for the most part, we can presume that the *domus* housed a two-generation family (Saller and Shaw (1984) 134–39; Saller (1986) 13; cf. also Frier (2000) 807; Cooper (2007a) 107–11). Three out of four fathers were no longer living when their grown-up sons founded their own household; and grown-up sons tended to acquire their own *domus*, making three-generation households the exception. According to recent surveys, the core family would have comprised four to five people related by blood, with a wider circle of slaves and their families, illegitimate children which the *dominus* might have had with a slave and, finally, former slaves still living in the house or in close proximity.

If we correlate the number of people – especially those making up the family's core – to the number of rooms in a *domus*, it becomes clear just how much the rooms' functions and uses must have differed from ours today. The few references in classical literature notwithstanding, this observation should make us question just how sensible it is to search for rooms which served individual family members permanently as personal spaces of their own. When archeological traces testify to the presence of women in certain areas of the *domus*, these tend not to be wives or female relatives of the core family, but at best female slaves, as in the case of several graffiti. From the Casa del Menandro (I 10, 4.14–17; Figure 3.1) we have a declaration of love of one Chloe to a Eutychia, both names which are more likely to belong to slaves (*CIL* 4.8321a; Varone (1993) 102). The graffito's conspicuous place, in the northeastern corner of the peristyle, close to the *domus*' best reception rooms and close to numerous other graffiti of slave origin, speaks against freeborn origin for these women (thus convincingly Mouritsen (forthcoming a)). This find shows that slaves were visible in the house: their activities were not restricted to the remote utility areas, stables, and workshops. On the contrary, some of the slaves, perhaps not coincidentally mostly young ones, like the women in the graffito, can be identified in the porticoes
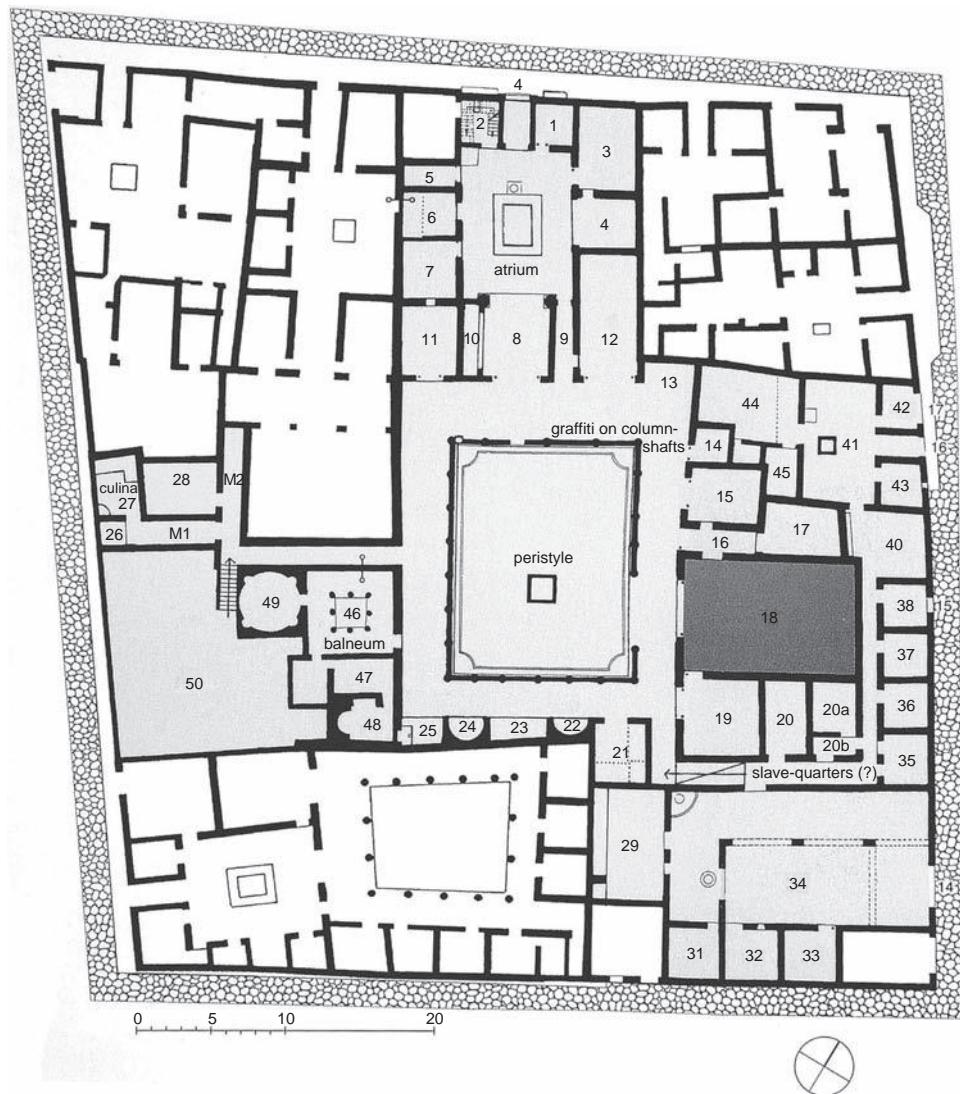
Figure 3.1 Casa del Menandro, Pompeii.

with the help of engravings. These must be male and female slaves who assisted the *dominus* in the preparation and execution of receptions, or who were at least easily accessible for him.

In contrast, few references can be found inside the *domus* to the wife's whereabouts and presence. Modern archeology has contributed to this, in naturally presupposing that homeowners were men. Even though it is likely that this was the rule – so far, we have not been able to ascribe a *domus* to a woman of Pompeii – we need to ask who those women of Pompeii were whom we encounter as campaigners and recommenders in inscriptions on facades (see below). Ineligible to vote themselves,

they would have been close to the candidates, as wives, relatives, or cohabitants. They were certainly not slaves or freedwomen. It is unlikely that women such as the highest priestess in Pompeii, Eumachia, who had donated a large building at the forum and owned an imposing necropolis at the Nocera Gate, should not have owned a sizeable townhouse. Neither such houses, nor certain rooms within the *domus*, have so far been identified as the wife's living quarters or her rooms. Although Vitruvius lists such *gynaecea*, the search for separate women's quarters has so far been unsuccessful (on *gynaecea*, see below). Unfortunately, what holds true for the core family's female members also holds for the household's own children: where they played or studied cannot be accounted for archeologically. Literary texts mention them only in contexts which show them interacting with adults, for example when they became part of official salutations and receptions (see now Rawson (2003) 211–14). However, several traces testify to their presence, even though it can hardly be said whether, in these few cases, we are dealing with the *dominus'* legitimate or illegitimate offspring. The best-known find is a child's cradle from a small apartment in Herculaneum (Casa di M. Pilius Primigenius Granianus) (Guidobaldi (2006) 8 with fig.). Representations of children, however, such as that of the boy playing with a dove from the Casa di Successus (I 9, 3; Figure 3.2), only

Figure 3.2   Representation of a boy playing with a dove from the Casa di Successus, Pompeii. Adapted by Patrick Faulkner.

reiterate motifs from the statues of the *domus*' gardens, and can hardly be related to the use of the rooms which they decorated (Kepartová (1984) 197; *PeM* I 942–55). While a later graffito, identifying the boy as *puer Successus*, may well refer to the son of the house, it does not make a nursery of the room, which has a wide opening to the *tablinum*. Judging from the room's positioning and accessibility, this was one of the small property's less-refined spaces. In a similar vein, the graffiti from a *cubiculum* on the upper level of the *atrium* of the Casa dei Cervi (IV 21) in Herculaneum, which are all scratched into the wall at a height of 0.5m and which may show deer drawn by a child, only testify to the temporary presence of children in the upper storey (Langner (2001) 82, fig. 39). It is noteworthy that, within Pompeii, scrawls made at a low height appear above all on the outer façades and in utility wings or corridors (Langner (2001) 43, fig. 14, 112). Again, the Casa del Menandro (Figure 3.1) provides what appears to be the most significant find. The corridors of the kitchen wing (M1, M2) sport several alphabet exercises (*abecedaria*), whose placing and style identify them as child-made, although it remains impossible to say whether the writers were *vernae* or legitimate children of the *dominus*.[5] The walls of the long corridor were ideally suited to test one's writing skills in playful competition or between domestic chores. But this find, too, and the absence of "children's graffiti" from the living spaces around the *atrium* and the peristyle indicate that the *domus* did not hold designated areas for children.

And finally, let us turn to the slaves' families, and the notion that these had distant quarters in the shape of small cells. Evidence for such a view is rare. Only very few houses feature several small chambers aside from the more refined living areas which could have served as slave cells. The best-known example is from the Casa del Menandro (Figure 3.1). Here, a row of small chambers (35–38) along a dark corridor may indeed have served to accommodate slaves, but this seems to be an exceptional case. It has to be conceded that we have little information from archeological evidence concerning the size and use of the upper storeys, where further small rooms could have been located. Archeological evidence for stairs in the utility wings is not coincidental: it is very possible that upper storeys housed slaves. Such a spatial structure, with sleeping areas in the upper quarters, may have resembled the hundreds of shops in town, where, we know, families lived and children were born.[6] But as a rule, such *cellae* were not specifically present on the ground floors. Since there is not only literary but also archeological evidence for the almost ubiquitous presence of slaves in the *domus* – for example in the aforementioned graffiti within the utility wings and the garden areas – it seems that in the utility wing, too, chambers and rooms were not exclusively classified according to activities carried out there. Rather, it seems plausible to suppose that at least some members of the household spent the night on simple, portable mattresses or mats in the kitchen and utility areas (see the interpretation of the architecture and features of the Casa dei Postumii (VIII 4, 4.49) below).

In summary, we can note that while the reconstruction of the core family inhabiting an ancient Roman townhouse is unexpectedly close to modern conditions, the number of rooms in the *domus* by far exceeds those found in family homes today. In small complexes of shops and workshops, unevenly divided houses with an area of 100m²

or apartments on the upper floors, we find up to seven rooms – a situation not totally unlike our own – but *atrium* houses confront us with an average of eight and peristyle houses with an average of 16 rooms: far more space than we are used to.[7] In light of these figures, it would have been quite possible to designate rooms in a way that gave each member of a household a room of their own. That a *domus* came without a parents' bedroom, quarters for the wife, children's own rooms and living areas for slaves is hardly due to a lack of space.

4   The *Atrium* as Test-Case

Before testing these ideas on two examples, we shall briefly recapitulate the traditional interpretation of the Roman *atrium*. The *atrium* is a useful test-case because it served as a thoroughfare between the shops, open to the outside and the entrance to the house on the one side, and to the living spaces around the *atrium* and peristyle on the other. It thus marked a borderline between the public life of the town and the privacy of the family (on its origins and use in relation to Italian domestic architecture, see Wallace-Hadrill (1994) 82–87; (1997) 219–40; as well as George (1997a) 303–306). No guest could enter the *domus* without passing through this hall. Thanks to its proximity to the entry of the house and its function as the means of access to a plethora of further rooms, it had a key role in the organization of all internal activities in the house. Its design and decor point to the *atrium*'s special function when receiving visitors. Here the social status and claims of its inhabitants became visible. With recourse to Vitruvius in particular, researchers have always understood this hall as a place of morning *salutatio*, often neglecting traces pointing to other uses (see most recently Allison (2004) 65–71, 161–69).

But the small *atria* of a large number of urban *domus* – be they located on the Forma Urbis Romae (Rodriguez-Almeida (1981) pls 20, 29, 37, 52, 59, 60) or in the towns of Vesuvius – will have served domestic purposes first and foremost. They will rarely have been entrance halls. It was in the large *atria*, however – those documented in literary sources for Rome and those at Herculaneum and Pompeii – that the *salutatores* paid their respects every morning. The exact process of these receptions is unknown, and will have varied with the landlord's rank and name. So far, our ideas about these visits come mostly from literary documents and not from a close analysis of archeological finds.

Most recently, the notion of the *atrium* as a place of *salutatio* has been corrected to suggest that only a diminishing number of the urban Roman *atria* were actually used this way: those in the senators' houses. Goldbeck argues that even though we still lack archeological evidence for such an *atrium*, there is nothing to suggest such receptions took place in the *domus* of small towns, for example those near Vesuvius (Goldbeck (2008) 128–57). This means we should look afresh at the *atria* in the houses available to us at Herculaneum and in Pompeii. Without entering into detail here, it seems to me that there are indications that similar receptions took place beyond Rome, even though these were not *salutationes* in the Roman sense. We have no note of such greetings beyond Rome, so that an understanding of Campanian

townhouses, once again, would rely on a comparison with the documents concerning the *salutatio*.

Our notion that the *atrium*'s shape and proportion reflect above all its use as a place of *salutatio* is chiefly influenced by Vitruvius. But just how populated these halls were every morning, who was admitted and how, and how those present communicated with one another, is largely unknown. Drawing on literary sources, it has been assumed that, apart from friends and those close to the *dominus*, *clientes* and former slaves were present as well. Whether the latter two had an opportunity to speak to the *dominus* or whether they could only greet him from a distance, is as questionable as the presumption that on this occasion individual visitors were asked into nearby rooms. We know equally little about the members of the household who were present. To be sure, we know terms for doormen (*ostiarii*) or prompters (*nomenclatores*). But the architecture does not indicate the presence of such agents in individual houses.

The acceptance with which entrance halls have been interpreted as *atria* and places of *salutatio* is due to our respect for Vitruvius, whose evidence is generally viewed as dispassionate, objective, and systematic. But his remarks should not be taken uncritically at face value. A close analysis of certain passages reveals a simple line of reasoning and, especially in the case of the *domus*, a tendency to ignore the variety of contemporary domestic architecture.

Two remarks on a more prudent application of his writings to preserved ruins should suffice here: for one thing, observations made at the beginning of chapter five in book six show that, contrary to many current beliefs, there does not seem to have been a strict division between public and private spaces in the *domus*; even the smallest rooms allowed visitors to enter (on this, see above). Thus, the *atrium* cannot simply be called a public hall. Rather, we need to investigate when and how it was used for other purposes. This would also allow us to capture the members of the household engaged here. My second observation concerns the inhabitants of the *domus* mentioned in Vitruvius 6.5.3. Here the author changes perspective and uses existing terms for rooms in order to relate them to certain users. But this is done so naively in the case of merchants, moneylenders, "those engaged in the Forum," and the *nobiles*, that it does not permit serious conclusions about the architecture of the house and the use of individual rooms. Vitruvius never envisaged the house in its entirety.

Let us return to the *atrium*. Irrespective of whether or not Pompeiian *atria* on occasion witnessed receptions resembling *salutationes*, entry halls certainly did not exclusively feature morning receptions. Throughout the day, and at night too of course, various members of the household must have been here, very possibly completing a variety of tasks. An interpretation of the *domus* as social space needs to take the surrounding architecture into account. Only if we consider how large rooms and living and utility areas were connected with their environment will we be able to grasp the conditions of use and the possibilities of movement within the *domus*. This will have to be supplemented with observations concerning furnishings and archeological details, as well as literary references to specific users or forms of use. In the following, this will be illustrated using two examples: the Casa del Labirinto and the Casa dei Postumii, applying an analysis of room structure to the Casa del Labirinto and of excavation reports on the Casa dei Postumii since the 1860s.

5   The Casa del Labirinto in Pompeii
as a Case Study

This large *domus* (Figure 3.3) is located within the northern Regio VI, and in 79 CE extended over almost half the *insula*. Its façade flanked the Vicolo di Mercurio in the south, a narrow side road parallel to the large Via di Nola. This location may have been the reason why no *tabernae* were built beside the entries when the house was constructed around 100 BCE. Those who visited the house in the early Empire must have noted a strong contrast between the building's plain façade and its interior decor.

Its size, clear layout and our knowledge of its construction and history make the Casa de Labirinto a useful basis for discussion of a few characteristic features of organization and use (Strocka (1991) especially 66–70; for a different reconstruction of its early construction history, see Dickmann (1999) 73–77). In its final phase, this *domus* had two *atria* (3, 27), a large peristyle (36) with several expansive living areas, as well as a utility wing (10–22) comprising a kitchen (14), a bath (20–22) and a bakery (16–19, 55). Both *atria* were entered through wide *fauces*, and took visitors to various living rooms of different sizes, located on three or four sides of the hall. The size, grouping, and decor of the rooms around the smaller, western *atrium* (4–8) suggest that they were genuine living rooms. The rather irregular patterning of these rooms, which contrasts with the tetrastyle hall, is due to the construction of the peristyle which, according to V.M. Strocka, was erected around 100 BCE and probably led to conversions in the back rooms (10, 38) (Strocka (1991) fig. 51; see, in contrast, Dickmann (1999) 75, fig. 15). This suggests that the connection between the two formerly independent *atria* was only made with the building of the peristyle, whose planning envisaged from the start the erection of a utility wing to the west. This is further supported by the two doors which originally provided access from there to the north and south porticoes.

With its axial grouping of the tetrastyle *atrium* and peristyle, as well as the high-end living spaces further back at the northern end, this house provides an excellent illustration for the model of the *domus* as a path presented above. Separated from the remaining areas by a colonnade and the western wall, the northern rooms and chambers (39–46) form a group of rooms on their own. Visitors who penetrated this far had left all the other parts of the house behind them. Our view that this ensemble of rooms belonged together is confirmed by the side corridors connecting the small *cubicula* with the larger banquet rooms. It seems likely that these rooms were used together, and that those present here also received access to the *cubicula*, at least in theory.

We further need to take into account that such a grouping of rooms of different sizes and proportions is also apparent at the *atria*. Here, several different rooms were available, some furnished with just one couch, some with two (24, 28–30), as well as the *alae*, the larger so-called *tablinum* (33) and a *triclinium* (35). Through a subsequently added corridor (48), the rooms on the flanking *atrium* could be reached. In the imperial era, these were still used as living spaces. If we add the two rooms off the southern portico to the equation (37, 38), then it becomes obvious that the *dominus* had a range of different options for presenting certain areas of his house to visitors. He could grant
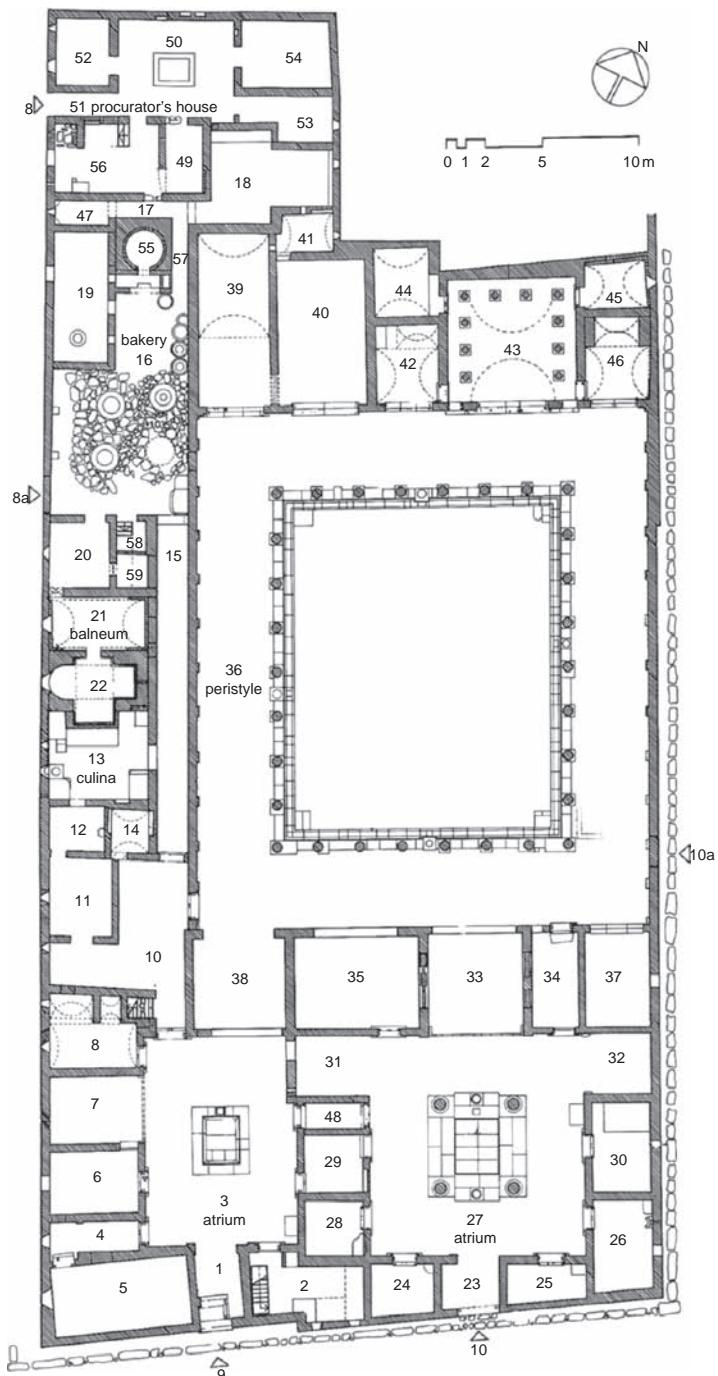
Figure 3.3 Casa del Labirinto, Pompeii.

access to individual areas, or present and use the dining rooms and chambers on the northern portico (39–46), and this allowed him the possibilities of differentiation which seem to underpin Vitruvius' writings (see above). Not just the presence of other guests, but also the choice of space would have signaled the *dominus*' estimation. Even if the household of the Casa del Labirinto did comprise an exceptionally large number of people, it is hardly possible to ascribe the large number of rooms to individual members of the core family. A one-sided interpretation which classifies the rooms at the western *atrium* (4–8) as a guest apartment (*hospitalia*) or as a separate women's wing is hardly convincing. Such ascriptions rely too heavily on the scant passages in classical literature which mention such rooms.

The notion of a separate women's wing is especially problematic, given the absence of substantial evidence for such an integral living space. And the argument that such a wing would have been located on the upper floors requires a more precise knowledge of these areas to be satisfying (see Strocka (1991) 85, 135; but in contrast Wallace-Hadrill (1994) 58, 218, notes 33, 34; Dickmann (1999) 33, 76). In this case, one would expect them to be accessible via the *atrium* and the peristyle or the portico, and not via narrow, hidden stairways from the slave areas. And there is no direct evidence for such steps in the countless larger houses. The Casa del Labirinto, too, did not have an upper floor which would have been accessible from the living area, and which could be interpreted, with Strocka, as a *gynaeceum*.

In the same way that the Casa del Labirinto renders the household's women invisible, it also denies the presence of children. Neither the ruins that we have today, nor the finds that have been documented, contain references to the spaces where the little ones lived. This is quite different with the slaves: even though the *domus*' servants were, at least in principle, active everywhere in the house, it seems that the activities of the *servi* and *vernae* concentrated in the western margins of the Casa del Labirinto. The spatial organization of the utility wing is well worth a glance (10–19, 55–59), not least because it shows how much important detail about the living spaces and the possibilities of movement a more finely grained architectural analysis can reveal. This area was linked to the western alley through a wide gate (entry 8a) which gave carts and mules easy access to the inner courtyard (16). From the interior of the *domus*, this space could be reached via the smaller *atrium* (3) from the south, and through the western portico (36). The presence of the large kitchen (13) points to the fact that the two doors to the western portico, on the northern and southern ends, were directly related to the large rooms (37–38 and 39–46), so that visitors there were easily served from the kitchen. In the opposite direction, the northern door allowed access from the peristyle to the bath (20–22).

The positioning of such *balnea* in the houses of Pompeii, as well as their furnishings, seems to suggest that these small baths were available to visitors, and that their joint use could become part of a reception (for more detail and examples, see Dickmann (1999) 256–67). Significantly, access to them was only closed off when the large bakery was built (16–19, 55, 57), the courtyard tiled and the large mills were erected in the years following the earthquake of 62 CE.

While living and working spaces are clearly defined architecturally and easily distinguished, it is much more difficult to determine the individual rooms where various members of the household met visitors or guests. The Casa del Labirinto is a good

example for the patron's efforts to conceal the slaves' working quarters from inhabitants and visitors. Individual *servi* will have repeatedly entered the *atrium* and peristyle, for example to take charge of the furnishings, or to serve food and drink, as has been shown with the help of the graffiti in the Casa del Menandro (see above). Without being able to give a precise idea of the distribution of all members of the household throughout the *domus*, it is quite probable that the density of people varied in different areas. A large proportion of the living spaces around the *atria* and peristyle remained empty. At best, the *dominus* and his wife would have spent time in one or several of the banquet rooms, in their role as representatives of the *domus*. The spatial design of the utility wing, on the other hand, is narrow and shows an intricate nesting of rooms which must have led to a high density of servants.

The people in the *triclinia*, *cubicula* and *cenationes* seem to have enjoyed the ambience there precisely because of the largely empty peristyle and portico. It must have been particularly attractive to see music, food, and drink emerge out of thin air, as it were, served by a few, experienced slaves, who subsequently vanished again. The spatial structure of the Casa del Labirinto shows not only how slaves' wings were made invisible, it also illustrates the degree to which people strove to minimize encounters between the two different worlds. This spatial differentiation within a house was not the only way in which the day-to-day realms of the master could be separated from those of the slaves. A detailed analysis of the temporal dimension of various activities would show just how strongly single processes of housekeeping were tied to certain times of the day or certain days of the week. Thus, the social dimension of time becomes obvious: a dimension which allowed the *dominus* to reinforce the architectural separation of different living areas. The bakery illustrates this.

With its four heavy mills, large stove with adjacent bake house (19), especially tiled courtyard and spacious stable (18) (Strocka (1991) 95) this was one of the large municipal bakeries which catered not just for the Casa del Labirinto. Rather, this is where the entire grain crop was processed and significant amounts of baked goods were produced. Since we cannot find a *taberna* or counter where these were sold, it seems that products were delivered to the town's countless baking houses and shops. It is likely that the bakery was run by one of the *dominus*' slaves or a freedman. Given the bakery's size and proportion, the *dominus* profited considerably from it. At the same time, however, the bakery restricted movements and thus eased contact within the *domus*. There is no other way of accounting for the closing-off of the passageway to the peristyle, thus putting the *balneum* out of the reach of guests. The mills must have made access to the bakery's courtyard considerably more difficult and the production of the various baked goods placed heavy demands on the slaves' time; freshly ground crops could not be stored for long, so that the grinding was followed by dough-making and baking. In addition, it was only worthwhile firing the large oven if adequate quantities were produced. This meant that the bakery could not operate on an hourly basis and then be left, for example to allow for visitors arriving in the afternoon who wanted to enter the bath. Rather, it seems that, when it was used, it was operating all day and quite possibly not only on certain days of the month. If the accessibility of the *balneum* had been subject to a compromise which necessitated entering the slave wing, but allowed for the bath to be used at fixed times of the day, this would no longer have been an option once

the bakery was built. The commercial production of bakery goods must have rendered the existing differentiation between the slaves' activities and the masters' habits more difficult and partly impossible. Access to the bath was henceforth only possible through the long corridor 15. For its users, the *balneum* was now in one of the most distant corners of the *domus*. The *dominus* himself would have kept using it; but it seems questionable that he led his guests through the entire utility wing, along the small corridor and finally across the courtyard with the mills and mules. Rather, it seems likely that in the town's final years the bath was no longer part of that ensemble of rooms which were accessible for guests too. The bakery was not detrimental to the servicing of the reception rooms at the northern portico, however. Slaves had to undertake a longer passage through the peristyle, thus entering the guests' view earlier than before. But this could be used to achieve representational, entertaining, and surprising effects.[8]

6   The Casa dei Postumii in Pompeii

Its positioning at a busy crossroads and the long shopfronts which flanked the property's front and side set the Casa dei Postumii (VIII 4, 4.49; Figure 3.4) distinctly apart from the Casa del Labirinto. Following the most recent excavations, we know that the peristyle area in particular, with its shops projecting westwards, was only built after the earthquake of 62 CE, while the *atrium* dates back to the early Empire at least (Dickmann and Pirson (2002) 261–63). Unlike the much bigger Casa del Labirinto, this *domus* did not follow a unified design, but in the form we see it reflects an adaption to older ownership structures and the damage after the earthquake. A series of irregularities reflects the compromises which had to be made between old and new. This becomes apparent through the course of the house's southern border and inside, through the asymmetric layout of the *atrium* and the unusual positioning of columns and pylons in the peristyle.

With a living space of around 550m² on the ground floor, this *domus* is among the larger ones in town; although many of its 15 rooms are comparatively small, with only three large living rooms (14, 20, 21) (cf. Wallace-Hadrill (1994) 72–82, tables 4.1, 4.2). This floor plan corresponds with that of a group of houses which, while of high standard, were not among the town's most expansive properties. We know nothing of the last owner of the house or the family of the *dominus* – or, perhaps, *domina*. All the floor plan tells us is that in certain situations it was still important to open the *domus* so that the entire house had to be crossed until the largest and most richly furnished living rooms at the south portico could be entered (19–21). This presentation relied heavily on the water features in the inner courtyard of the peristyle and the fountains in the middle of the largest room (20) (0n the water feature in room 20, see Fiorelli (1861a) 83; Dickmann and Pirson (1999) 385, 386, fig. 3). Further rooms of various sizes existed on the sides, one of which was directly accessible through a connecting door (21). Because the excavation was better documented after 1860, under the directorship of G. Fiorelli, we can make some further observations, although the description remains superficial and too brief by today's standards. In 1861, six skeletons or parts of skeletons were found (Fiorelli (1861a) 16, 43–45), of which four
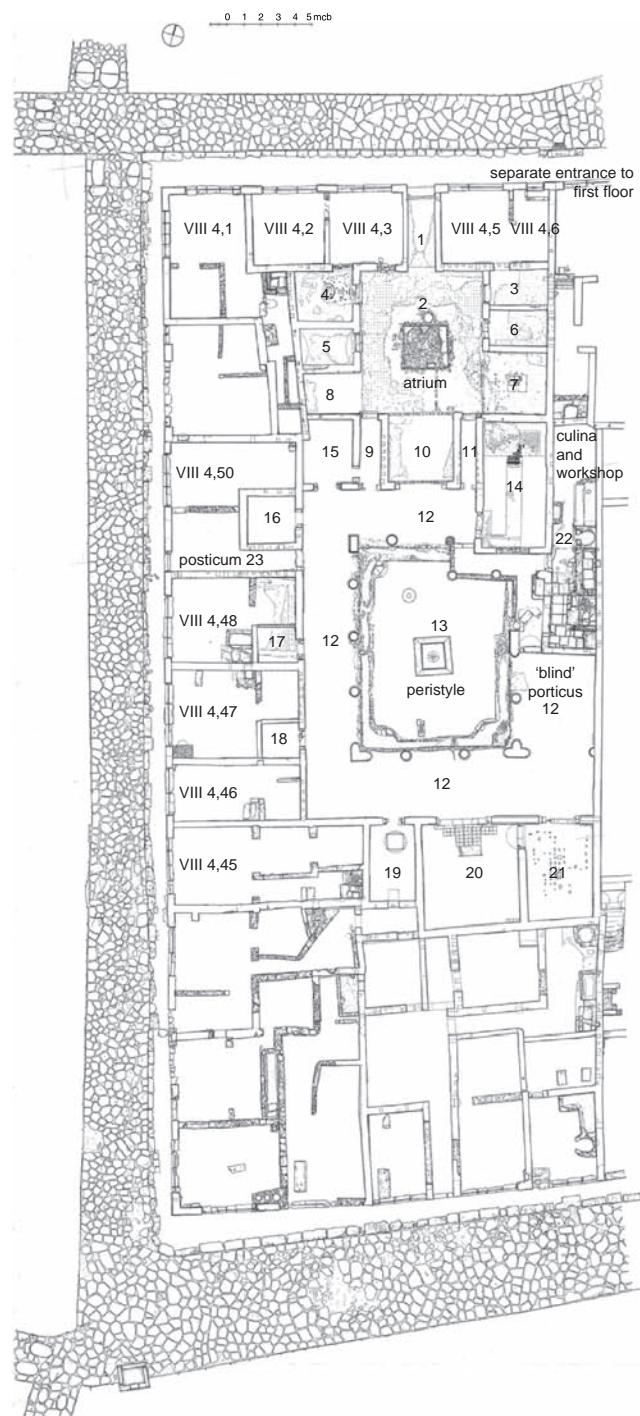
Figure 3.4 Casa dei Postumii, Pompeii.

were from the *atrium* and the neighboring *tablinum* (10). The remains of a woman
with a jewelry case were found on the threshold between the *atrium* and the *tabli-
num* (Fiorelli (1861a) 17, pl. V, fig. 1). The woman may well have been about to
gather her belongings in order to escape from the house and the volcanic eruption.
We cannot tell whether she was the *domina*, or perhaps even the owner of the house
(on the role of the wife in the *domus*, cf. Pearce (1974), which remains worth read-
ing). The feature, however, reminds us that women could have possessions of their
own, and that they could own real estate (see Crook (1990) 160 with reference to *D*
24.1.32.13, 25.2.15 praef., Ulpian). In the nineteenth century, one of the front pylons
between the shops VIII 4, 2 and 3 on the Via dell'Abbondanza still featured an elec-
tion manifesto by a certain Heracla for Sittius (Fiorelli (1861a) 12: SITTIVM
CONIVNCTVM II VIR I D OVF / HERACLA ROGAT). Unfortunately, we know
no more about this person and his connection with the inhabitants of the *domus* and
the keepers of the *taberna*.

It is no longer possible to determine the sex of the three other skeletons found in
the *atrium*, and the two from the *cubiculum* (15). However, the bones do not seem
to have been small enough for the excavators to ascribe them to children. Given the
sparse documentation, it seems plausible that many finds escaped the notice of the
roughly 200 day-laborers on the excavation (on the number of workers, which changed
daily, see Fiorelli (1861b) 322–64). The finding of a skull in the *tablinum* (10), fur-
thermore, points to the degree to which skeletons must have been subsequently com-
promised and even destroyed. Thus, these six grown-ups represent only a minimum
number for the household's inhabitants at the time of the eruption in 79 CE.

Several graffiti testify that slaves were among those inhabitants. In 1861, it was still
possible to see a red drawing in corridor 9. It featured a gladiator and the inscription
"PRIMI." Place and subject seem to point to a slave author, even though this cannot
be ascertained. There is also a graffito in the western portico (12) next to the rear
door (the *posticum*). The text refers to 200 pounds of lard and 250 bunches of garlic;
most likely a shopping list for the servants who must have been preparing large quan-
tities of food. It remains unclear whether these were for private consumption or for
sale. It is most likely that these foods were processed in the kitchen (22; Figure 3.5).
But it is at least dubious whether large quantities were mixed with meat at the long
tables there, to be cooked into sausages (on the previous interpretation of the so-called
kitchen as a small butchery, cf. Dickmann and Pirson (2000) 454–55; rightly
challenged recently by Kastenmeier (2007) 30). A detailed analysis recently showed[9]
that this exceptionally large "kitchen" also served as a small felt-making workshop,
where, as furnishings suggest, eight workers soaped, rubbed and rolled strips of felt.
The equipment and the number of slaves suggest that production did not merely cater
for the household, but that felt was produced for sale, and thus for financial gain (thus
this form of domestic textile production was not subject to the verdict of second-class
work that did not generate income; see Saller (2003) 191; Saller, this volume). The
lack of space and in particular the relative inaccessibility of this workshop behind the
peristyle at the back of the house – it had no separate entry – must have caused a tem-
poral differentiation of work processes even then, allowing the room to serve different
functions at different times. It is thus quite possible that some of those who could also

Figure 3.5 The kitchen (22) of the Casa dei Postumii, Pompeii.

work as felt-makers prepared food at other times. Unlike the laundries (*fullonicae*), where children worked, the felt-making workshop required strong arms, which makes child workers implausible here (on the *fullonicae*, see Flohr 2008); on the use of children there, see the fresco from the laundry VI 8, 20, 21 (*PeM* IV 609, fig. 8b). Women, too, cannot be traced, even though it is conceivable that they assisted with the combing and the preparation of the wool. The finishing of the felt required drying, for which there was little room in the small workshop. We can thus ask whether other rooms of the *domus* were temporarily chosen for that purpose.

We know from Fiorelli that the eastern portico (12), which did not open up to any other living rooms, was originally separated by wooden fences (*plutei*) from the interior of the peristyle garden. Such partitions (*transennae*) did not feature on the other sides (Fiorelli (1861a) 54). In a similar fashion, a brick *pluteus* surrounded the garden's northeast corner, separating the inner space from the adjacent corridor and the "kitchen" behind that. The wooden fences in front of the eastern *porticus* were thus no coincidence: because this area was within easy reach of the workshop, it may occasionally have served for drying felt. The deep portico would have easily accommodated the drying racks. This fits with Allison's observations that especially the entry halls of houses in Pompeii often served as workspaces. The Casa dei Postumii is one of the best examples. On the one hand, significant amounts of domestic pot-

tery and other tools were found in the area of the *impluvium*. Fiorelli concluded from pots with dye and from various metal implements that renovations and maintenance work were undertaken here. Recent excavations have confirmed this (Fiorelli (1861a) 16; Dickmann and Pirson (2001) 335–36). Kitchenware and various tools, however, imply that the *atrium* was also used for housekeeping purposes, something we also know from the feature of the western so-called *ala* (8), a walk-in pantry with shelving on three sides. Here various pieces of kitchenware were found, as well as a grill, three bronze cauldrons, a casserole, and two pots. In addition to two marble table legs which must have belonged to a stone table behind the *impluvium*, the room also contained wooden seating furniture with iron feet sheathed with drilled leg bones of animals. Parts of this inventory belonged to the *triclinia* and may have been stored here when no reception was held in the large dining rooms of the *domus*. This also goes for the extensive range of crockery, of which large numbers were only needed for extended banquets/*symposia*. Like the *atrium*, parts of the portico too may have temporarily served as workspaces. Only for receptions would the portico have had to be cleared, to give visitors an unobstructed view of the garden area.

Our assumption that the workshop and parts of the *porticus* were used temporarily draws attention to the people in these areas. It would not have been very convenient to have to cross the *porticus*, the garden, and living areas in order to enter the workshop or kitchen from the *porticus* (23). But this observation becomes negligible once we presume that their use was clearly defined at any given time, despite perhaps changing from day to day. The presence of felters in the workshop would not have been problematic, for the *dominus* or *domina* would only have let them work there when the garden and living areas were not needed for visitors.

This invites questions concerning the relationship between the felters and their masters, and their activity when the peristyle area could not be used as a workspace. A glance at the entire western third of *insula* 4 shows that a series of *tabernae* on the northern and western side of the Casa dei Postumii must have belonged to the house. On both sides of entries 4 and 49, at least seven shops (VIII 4, 2; 3; 5; 45–48; 50) must have belonged to the same property. In addition, those on the north side and *taberna* 50 on the west had direct or indirect access to the interior of the *domus*. It is thus quite feasible that the *domus*' own staff worked in the shops, selling wares made or finished in the house. In the last years before the *domus* was buried, *taberna* 3 had a side door to the neighboring shop which, with large shelving on three sides, may well have served as a warehouse, for example for the felt (which only sold well in season).[10] In most of these *tabernae* it is possible to reconstruct stairs leading to the mezzanine level (*pergula*). These mezzanines could have served as living and sleeping quarters for some of the slaves of the Casa dei Postumii.

Finally, the felt-making workshop may have been run by former slaves. These would have lived outside the household, for example in the shops' mezzanines which, unconnected to the *domus* (VIII 4, 45–48), would have been leased or rented as independent units. In this context, we should refer to the independent apartment in the upper level VIII 4, 6. It had a separate access from the street, but its small living spaces

opened to the *atrium*, their only source of daylight. The apartment was thus closely linked to the *domus*, and its inhabitants must have been close to the *dominus*, perhaps as former slaves.

A detailed analysis of the features, architecture, and written evidence yields a differentiated picture of a *domus*' potential inhabitants, in particular of the household's slaves. The latter's living conditions within the *domus* would have differed, depending on their relation to the *dominus*. While some slept in the *pergulae*, thus enjoying at least a little privacy, others would have rolled out their sleeping mat in a different spot every night. But this does not indicate any gender-specific distribution and there is also no trace of the slaves' children, or the patron's illegitimate offspring conceived with a slave. The same holds for the landlord's family. As in the Casa del Labirinto, the *dominus*' wife and children remain invisible, as does – strictly speaking – the patron himself, if we exclude the largest and most exquisitely furnished living rooms around the peristyle.

7   Social Space Versus Social Time

The inadequacy of functional and gender-specific interpretations of domestic architecture demands new approaches. It does not suffice to know that large parts of the classical Italian *domus* could be made accessible. What matters is the changing evaluation of one and the same room depending on the people present (Dickmann (1999) 275–98). Their number and their social origin determined quite substantially the social function which a room took on for those who assembled here. It is impossible to map specific activities onto the representative rooms of the *domus* or to define the social function of a room independently of other factors. The two case studies have shown just how strongly the estimation of a room depends not only on the number and origin of those present, but also on the time of day. This is why I have tried to argue that an analysis of the family's domestic space in the sense of a "grand house" must take the temporal aspects of its use into account. In comparison with later periods, in particular the past two centuries in Europe, it is striking that the specific use of numerous rooms for various purposes at various times in the ancient period is not limited to the simple circumstances of the lower classes, but also characterizes upper-class domestic arrangements: not just the single room used for living and sleeping at mezzanine level, but the majority of large rooms, cabinets and chambers in the *domus*. Morning receptions in the tradition of the Roman *salutatio* could have elevated the *atrium* to an elegant reception hall. But only a few hours later, children may have played here or slaves may have occupied themselves with the objects in the trunks and cupboards. From the afternoon, the *atrium* may have received the *amici* of the *dominus*, who would then dine together in the *cenatio* off the peristyle. The analysis of the family's living space in the Italian-Roman *domus* confirms just how important the house and its rooms were as places of social encounter. But it also illustrates how little we understand this phenomenon if we ignore the equally important fact that the time of day was social time. Future analyses of domestic architecture will need to confront this aspect in combination with a detailed interpretation of the written documents.

FURTHER READING

For the archeology of Pompeii and its cultural and urban history, the publications of Zanker (1998) and Pesando (1997) are worthwhile reading. For a more detailed discussion of single contexts and the problems of housing, room function and the contexts of finds you should refer to Berry (1997b), Pirson (1999) and Allison (2004). Pompeian archeology and social history have been brought together in a groundbreaking way by Wallace-Hadrill (1994; 2003; 2008). Precise analysis of textual remains, inscriptions, and graffiti, as well as prosopographic studies, have been undertaken by Mouritsen (1988). Concerning houses' inhabitants and the Roman family there are good introductions and contributions by George (1997a), Rawson (1997) and Treggiari (1975a; 1975b; 1976; 1979a; 1999).

NOTES

1   Cf. especially Allison's numerous contributions (last summed up in Allison (2004)), as well as Berry (1997a), (1997b)). Allison's theses have sparked quite diverse and some-times fervent criticism. Both authors have rightly reinvigorated discussion around the interpretation of archeological features and the ascribing of functions to rooms.
2   See, in this context, the discussion around the "Pompeii Premise," which has been conducted since the 1980s (Binford (1981) 195–208).
3   On the quality of the living space as social space, Binford (2002) 144–92 is fundamental; on problems relating to the designation and localization of the respective inhabitants, see George (1997a) 301–303.
4   The calculations in Wallace-Hadrill (1994) 72–82 with table 4.2 illustrate well on how many interconnected suppositions these figures rely.
5   Mouritsen (forthcoming a) (I thank H. Mouritsen for sharing his manuscript); see also, Garcia y Garcia (2004) 36 with reference to further examples in *CIL* 4.2514–48, 5452– 506, 6904–10, 9263–312. On the *vernae*, see Rawson (1986b) 186–97; on the difficulty of reconstructing the domestic lives of children with the help of legal sources, see Saller (1996) 114–20; on the incorrect reference to the *dominus* as *paterfamilias*, see Saller (1999) 182– 90.
6   See the expression *in pergula natus* in Petronius 74.14, which serves to discredit the mezzanine as living space; for the definition of the *pergula*, see Pirson (1999): 19.
7   Here I am referring to Wallace-Hadrill's analysis of the houses in Regio I at Pompeii (Wallace-Hadrill (1994) 72–82, table 4.2). On the number and size of the apartments in the upper storey, see Pirson (1999) 99–124, 161–65.
8   On the use of male slaves in typically female household roles, see Saller (2003) 196–97; on effects connected with serving, cf., for example, Petronius, *Satyricon* 49.1–2, 60.1–8, 70.4.
9   This analysis is based on my re-evaluation of the kitchen context in the past two years and will appear in the final publication of the Casa dei Postumii.
10   A similar claim could presumably be made for the back room of *taberna* VIII 4.5, which was also accessible from the *atrium* as *cubiculum* 3.

Household Composition in the Ancient Mediterranean – What Do We Really Know?

Sabine R. Huebner

1   The History of Household Studies

Before the launch of serious studies on premodern household formation – intrinsically connected with the name Peter Laslett – it was a widely held assumption that the nuclear-conjugal household, consisting of a married couple and their children, was the result of the progress and modernization made since the Industrial Revolution. The nuclear household was held as an evolutionary step away from the multiple-family household of previous times that comprised a descent group of several generations living together under one roof. These evolutionary presumptions were seen as connected with a general decline of modern society away from the golden age of the patriarchal family and toward a more individualized elementary family, which was more suited to the requirements of industrial urban society (Burgess (1916); Ogburn (1933); Davis (1941); Parsons (1944); Goode (1963)). The French sociologist Frederic Le Play termed the nuclear family the "unstable family," since children left the household upon marriage and nothing remained once the elder, parental generation died (Le Play (1874) 11).

The past 40 years, however, have witnessed a dramatic change in our understanding of the composition of the household in premodern times. It was the British historian and sociologist Peter Laslett who challenged this traditional view in his groundbreaking study *The World We Have Lost* (1965). By studying sixteenth- to eighteenth-century parish registers from English villages, he came to the conclusion that – contrary to what historians had hitherto believed – households had been small and had consisted mainly of a married couple and their children for many centuries before the Industrial Revolution. Young couples usually established a separate household upon marriage instead of staying

with the husband's family, and marriage was generally late for both men and women. The patriarchal family, that is the multiple-family households consisting of the parent generation and several married children, apparently hardly ever occurred.

When later studies focused on other regions of premodern Europe, however, their results made Laslett revise his original hypothesis of the pervasive nuclear family. Studies by others showed that patterns of domestic structures in premodern England, on which Laslett had focused, seemed to be unique and not replicable for other regions of Europe, especially southern and eastern Europe. In a further seminal work, his immensely influential co-edited volume *Household and Family in Past Time*, published in 1972, Laslett thus mapped out the route for further quantitative and comparative studies of the historical co-resident domestic group. In a paper from 1983, Laslett offered a typology that distinguished four broadly defined geographical areas of historical household structures: northern, western, southern, and eastern Europe (Laslett (1983) 526–27), extending Hajnal's initial distinction between northern and eastern Europe (Hajnal (1965)). The new orthodoxy then held that in societies in northwestern Europe, such as England, Scandinavia, the Netherlands, Germany and northern France, nuclear-family structures in fact predominated as far back as the thirteenth century, and that marriage was typically late for men and women. In southern Europe, however, a different family system prevailed. Households were larger in size, and the multiple-family household was anything but uncommon. Sons brought their wives into their parents' household, and marriage was early, especially for women (for example, for southern France: Le Roy Ladurie (1966); Biraben (1972); for Corsica: Dupâquier and Jadin (1972); for Tuscany: Klapisch (1972); for Liguria: Levi (1973)). It has been shown that the multiple-family household was also a common experience in mainland Greece (Du Boulay (1974)), on the Greek islands (Hionidou (1995)) and in the eastern Mediterranean, in Turkey (McCarthy (1979)), Syria (Lee Meriwether (1999)) and Egypt (Cuno (2005)). No region was, however, homogenous, various ecological, socio-economic and demographical conditions and factors, such as urban or rural environments, agricultural forms, inheritance patterns and social and demographic structures, influenced the dominance of specific household compositions within one region (cf. Hajnal (1983); Hareven (1991); Barbagli (1991); Kaser (1996); Mitterauer (1996); Reher (1998)).

2   Household Forms in Antiquity

These studies on premodern households forms have dramatically altered widespread views about the family in past times. Despite the enthusiasm with which these findings have been met among historians of early modern social history, methods of premodern household studies have, however, been astonishingly rarely exploited by ancient historians for studying the ancient family and household, even though studies on ancient household composition and household formation processes could tell us more about family life in these societies, marriage patterns, the functions of the family as a welfare agency for its young and elderly members, and economic and cultural realities and forces of a certain region under study.

Interestingly, we find Frederic Le Play's nineteenth-century view of the nuclear-family household as an evolutionary step away from the multiple-family household also in antiquity. Plutarch, the Greek historian of the early second century CE, associates the patriarchal multiple-family household with the poor peasant population, but also with the concord of brothers in previous centuries, in the heyday of the Roman Republic. As an example of this archaic form of living he presents the family of the Aelii Tuberones of the second century BCE. Sixteen male members of this family were living together with their wives and numerous children under one roof and farmed their land jointly. According to Plutarch, this family's lifestyle was influenced mainly by their impoverished economic situation, which made their sons unable to afford to establish their own households when they got married.

> For there were sixteen near relations, all of them of the family of the Aelii, possessed of but one farm, which sufficed them all, whilst one small house, or rather cottage, contained them, their numerous offspring, and their wives; amongst whom was the daughter of our Aemilius, who, although her father had been twice consul, and had twice triumphed, was not ashamed of her husband's poverty, but proud of his virtue that kept him poor. Far otherwise it is with the brothers and relations of this age, who, unless whole tracts of land, or at least walls and rivers, part their inheritances, and keep them at a distance, never cease from mutual quarrels. (Plutarch, *Aemilius Paulus* 5, tr. J. Dryden; cf. Plutarch, *On Brotherly Love* 478.1; see also Dixon (1992) 7, 232)

The Licinii Crassi of the first century BCE provide another example of married brothers who continued joint residence after their father's death.

> Marcus Crassus, whose father had borne the office of a censor, and received the honor of a triumph, was educated in a little house together with his two brothers, who both married in their parents' lifetime; they kept but one table amongst them; all which, perhaps, was not the least reason of his own temperance and moderation in diet. One of his brothers dying, he married his widow, by whom he had his children; neither was there in these respects any of the Romans who lived a more orderly life than he did. (Plutarch, *Crassus* 1, tr. J. Dryden)

However, what should we conclude from these two isolated anecdotes about Roman household composition? Do these accounts contain a core of truth about the evolution of household composition from earlier Republican times? Garnsey and Saller ((1987) 129) see these accounts as evidence that marriage in early imperial Rome was by contrast to Republican times neo-local, that is, that a young couple set up their own new household upon marriage. In my opinion these conclusions reach too far. Gardner sees this anecdote as an illustration of the "virtuous poverty of early Rome" (Gardner (1998) 70) set in contrast to the materialistic and corrupt present. Should we thus assume that for the Roman senatorial elite joint-brother households were considered as a sign of poverty? Furthermore, both families presented here belonged to the landowning, even if impoverished, senatorial elite. What do we know about household structures among the lower social strata? And what were the differences between urban and rural areas, Rome and the provinces?

I will come back to these questions later; first, let us have a look at what types of source material we have at our disposal that could provide us with more solid data on household structure in the Roman world than Plutarch's moralizing history of traditional Roman family values.

For household studies of early modern societies, census returns and parish registers are usually regarded as the singularly best and most accurate sources of information. Unfortunately, census data did not survive for most parts of the ancient world, even though regular census surveys were conducted throughout the Hellenistic and Roman imperial periods. Only for the villages and towns of Middle and Upper Egypt has extraordinary documentation in the forms of tax lists and census returns survived in the dry desert sands. The Roman Egyptian census documents, meticulously analyzed by Bagnall and Frier (2006), yield information about living circumstances, household composition and structure, marriage patterns, mortality and fertility rates, gender ratio and economic activities of the people recorded. This is an exceptional case for the study of the ancient world, for which information about the common population – such as peasant farmers, small traders and craftsmen, their wives and families – is in general very scarce. For Ptolemaic Egypt we also have census and tax lists, of which Clarysse and Thompson advanced an impressive study in 2006, but these returns only record adult men and women, not minors. Ages are likewise not given in the Ptolemaic documents, a fact that significantly reduces these documents' value for any demographic analysis.

In Roman Egypt the entire population was liable for filing declarations, and the household was normally the registration unit. Every 14 years the head of each household, normally the eldest male, had to file such a census return and had to declare his property, his house and the persons who lived in it (Bagnall and Frier (2006) 12–13, 22–25). Names, status, profession, age, physical descriptions, and relationships to the other members of the household are given in the most detailed returns. Meanwhile, we have nearly 400 extant census returns recording almost 1,500 individuals. These documents make detailed studies on household composition possible, allowing for a more complex analysis of the structure of the household than for any other region of the Greco-Roman world.

3   Definition of the Household

A key problem, which has been repeatedly addressed by critics of the methods of Laslett and his Cambridge Group, is that the concept of household is not a self-evident category but can mean different things in different societies, from the patriarchal family of Eurasian steppe nomads in seventeenth-century Central Asia over the stem family of eighteenth-century Austrian peasant farmers to the present individualistic society of the third millennium, in which the concept of family embraces a vast variety of relationships. This makes it all the more important for anthropologists and social historians to rely on a common set of axioms when studying and comparing household formation. For the purposes of this study I use the widely accepted definition of a household as a domestic unit comprising all the persons who share a common residence

and the same table. The household is not identical with the family, since the domestic group could also include non-relatives. And the family is not confined to the household, since extended family ties could reach beyond household walls (cf. Goody (1972) 103–24; Laslett (1972) 23–28; Hammel and Laslett (1974) 75–79).

The Cambridge Group for the History of Population and Social Structure, co-founded by Laslett in 1964 and now the most renowned research unit for the study of family and household in premodern times, has advanced a system for categorizing household types in premodern Europe. This scheme is based on the number of conjugal family units in one household, and it exhibits five main categories (cf. Laslett (1972) 28–32): (1) solitary households (those households in which an individual is living alone); (2) households with multiple unmarried persons living together (most often co-resident siblings); (3) conjugal households, also called simple or nuclear-family households (also included here are childless married couples and widowed spouses who live with their unmarried children); (4) conjugal households extended by co-resident kin (an elderly parent, an unmarried nephew or sister, extending the household either upwards or laterally); and, finally, (5) households in which more than one married couple live together – these are called multiple-family households. Conjugal couples in these multiple-family households are usually related through the male line. All of these types of household could include not only relatives but also servants, lodgers and boarders, but for the purpose of this study I will only focus on the kin group in the household, that is, those household members related by blood or marriage.

4 The Household System in Greco-Roman Egypt and the Mediterranean Family

Bagnall and Frier in their analysis of the Roman Egyptian census returns have found that a not inconsiderable number of people recorded in these returns lived alone in so-called solitary households (16.2 percent), even though we have to take into account that their numbers might be inflated simply because short returns are more likely to have come down to us complete (Bagnall and Frier (2006) 60–63). Many of those living in solitary households were already of very advanced age. Unmarried siblings living together, the so-called no-family household type, was rare, constituting only 4.8 percent of the whole sample. The majority of households recorded in the Roman census returns were of nuclear-family type (43.1 percent). Households consisting of a married couple and their unmarried children constituted the major share of them. Couples living in a conjugal household were often of advanced age. They apparently had not established this nuclear household at their marriage; rather, it was caused by attrition through the death of parents and brothers. Another 15 percent of households were nuclear-family households extended by a co-resident unmarried kin, often an elderly aunt or uncle. While the nuclear-family household constituted the majority of all households, the multiple-family household was also anything but a rarity. In fact, more than one-fifth (21 percent) of all households contained more than one married couple. Moreover, since multiple-family households are larger in size than simple

ones, this means that the proportion of family members who lived in such households was even higher. More than 40 percent of all people lived in multiple-family households, compared with 35 percent who lived in nuclear-family households (Bagnall and Frier (2006) 60).

It must be stressed here that these different types of household forms – solitary, nuclear, extended or multiple – should not be seen so much as alternatives rather than as stages in a household cycle reflecting the age and reproductive status of its members. These different forms of family compositions might all be experienced by a single family over the course of several decades. It has been repeatedly stressed in literature on comparative family and kinship structure that we must make a distinction between what is culturally regarded as the "ideal" household form in a society and the actual composition of most households in this very society.

> The joint-household system did not normally produce a situation where the majority of households were joint at any one time, though there may have been joint-family household systems which have operated in that way. However, under a joint-household system, the majority of people were members of a joint household at some stage in their lives. (Hajnal (1983) 69; cf. also Kertzer (1989) 11)

The fact that the multiple-family household was relatively common among the population recorded in the Roman Egyptian census returns, even if it was not the most common household structure, points in the direction that it in fact was considered the ideal family form, for demographic probability worked strongly against achieving it. Given the high mortality rates in premodern times, the overlap between generations was relatively small compared to modern societies. Most fathers did not live long enough to see their offspring get married and have children of their own. If men – like in Roman Egypt – regularly postponed marriage until age 25, the chances were even lower (Bagnall and Frier (2006) 116). In addition, two-fifths of all fathers did not have a son reach marriage age, but were childless or had only daughters (Scheidel (2009a) 31–40). High mortality rates, which prevailed in any given premodern society, simply did not permit the formation of many multiple-family households at any single time, even in societies that favored this form of living. And not only demographic reasons could hinder this family form; work migration might have driven sons away from their paternal home to the cities. So even in a society in which the multiple-family household was the ideal, usually the majority of households were not joint because of demographic and socio-economic constraints. The important factor for characterizing a society's household structure as multiple is that the household cycle regularly included such a phase if it were possible (cf. Wheaton (1975) 614–15; Kertzer (1989) 1–15; Douglass (2001) 292–93).

To put these results into context: Roman Egypt offers an ideal of family formation that we also find, for example, in Tang China (Liao (2001)), in late medieval and early modern central and northern Italy (Viazzo and Albera (1990)), in early modern southern France (Dupâquier and Jadin (1972)), and for Ottoman Anatolia (McCarthy (1979); Gerber (1980); Duben (1985)) and nineteenth-century Egypt (Cuno (2005)) for which percentages of about 20 percent have been reported for the

Table 4.1 Household composition in various premodern societies.

Household type	Roman Egypt (1st–3rd century)[a]	Tang China (6th–8th century)[b]	Tuscany (1427)[c]	Northern Italy Groppazzollo, Emilia (1576)[a]	Northern Italy San Bononio, Piedmont (1770)[e]	Northern France Brueil-en-Vexin (1625)[f]	England Ealing, Middlesex (1599)[g]
1, solitary	16.2%	12.4%	13.6%	4.0%	0%	7.3%	12%
2, no family	4.8%	5.1%	2.3%	2.7%	3.7%	1.5%	2%
3, nuclear	43.1%	46.4%	54.8%	54.1%	57.4%	83.8%	78%
4, extended	15.0%	14.5%	10.6%	17.6%	16.7%	7.3%	6%
5, multiple	21.0%	21.4%	18.7%	21.6%	22.2%	0%	2%

Sources: (a) Bagnall and Frier (2006) 60; (b) Liao (2001) 341; (c) Herlihy and Klapisch-Zuber (1978) 292; (d) Viazzo and Albera (1990) 466; (e) Viazzo and Albera (1990) 467; (f) Lions (1967) 521–37; (g): Laslett (1972) 85.

multiple-family household (see Table 4.1). Compared with these statistics from other premodern Mediterranean societies, our data from Roman Egypt seem extremely sound and reliable, and fit harmoniously with them. The similarities between Roman Egypt and Imperial China are particularly uncanny: the respective proportions of household forms are virtually the same (see Table 4.1). On the other hand, premodern societies of northwestern Europe, such as early modern England as early as from the thirteenth century, show percentages of multiple-family households of virtually zero percent, corroborating the assumption that in the northwestern part of Europe there was an entirely different family and household formation system at play (Laslett (1977) 20–23; Flandrin (1979) 71).

5   The Household System in the Roman West

Unfortunately, because of less favorable climatic conditions, we do not have the same quality and quantity of evidence for other regions of the Greco-Roman world as we do in the form of the census returns for Roman Egypt. So we do not know whether or not our findings for the Roman Egyptian family and household systems are representative of other regions of the Roman East or the ancient Mediterranean in general. The only evidence that promises to yield some information about wider ancient family and household structures is the epigraphic material, above all the thousands of funerary inscriptions found in all parts of the Greco-Roman world. Studies on those epitaphs aiming at gathering information about family ties and family and household compositions have thus far concentrated on the Roman West in early imperial and later Roman times, more specifically on Roman Lusitania and on Roman Asia Minor. Saller and Shaw's large-scale epigraphic study, published in 1984 and titled "Tombstones and Roman family relations in the Principate: civilians, soldiers and slaves," has been praised as "the most influential work in these fields" and "truly a breakthrough" (Rawson (1997) 294), "virtually dissolv[ing] the image of the three-generation agnatic household with a tyrannical patriarch at its head" (Dixon (1992) 6).

However, the problem with any study of epitaphs is that funerary texts are governed by certain conventions and commemorative patterns, and we do not know how these commemorative patterns relate to actual real-life conditions (cf. Bryce and Zahle (1986) 115; Hope (1997a) 113–14; Bodel (2001) 38). Despite ongoing, even if isolated, attempts to prove the contrary, funerary texts are now widely held to be useless for studying ancient mortality or sex ratio. Or, as Hopkins dryly remarked, "Commemorative practice is useful for *analysing* Roman commemorative practice" (Hopkins (1987) 115). Saller and Shaw were thus very careful in drawing conclusions about actual household composition from the relationships mentioned in these funerary texts ((1984) 125; cf. also Saller (1994) 96–101). Nonetheless, later scholars were less wary of blending these two distinct aspects, and the nuclear family as the chief residential unit in western Roman society has found its way into many publications since then (for example, Dixon (1988) 9: "classical scholars now tend to assume that the chief Roman residential unit was the nuclear family"; Gallivan and Wilkins (1997) 240, note 4): "the results of our study strongly support earlier conclusions that the

nuclear family was the predominant family structure in Roman Italy during the first three centuries of the Christian era"; Lassen (1997) 116: "most scholars now agree that the Romans lived in some kind of nuclear families"; Sigismund Nielsen (1997) 172: "this characteristic feature of the Roman pattern of commemoration has been used in modern research as the most important evidence to show that the Roman family was nuclear"; Harrison (2005) 376: "husband/wife commemoration is the commonest type, which confirms that the nuclear family was the usual household unit"; Parkin and Pomeroy (2007) 74: "It has become increasingly clear over recent decades that the nuclear family structure was the norm among Roman citizens in the classical period, at least in the western half of the empire."

When Saller and Shaw conducted their studies in the early 1980s, they were working under the impressions of the new findings on premodern household composition advanced by Laslett – namely, that the nuclear family was not the consequence of the Industrial Revolution, but in fact the common form of living far back into European history. Consequently, Shaw asked in his 1984 study: "Is this possibly also true of earlier periods of Western history – of early medieval societies and of the Roman empire?" ((1984) 462). When Saller and Shaw found that the inscriptions under study indubitably did stress nuclear-family ties, they consequently went so far as to hypothesize that "the continuity of the nuclear family goes back much further in time and that it was characteristic of many regions of western Europe as early as the Roman empire" ((Saller and Shaw (1984) 146); cf., for the same argument, Garnsey and Saller (1987) 129; Martin (1996) 41). In a later study, Saller stressed that he and Shaw "did not argue a one-to-one correspondence between the commemorative bond and any single aspect of 'social reality'" (Saller (1994) 97), but he still maintained that "the nuclear family was the starting principle in the organisation of a Roman household" (Saller (1994) 96). However, as more recent household studies have shown, and as we have heard earlier, Laslett's hypothesis of the pervasive nuclear family could not be held. It was apparently merely England and some other parts of northwestern Europe that experienced a dominance of the nuclear household for many centuries long before the industrial revolution. In pre-industrial central and northern Italy, however, regions on which Saller and Shaw focused their research, multiple-family structures prevailed throughout the centuries (Barbagli and Kertzer (1990) 373).

In the years after Saller and Shaw published their ground-laying study, a couple of other scholars – astonishingly few, in fact – pursued a similar approach, examining the epigraphic evidence with a regard to family ties and household composition but focusing on different regions, regional variations or different time periods. Shaw himself published a study in the same year in which he tried to answer the question of whether Christianity had any impact on family composition. He analyzed a wide sample of funerary inscriptions from the Roman West produced by the Christian communities between the fourth and seventh centuries, and found that most relationships mentioned in these texts again referred to the nuclear family. Here, he went further than in his joint study with Saller, in which they were more careful in trying to avoid the merging of their views on sentiment and relationships with those on household structure. In this study Shaw did draw conclusions regarding actual family composition from the

relationships mentioned in the epitaphs, and also generalized his findings for all social strata of society and all regions of the Roman West. He concluded that the nuclear family, on the rise in commemorations in later imperial times, was "the dominant living and affective social unit amongst all elements of Roman society in the West" (Shaw (1984) 466). It is, however, widely acknowledged that the epigraphic evidence reflects only a tiny segment of the Roman population, mainly the established urban population, as later also Shaw stressed ((1991) 89). Poorer city-dwellers and the large peasant population that formed the great majority of ancient societies have left hardly any traces in our epigraphic source material because they could not afford to erect stone monuments (cf., for example, Evans (1991) 20; Scheidel (2007) 401). It is therefore fraught with perils if we infer anything from the stone monuments to all social classes. Second, we know moreover, from the census returns from Roman Egypt, from late medieval Tuscany and from other regions of early modern Europe, that there were considerable differences in household composition between the elite and the lower classes, and between urban and village populations. Composition and size of households depended on the economic basis from which the family made its living, since different forms of property and economic activities required different kinds of labor. Families that were smaller and simpler in organization have been observed for day laborers, small traders, craftsmen, and fishermen, whereas peasant farmers usually lived in larger, more complex families because they needed a sufficient pool of labor to meet peak periods of labor demand (Pasternak (1972); Cohen (1976); Viazzo and Albera (1990) 468, 472). Among the landowning classes, married brothers often preferred to continue living and farming their land together even after their parents' deaths in order to prevent the division of land through inheritance (Lee Meriwether (1999) 77; Cuno (2005)). Among the urban lower classes – the small traders and craftsmen – multiple-family households made less sense. Those families that were unable to generate surplus property and lacked inherited property had little reason to stay together. Multiple-family households might even have been more difficult to maintain because of restricted living space in the cities (Barbagli (1991) 257; cf. Lemaitre (1976); Shaffer (1982)). In rural areas in Roman Egypt, for instance, the proportion of family members who lived in multiple-family households reached almost up to 50 percent. On the other hand, in the metropoleis, the proportion of extended- and multiple-family households was considerably lower, at only 32.6 percent (Bagnall and Frier (2006) 67, table 3.2). Drawing conclusions from our epigraphic data for Roman society as a whole therefore seems to be full of pitfalls.

Twelve years after Saller and Shaw published their studies, Martin pursued an approach similar to theirs. In his study, published in 1996, he focused on Greek epigraphic material, studying 1,160 epitaphs from several regions of Asia Minor. Martin's goal in his study was to show that Saller and Shaw's method of counting relationships mentioned in the inscriptions was problematic and their results were "useless for ascertaining familial structures" ((1996) 42; for a critique of his paper, see Rawson (1997)). Martin argues that his method of categorizing *inscriptions* rather than all *single individual relationships* mentioned on a stone – a method used by Saller and Shaw – seems more relevant for studying actual family structure and household composition. Martin reasons that Saller and Shaw's method provides us with clues about

the importance of certain emotional ties and obligations felt, not the frequency of certain family structures and the ratio of different household compositions to each other (Martin (1996) 43, note 16). The main problem with Martin's study is that he is even less cautious in distinguishing between commemorative patterns and actual familial organization, and switches back and forth between the two concepts (for example, Martin (1996) 45). His statistics, however, do show more evidence for extended family structures, and he attributes this to the fact that Saller and Shaw's method of counting unduly favors nuclear-family ties.

Martin's claim, however, that these different methods of counting are responsible for the different results in his and in Saller and Shaw's study does not seem to be justified. In 2005 Edmondson published a study in which he showed for a sample of 320 epitaphs from Roman Lusitania that both methods of counting relationships – Saller and Shaw's on the one hand and Martin's on the other – lead to virtually the same results. For Edmondson's two epigraphic corpora under study, Martin's method of counting produced a dominance of the nuclear family by 80 percent and 81 percent, respectively; by employing Saller and Shaw's method of counting each individual pair of relationships mentioned in an inscription rather than entire inscriptions, Edmondson arrived at 77 percent and 78 percent, respectively, for the nuclear family, a clear and virtually numerical identical dominance, regardless of the counting method (Edmondson (2005) 193, table 7.1, 216, table 7.9).

The major problem with all of these studies, however, is that none of these scholars took into consideration the most recent approaches of analyzing family and household forms, a historical subfield that, as we have heard earlier, has flourished over the past 40 years for later periods of European and non-European history. These studies have advanced methods of comparing patterns of household formation and composition that transcend boundaries of centuries and societies, laying down a system of defining and categorizing family and household forms regardless of the society or region under study. Studies on family and household in classical antiquity, however, have been more or less conducted in a vacuum without any noticeable theoretical or methodological background (cf. Rawson (1997) 296). It also does not help that each of these studies on our Greco-Roman epigraphic evidence employs different ways of categorizing relationships between family members. Each scholar has devised his more or less unique set of household types and family forms, making comparison difficult or impossible, and none of these studies has distinguished between extended and multiple family structures.

6   The Epigraphic Evidence for Roman Egypt

Doubts have been raised by various scholars about the validity of any statements about family and household drawn from funerary inscriptions, for example, Phang ((2001) 180–81), George ((2005) 2), and Scheidel (forthcoming a). What can we really make out of Saller and Shaw's statistics for the Roman West? How much do Martin's deviant results from the Greek evidence tell us anything about deviant family structures in the Roman East? Or do we just deal with deviant commemorative practice? It is therefore

time that we evaluate in more depth the potential of the epigraphic sources for drawing any conclusions about family and household structures.

Again, Egypt seems to be the region of choice, for in Egypt's case we are in the exceptional situation of being able to double-check our results from an epigraphic survey with further empirical data on household composition and family structure offered by the census returns, a body of evidence that, as I have shown earlier, enjoys generally high credibility among scholars working on historical demography. Contrary to funerary inscriptions, the census returns from Roman Egypt do give us a reflection of actual household composition at a certain point of time, a snapshot of family life that was not based on affection, heirship, or kinship obligation, but on actual co-residence. Their existence might be the reason why the considerable extant epigraphic material from Hellenistic and Roman Egypt has gone widely neglected so far and has never been examined with regard to family ties and household composition, as has been done by Saller and Shaw and others for the Roman West and Asia Minor.

In their study of tombstones from the Roman West, Saller and Shaw took into consideration about 12,500 out of 25,000 inscriptions ((1984) 125). In his follow-up study of Christian tombstones, Shaw examined another 1,816 epitaphs ((1984) 497, tables 7–14). Martin analyzed 1,161 funerary inscriptions from seven different cities or regions in Roman Asia Minor ((1996) 41). And, finally, Edmondson used 1,586 inscriptions in his study of Roman Lusitania ((2005) 192).

I have reviewed the entirety of the epigraphic material from Greco-Roman Egypt – in total, 11,662 inscriptions, half as many as Saller and Shaw examined for their study on the Roman West and ten times as many as Martin for Asia Minor. My sample comprises all Greek inscriptions edited and published for Greco-Roman Egypt before the Christian period. The vast majority of them are funerary texts, a type of inscription that Saller, Shaw, and Martin have used exclusively in their studies. However, I have also included the few dedications, *proskynemata*, building and honorary inscriptions that mentioned several members of the same family. Due to different commemorative patterns and epigraphic habits, inscriptions from Egypt are, however, less informative than from many other regions of the Roman world. The vast majority do not mention any interpersonal relationships, contain just one name or are too fragmentary. While in some regions of the west over 80 percent of inscriptions contain a reference to the commemorator and his relationship to the deceased and on average 76 percent of all inscriptions examined by Martin mention more than one member of a family, family relationships in inscriptions from Greco-Roman Egypt account to just 6.4 percent of all inscriptions of my original sample, that is 751 of 11,662 inscriptions. These differences, however, do not necessarily say anything about different forms of family structures between Egypt, Asia Minor and the Roman West *per se*, but rather should be attributed to different commemorative patterns influenced by economic, cultural and ideological factors (cf. Speidel (1965) 1–2, 16–21; MacMullen (1982); Shaw (1984) 38). For some reason or another it was not common practice in many regions of Egypt to give the commemorator's name in a funerary inscription, a custom comparable to today's modern Western commemorative practice where we hardly ever find the names of the bereaved family members mentioned even though it is them who commission the stones. Saller and Shaw, in fact, observed a similar pattern for certain regions of

Roman Africa from where funerary monuments are marked by a virtually complete absence of any mentioning of interpersonal relationships ((1984) 128–30).

And even within Egypt we do not find a uniform picture of the epigraphic habit. Looking at the epigraphic corpora of Greco-Roman Egypt it becomes evident that the custom of erecting dedications and memorials shows considerable variance from region to region and from century to century. While among the inscriptions from the temple area of Kalabcha (Gauthier (1911–1914); Zucker (1912)) and in Thebes (Baillet (1926)) more than 20 percent mention more than one family member and their relationship to each other, in other areas such as Philae in Upper Egypt (Bernand and Bernand (1969)), the temple of Dakke in Nubia (Rupperl (1930)), the area of Kom Abou Billou in Lower Egypt close to Giza (Hopper (1961); Wagner (1985)), the region of the Colossi of Memnon (Bernand and Bernand (1960)) and the temple of Hatshepsout in Deir El-Bahari (Bataille (1951)), the latter both in the area of Luxor in Upper Egypt, the proportion of inscriptions that mention family ties ranges between 11 and 16 percent. Most areas show a proportion of 3–8 percent, while some other areas, like the Delta (Bernand (1970)) and the Oasis regions (Evelyn-White and Oliver (1938); Wagner (1987)) are marked by an almost complete absence of the practice of mentioning family ties.

The problem with using the epigraphic record from Egypt for such a study is thus that from a quite large sample the number of inscriptions that actually do mention family relations is quite small, which renders numbers for sub-categories even smaller and poses some methodological problems. In our analysis we also have to be aware that we are dealing with a body of evidence that extends over several centuries, even if the vast majority dates to the mid first to early third centuries CE. We should expect at least slight changes in family and household composition over time, even if we are unable to track them in our evidence. Facing these challenges up front, however, it is still the best we can get if we want to take the epigraphic evidence of Egypt into consideration. I have collected, read, and categorized all of these inscriptions according to persons mentioned in these texts and their relationships to one another. I have not taken into consideration those inscriptions that do not mention any direct or indirect (for example, patronymic) indication of interpersonal relationships. I have not counted either those inscriptions that were erected "for all those who love me," "all my friends," "my whole family," or "my whole household," nor those inscriptions that are too fragmentary to give any information about family or network structures at all. Funerary inscriptions in which the deceased is praised as "dear to her husband" (*philandros*) were considered as referring to the nuclear family, as well as those in which the deceased is honored as "dear to his/her children" (*philoteknos*) or "dear to his/her father" (*philopatros*).

I have counted individual stones, not individual relationships between persons mentioned in a text, following thereby not Saller and Shaw's but Martin's approach. Even if Edmondson has shown that both methods of counting lead to virtually the same results, with Saller and Shaw's method it is impossible to distinguish between the extended- and multiple-family types. An example would be the following *proskynema*-inscription from 217 CE which reads: "The *proskynema* of Patraosnuphios, the carpenter, for his father and mother together with his wife and his brothers, … in the

25th year on the eighth day of the month Pharmouthi" (Zucker (1912) 120, L347). According to Saller and Shaw's method of counting, this inscription would add up to five or more relationships within the nuclear family (we do not know how many brothers the dedicant had). What we have here, however, is in fact a multiple-family structure with two conjugal couples, a married couple with the husband's parents and his apparently not yet married brothers.

As already mentioned above, inscriptions erected by a single person not naming any other persons constitute the vast majority of all inscriptions. I divided the remaining ones, 751 out of 11,662 that do mention family ties into the following categories: (A) those that refer exclusively to siblings; (B) those that mention a conjugal couple (I subdivided this category in four different groups: (1) those that mention a couple without children; (2) those that refer to a couple with children; (3) those that refer to a single, widowed or divorced parent with children; and (4) those that were erected by children for their parents and may mention siblings but no spouses); category (C) which contains those inscriptions that mention extended families; and category (D) which comprises inscriptions that mention multiple-family structures.

In conclusion, I have arrived at the following results (see Table 4.2): 14.1 percent (106 of 751) of all family inscriptions just refer to siblings. In the overwhelming majority, we have here a man honoring a brother, but occasionally we find a woman honoring a sister or a brother, or a brother honoring his sister. No other family members are referred to in these texts.

In addition, 72.8 percent of all family relationships mentioned on the stones are relationships between members of the nuclear family; that is, mother/father/children. About one-tenth of all inscriptions just mention spouses without any further family members, such as children. However, the majority refers to the classical triad of father and/or mother and children. In one-third of those cases both parents are present, another third was commissioned by single, divorced or widowed, parents for their children and the last third by adult, but apparently not yet married, children for their father, mother or both parents, sometimes also including siblings. In category C we have all those inscriptions that refer to an extended family, often to a couple with the husband's brother or mother, 8.2 percent of the whole sample. Finally, in category D, we have multiple-family structures, 4.9 percent of all inscriptions, which often refer to several married brothers and their children or a couple with the husband's parents.

These percentages of family structures are not the same for each region, which might be due, on the one hand, to some degree to the small number of inscriptions that we have for individual regions and, on the other hand, to different social contexts in the respective locations under study. For instance, dedications and tombstones erected by brothers for each other are over-proportionately common in the regions between Thebes and Syene (Bernand (1989)), in nearby Philae (Bernand and Bernand (1969)) and among the inscriptions from the temple of Kalabcha in Nubia (Gauthier (1911–1914)), due most probably to the high military presence in these areas. We find similar regional discrepancies also in the Roman West (cf. Saller and Shaw (1984) 134, 140–41, especially note 64).

Table 4.2 Family relationships mentioned in the Egyptian epigraphic evidence.

Family relationship		
A	Just siblings	14.1%
B	Nuclear family	72.8%
	1 Conjugal family *without* children	10.3%
	2 Conjugal couple *with* children	21.2%
	3 Single parent *with* children	21.1%
	4 Children for parents/siblings	20.2%
C	Extended family	8.2%
D	Multiple family	4.9%

Let us compare now the results from Egypt to the other regions of the empire (see Table 4.3). Nuclear-family inscriptions account on average for about 88 percent of Saller and Shaw's sample for the Roman West (Saller and Shaw (1984) 136); in the inscriptions from Greco-Roman Egypt the percentage is 72.8 percent. In Shaw's study of later Roman Christian epitaphs, about 95 percent of all dedications were erected in a nuclear-family context (Shaw (1984) 497). On average, 6–8 percent of Saller and Shaw's commemorators were siblings; in my study that number is 14.1 percent. Saller and Shaw's proportion of extended family inscriptions is, however, significantly lower than in my study. While 13.1 percent of Greco-Roman inscriptions refer to extended- or multiple-family ties, in Saller and Shaw's study, which unfortunately did not differentiate between the extended and multiple family, members of extended families accounted for only 5 percent.

Martin found for Roman Asia Minor that 58 percent of all his inscriptions referred to members of the nuclear family; 40 percent of inscriptions testified to the extended family ((1996) 60). As already mentioned earlier, Martin did not distinguish between inscriptions erected by parents for children and vice versa, and those that were erected by adult siblings for each other, instead counting both types as evidence of nuclear-family structures. To make comparison nonetheless possible, I therefore also count those inscriptions that mention just siblings but no other family members as nuclear-family inscriptions. As a result, the proportion of nuclear- to extended-family inscriptions from Greco-Roman Egypt goes up to 86.9 percent, considerably higher than in Martin's sample from Asia Minor.

Interestingly, Edmondson's results in his study on Roman Lusitania are most in tune with my results for Greco-Roman Egypt – the percentages for respective family relations are virtually identical. Including the "just siblings" inscriptions, I arrive at a percentage of 86.9 percent for nuclear-family relations in my source material, whereas Edmondson has found 85.3–87.7 percent of inscriptions from Lusitania as referring to the nuclear family. In both cases, an average of about 13 percent of all inscriptions refer to extended- or multiple-family structures (Edmondson (2005) 215–17, especially 216, table 7.9).

Table 4.3 Family structures found in inscriptions from the Roman West and East.

Family Type	Roman West (Saller and Shaw 1984)	Asia Minor (Martin 1996)	Lusitania (Edmondson 2005)	Egypt (Huebner 2009)	Egypt Census returns (Bagnall and Frier 2006)*
Siblings	6.0–8.0%	–	–	14.1%	5.7%
Nuclear family	~88.0%	59.2% (including sibling inscriptions)	85.3–87.7% (including sibling inscriptions)	72.8%	51.4%
Extended family				8.2%	17.9%
	5.0%	40.0%	12.2–14.8%		
Multiple family				4.9%	25.0%

*Solitaries have been excluded since we cannot catch them in the epigraphic evidence either

The question now is, what can we infer from these results? What do we make of the virtually identical results for Lusitania and Egypt? Should we conclude that Roman Egypt and Roman Lusitania had similar family and household structures, and that in both societies the nuclear-family household was the most common experience? Or that both societies just had similar rituals of burying and commemorating their family members, and assigned similar importance to certain emotional ties within their larger kin group? In any case, what we can say for sure is that, as in the Roman West, also in Egypt the nuclear family served in fact as the focal point in memorial and dedicatory inscriptions. I have tried to show here that if we only had epigraphic evidence for Roman Egypt – as we have for the Roman West – we would indubitably come to the same hypothesis, that the nuclear family was the predominant type of familial organization also in these regions.

We are, however, in the enviable position for Roman Egypt in that we possess additional empirical data on household composition – the census returns – which in their quality, as we have seen, come close to data drawn from censuses and parish registers of early modern Europe and modern developing countries (Bagnall and Frier (2006) 44–45). Thus, we can actually double-check our results. All in all, we have to conclude that the epigraphic material cannot be taken as a direct reflection of household structure. While only 13.1 percent of all inscriptions that mention family structures provide evidence of extended or multiple families, 45.5 percent of all households recorded in the Roman census returns were either extended- or multiple-family households. In the epigraphic evidence, 72.8 percent of all inscriptions testify to nuclear-family structures; however, just 54.5 percent of all households were nuclear-family households according to the census returns. This means that the epigraphic evidence, even if it can help us elucidate the importance of respective emotional ties and obligations felt between family members, does not provide a reliable basis for determining actual family structure and household composition.

It might be that we should ascribe part of the divergence to the fact that we find in our epigraphic material mainly a reflection of the upper-class urban population, for which nuclear-family households might have been the more common experience, whereas the census returns comprise a much wider segment of the population, as later also Saller has stressed ((1994) 4; cf. also Shaw (1991) 89). This still means, however, that the analysis of the epigraphic evidence for ascertaining anything about actual household composition for the vast majority of the population is futile. If this is the case for Egypt, doubts arise about the validity of any conclusions drawn from funerary inscriptions for the Roman West, as well as for any other region.

7   Conclusions

Most scholars agree that the value of our epigraphic evidence for the study of ancient demographic patterns, including life expectancy, population size, fertility and sex ratio, has been proven to be elusive. It is the papyrological evidence – the census returns from Roman Egypt – which are generally held to be the only reliable source for reconstructing ancient demographic features. The census returns have provided us with quantifiable data unparalleled in its quality for the history of any Mediterranean population up to the Italian Renaissance and have made the most substantial contribution to our knowledge about ancient demography.

Despite this state of affairs, the epigraphic evidence has enjoyed so far high regard for the study of ancient family and household composition. Saller and Shaw's large-scale study of tombstones from the Roman West has been praised as a milestone in our understanding of the ancient family. Saller and Shaw wondered whether "the linguistic and legal material alone might lead us to downgrade the significance of the nuclear family," and in their opinion the analysis of the epigraphic evidence corrected this view: "On the basis of the tombstone inscriptions we have come to the conclusion that for the populations putting up tombstones throughout the western provinces the nuclear family was the primary focus of certain types of familial obligation" (Saller and Shaw (1984) 124). Even though Saller and Shaw were cautious not to merge these two angles, ties of emotions and obligations on the one hand and actual co-residence on the other hand, they raised the "reasonable hypothesis that the continuity of the nuclear family goes back much further in time and that it was characteristic of many regions of western Europe as early as the Roman empire" ((1984) 145–46). Even though several scholars have raised doubts about Saller and Shaw's conclusions, arguing that the trust placed upon the epigraphic evidence might not be warranted, the view that the Roman West was dominated by nuclear-family structures has found its way as basis and reference point into virtually all publications on the western Roman family since the publication of their article 25 years ago.

In this chapter I therefore wanted to test the value of our inscriptions regarding their potential for any assumptions about family and household composition by comparing the results from a survey of inscriptions from Greco-Roman Egypt with our

knowledge about household forms from the Roman Egyptian census returns. And, in fact, results from the census returns and from the epigraphic evidence differ considerably. While we would conclude from the epigraphic evidence that Roman Egypt displayed family and household structures similar to those in the Roman West, with a strong dominance of the nuclear family, we know from our census returns that in fact the majority of people lived in multiple-family households consisting of several married couples together with their offspring. If this is the case for Egypt, we might wonder whether funerary inscriptions in the Roman West might not be as strongly governed by commemorative patterns and provide as little information about actual household composition. It must be stressed again that where Roman Egypt seems to be distinct from other regions of the Roman empire and the ancient Mediterranean is in the kind and degree of its documentation, not necessarily in its cultural and social practice (see, for example, Lewis (1984) 1077–84; Bagnall (1995) 11–13; Cribiore (2001) 6; Bowman (2005) 313–14; Hanson (2005) 85).

Saller and Shaw were influenced in their conclusions about the pervasiveness of the nuclear family by Laslett's hypothesis, that the nuclear family was the common experience in western Europe long before the Industrial Revolution. They therefore saw their results as corroborating these findings and extending the assumption of the pervasiveness of the nuclear family in European history many centuries back, to ancient Roman times. This underlying hypothesis, however, has in the meantime been proven wrong: further studies on premodern household forms have brought to our attention considerable regional differences within Europe, and have in fact shown that in the Mediterranean and in eastern Europe multiple-family households prevailed throughout the centuries, while the nuclear-family household was the dominant form of living only in early modern England and some other parts of northwestern Europe. Rural areas of central and northern Italy, for instance, were characterized by a multiple-family system as far back as our records allow us to ascertain; households of peasant farmers in fifteenth-century Tuscany looked similar to those that Plutarch described for the families of the Aelii Tuberones and the Crassi in the second and first centuries BCE (Herlihy and Klapisch-Zuber (1978)).

To sum up, as much as we might wish otherwise, we have to conclude that on the basis of our present source material it seems virtually impossible to make any conclusive statements about household compositions and structures in the Roman West. Despite the vast number of inscriptions we have and despite the mass of information they contain, the epigraphic evidence does not seem suitable for any analysis of this sort. Lacking the kinds of sources that we have for Egypt in the form of census documents, it is only comparative studies for later periods, from late medieval times up to the nineteenth century, that can give us a vague idea of potential family and household structures in earlier, Roman times. Cross-cultural comparative studies have helped us see recurrent patterns in premodern household formation, and may also disperse the alleged uniqueness of the classical world. The census returns from Roman Egypt show imposingly to what degree ancient society actually conformed to these universal conditions and exigencies that governed premodern family structure and household composition.

FURTHER READING

For a general introduction to the study of premodern household systems, see Wall et al. (2001). Sources and secondary literature on particular topics have been indicated at appropriate points in the main text. Methodological considerations about the joint-family household are discussed by Wheaton (1975) and Kertzer (1989). Viazzo (2003) provides a comprehensive review of the literature on the "Mediterranean model" of household formation and deals with many of the topics that are not covered here. His article contains useful discussions of the sources, problems and methodology, as well as annotated and critical bibliographical guidance. For the family in Italy through the centuries, see Herlihy and Klapisch-Zuber (1978) and Kertzer and Saller (1991). The clearest and most comprehensive exposition of the geography of historical Italian family life is Barbagli and Kertzer (1990). On the multiple-family household, the best overall discussion is to be found in Kertzer (1989) who also elucidates the differences between stem and joint-family systems. On the extended and multiple-family household in Roman Egypt see Huebner (2011).

There is an immense literature on the Roman family; for an overview see Dixon (1988) and (1992), Rawson and Weaver (1997), Gardner (1998) and George (2005). A study of the Roman Egyptian census returns has been advanced by Bagnall and Frier (2006); for Ptolemaic Egypt, see Clarysse and Thompson (2006). For a valuable general introduction to ancient epigraphy, see Bodel (2001); anyone wishing to ponder further the relevance of the thousands of tombstones to the Roman social historian can profitably read Hope (1997a) and Scheidel's forthcoming discussion (forthcoming a).

The Royal Families of Argead Macedon and the Hellenistic World

Daniel Ogden

The dynasties of Argead Macedon and the Hellenistic world are of the greatest importance for the study of the ancient family. They are important, first, because literary and documentary records give us an unparalleled degree of information about their evolving family structures over many generations and about the roles of individual family members within them. The queens, princesses, and courtesans of these families – Cleopatra VII of Egypt is the most famous – count amongst the very few historical women of the ancient world about whom we actually possess a reasonable number of connected facts. The dynasties are important, secondly, for the fact that they strikingly flouted almost all of the Greco-Macedonian world's general rules of family structure, family conduct, and family self-presentation, as laid out in other chapters of this volume. These violations and the reasons for them, both proximate and profound, constitute the principal subject of this chapter. And, thirdly, the dynasties are self-evidently important because of the impact that they had, qua families, on the broader political structures and the higher culture of the world they dominated, an impact that was to continue to reverberate through the Roman Empire that came by stages to supplant them. But, their importance aside, these dynasties also make for supremely entertaining study, characterized as they were by a striking series of unconventional marital and sexual arrangements, and by a vigorous (and partly concomitant) rate of internecine murder. Our narrative sources for the period are richly enlivened by the lurid details of these killings. Let us consider the dynasties' violations of each of these Greco-Macedonian family norms by turn, articulated here as a series of four pseudo-commandments.

1 Thou Shalt Not Take More Than One Wife at a Time

Given the explicitness and clarity of our evidence, it is remarkable that it has not been until relatively recently that the characteristically polygamous nature of the Argead and Hellenistic dynasties has come to be universally recognized. This despite Satyrus' detailed and explicit account of Philip II's wives (all dates refer to the age before Christ), which consequently bears repeating:

> Philip [II] of Macedon did not take his women into war with him, in the way that Darius [III], the one that was overthrown by Alexander, did. Darius, even though he was fighting for the whole of his empire, used to take round with himself three hundred and sixty concubines, as Dicaearchus relates in his third book of the *Life of Greece*. Philip rather always used to make his marriages (*egamei*) in accordance with war. At any rate, "In the twenty-two years in which he was king," as Satyrus says in his book about his life, "having married (*gēmas*) Audata the Illyrian [in 358?] he got from her a daughter Cynna. He married (*egēmen*) also Phila [in 358?], the sister of Derdas and Machatas. Wanting to bring into his camp the Thessalian people he made children (*epaidopoiēsato*) from two Thessalian wives [married in 358/357], of which the one was Nicesipolis of Pherae, who produced Thessalonice for him, and the other Philinna of Larissa, with whom he sired Arrhidaeus. And he brought over to himself also the kingdom of the Molossians when he married (*gēmas*) Olympias [in 357], from whom he got Alexander [III the Great] and Cleopatra. And when he took Thrace, Cothelas the king of the Thracians came to him with his daughter Meda and many gifts [in 339]. Marrying (*gēmas*) her too, he brought her into his house on top of (*epeisēgagen*) Olympias. On top of all these he married (*egēme*) Cleopatra the sister of Hippostratus and niece of Attalus [in 337]. And in bringing her into his household on top of (*epeisagōn*) Olympias he threw his whole life into turmoil. For immediately, at the very marriage (*gamois*) Attalus said, 'So now legitimate (*gnēsioi*) kings and not bastard (*nothoi*) ones will be produced.' And when Alexander heard this he threw his cup at Attalus, and then Attalus threw his vessel at Alexander. And after this Olympias fled to the Molossians, and Alexander to the Illyrians. And Cleopatra produced for Philip the daughter called Europe." (Satyrus F21 Kumaniecki = Athenaeus 557b–e)

And despite too Plutarch's words on both Philip and two of the earlier Hellenistic kings, which similarly bear repeating:

> Learning that Alexander was reproaching him because he was producing children by several women, [Philip] said, "Well, since you have so many competitors for the kingship, make sure that you are good and fine, so that you don't acquire the kingship through me but through yourself" (Plutarch, *Moralia* 178e (*Sayings of Philip* 22))

> Furthermore, Demetrius [I Poliorcetes] did a thing that was not prohibited, but customary for the kings of Macedon from Philip and Alexander: he made many marriages, just as did Lysimachus and Ptolemy [I Soter], and he kept all the women he married in honour (*dia timēs*). (Plutarch, *Comparison of Demetrius and Antony* 4)

> [Pyrrhus] cultivated Berenice in particular, seeing that she was the most powerful and the foremost in virtue and intelligence of the wives of Ptolemy. (Plutarch, *Pyrrhus* 4)

The first passage strongly implies that Philip was producing his many children from several different women at the same time. In the second passage the phrase "in honor" is meaningless except in a polygamous context. The third passage entails that Pyrrhus selected Berenice from a series of concurrent wives.

The effects of this sort of polygamy were predictably dramatic, as the children from each of the rival lines competed with each other, alongside their respective mothers, to claim the succession to their father, either by argument, tendentiously casting their rivals as in some respect "bastard," or by murder, and often by both. I have previously labeled tensions and disputes of this sort "amphimetric," after the Greek term *amphimētores*, "children of a common father but rival mothers" (Hesychius s.v.). And it was this kind of dispute, and on occasion the anxiety to avoid such a dispute erupting, that did more than anything to shape the evolving family structures of the Hellenistic dynasties. The following tabulation of the most compelling examples shows how pervasive this sort of dispute was in the dynasties:

Argeads

1 Sons of Perdiccas II: Archelaus by Simiche vs. Aeropus by Cleopatra. Archelaus kills Aeropus, ca. 413 (Plato, *Gorgias* 471; Schol. Aristides 46.120.2).
2 Sons of Archelaus: Amyntas by mother unknown vs. Orestes(?) by Cleopatra. Archelaus tries to avert a developing quarrel between his sons, ca. 400 (Aristotle, *Politics* 1311b).
3 Sons of Amyntas III: Ptolemy of Alorus by mother unknown vs. Alexander II, Perdiccas III, Philip II and Eurynoe by Eurydice. Ptolemy murders Alexander and is in turn murdered by Perdiccas, 367–365 (Marsyas of Macedon, *FGrH* 135/6 F3; Diodorus 15.71, 16.2.4; Schol. Aeschines 2.32; Justin 7.4.7–8, 7.5.4–7).
4 Sons of Amyntas III: Alexander II, Perdiccas III and Philip II by Eurydice vs. Archelaus, Arrhidaeus and Menelaus by Gygaea. Philip murders Archelaus and attacks Olynthus for harboring Arrhidaeus and Menelaus, ca. 349 (Justin 8.3.10).
5 Family of Philip II: his son Alexander III the Great by Olympias vs. his wife Cleopatra and her daughter. Cleopatra's uncle Attalus declares Alexander to be a bastard, and after Philip's death Cleopatra is duly murdered, together with her infant daughter, by Olympias, ca. 337–336 (Satyrus F21 Kumaniecki; Plutarch, *Alexander* 9; Justin 9.7.12).
6 Family of Philip II: Alexander III and his mother Olympias vs. Arrhidaeus by Philinna. Olympias attempts to poison the child Arrhidaeus, ca. 350; Alexander fights with him for the hand of the daughter of Pixodarus, 337; and Olympias finally kills him, 317 (Diodorus 19.11.1–7; Plutarch, *Alexander* 10, 77; Justin 14.5.8–10).
7 Sons of Philip II: Alexander III by Olympias vs. Caranus by mother unknown. Alexander murders Caranus upon accession, 336 (Justin 11.2.3).
8 Wives of Alexander III: Roxane vs. Barsine-Stateira. Roxane murders Barsine-Stateira upon the death of Alexander, 323 (Plutarch, *Alexander* 77).

House of Lysimachus

9   Family of Lysimachus: Agathocles by Nicaea vs. Ptolemy, Lysimachus and Philip by Arsinoe II. Arsinoe tricks Lysimachus into executing Agathocles, ca. 284–282 (Memnon, *FGrH* 434 F6.6–7; Pausanias 1.10.3–4).

Seleucids

10 Family of Seleucus I Nicator: his son Antiochus by Apama vs. his wife Stratonice. Seleucus resolves Antiochus' anxieties about his succession by the surrender of his bride Stratonice to him, 292 (Plutarch, *Demetrius* 38; Appian, *Syrian Wars* 59–62; Lucian, *On the Syrian Goddess* 17–18, 23).

11 Family of Antiochus II: his sons Seleucus II and Antiochus Hierax by Laodice vs. his wife Berenice Phernophoros and her son. Laodice murders Berenice together with her son, 246 (Porphyry, *FGrH* 260 F43).

12 Wives of Demetrius II: Cleopatra Thea vs. Rhodogoune. Cleopatra murders Demetrius in revenge for his marriage to Rhodogoune, 126 (Appian, *Syrian Wars* 68).

Ptolemies

13 Sons of Ptolemy I Soter: Ptolemy Ceraunus, Argaeus and an unnamed son by Eurydice vs. Ptolemy II Philadelphus by Berenice. Ceraunus is forced out of Egypt when Soter designates Philadelphus as his successor, 285; after his full accession, 282, Philadelphus executes Argaeus and the unnamed brother, who has fomented rebellion in Cyprus (Memnon, *FGrH* 434 F8.2; Appian, *Syrian Wars* 62; Justin 16.2.7, 17.2.9–10; Pausanias 1.7.1).

14 Daughters of Ptolemy I Soter: Lysandra by Eurydice vs. Arsinoe II by Berenice, ca. 284–282. Arsinoe tricks Lysimachus into executing Lysandra's husband Agathocles (Memnon, *FGrH* 434 F6.6–7; Pausanias 1.10.3–4).

15 Women of Ptolemy IV Philopator: Arsinoe III vs. Agathocleia. Agathocleia conspires in the murder of Arsinoe III upon the death of Philopator, 205 (Polybius 15.25).

Antigonids

16 Sons of Philip V: Perseus by Polycrateia vs. Demetrius by mother unknown. Demetrius, egged on by the Romans, schemes against Perseus until eventually executed by his father, 184–180 (Livy 39.53.2–3, 40.5–8, 40.16; Polybius 23.11).

Attalids

17 Sons of Eumenes II: Attalus III vs. Aristonicus/Eumenes III by "Ephesian" mother. Aristonicus rebels against Attalus, ca.134, and sustains the rebellion against Rome after the latter's death, 133 (Justin 36.4).

Whilst we may at first be tempted to imagine that these polygamously held wives were demeaned and powerless, and condemned to restricted lives behind harem walls, nothing could have been further from the truth. Paradoxically, their polygamous context, if not actually empowering as such, forced upon the wives an unusual degree of assertiveness and public activity as they fought for their children's succession, not to mention for their own lives, and so it is that we are typically much better informed about the lives and indeed the names of polygamously held wives than we are of monogamously held ones. Almost certainly these bitter rivals were typically housed in separate palaces.

Given that polygamy was so debilitating to the dynasties, why did the kings employ it in the first place? It did have some advantages: since marital alliances constituted the most important diplomatic tool available to the kings, they would not have wanted to hobble their foreign policy with monogamy (Satyrus' fragment on Philip's marriages makes the point well). But if the kings thought their daughters would champion their interests after being transferred to their rivals' courts, they must characteristically, it seems, have been disappointed. The book of Daniel's retrospective prophecy describing the strong Seleucid king Antiochus III the Great's imposition of his daughter Cleopatra I on the weak Ptolemy V makes the point crisply: "And he will give him a daughter of man, to destroy Egypt, but she won't obey him or stand firm" (11.17; cf. Jerome, *ad loc.*). Once royal brides had become mothers, their primary loyalty would inevitably have been transferred to their children, whose interests were those of their marital dynasty, not their birth dynasty. Also favoring polygamy was the fact that Macedonian armies expected to be led from the front by royal blood, an expectation which was of course expensive of such blood, and so entailed the siring of many princes. But whatever the cause of dynastic polygamy "in the first place," once the system was instituted its own disastrous effects upon the mortality of princes (battle wastage aside) paradoxically ensured that it was replicated: kings were spurred on to sire many heirs by the expectation that strife between competing wives and competing sons would carry many of them off.

2   Thou Shalt Not Flaunt Thy Courtesans

Whilst the general tolerance of prostitutes and courtesans and of men's relationships with them was greater in the ancient Greek world than in the modern West, the public flaunting of one's relationship with a prostitute, especially when one had a wife at home, was certainly frowned upon. But such flaunting is what we find in the early and middle Hellenistic dynasties, with the kings giving their courtesans key public roles in the religious sphere, and even deifying them.

After Demetrius I Poliorcetes captured the great Athenian courtesan Lamia amongst Ptolemy I's booty in the 306 battle of (Cyprian) Salamis, she was allowed or encouraged to develop a particularly high public profile. This is reflected in many amusing anecdotes attaching to her, almost all of them focusing on the time Demetrius spent with her in Athens prior to 302, the most remarkable of which is the following:

> Of all the offensive illegalities that took place in the city at that time the thing that is said to have grieved the Athenians most was the order imposed upon them that they should at short notice find revenues of two hundred and fifty talents and provide them to him. They strained themselves hard to raise the money, and would admit of no excuses. When he saw the money collected together, he commanded that it be given to Lamia and her courtesan associates for soap. (Plutarch, *Demetrius* 27)

Such public gestures of excessive luxury (*tryphē*) would not necessarily endear a modern royal family to its public, but some of the Hellenistic kings evidently considered that they could usefully enhance their charisma before their subjects with outrageous ostentation.

Demetrius was prepared to focus even more public attention on Lamia in religious contexts. Clement of Alexandria, writing with a strongly anti-pagan agenda, has the following to tell us:

> And the Athenians declare Demetrius to be a god too. At the point at which he got down from his horse as he entered Athens there is a temple of Demetrius the Dismounter, and there are altars to him everywhere. And marriage to Athena was being prepared for him by the Athenians. But he scorned the goddess since he could not marry her statue. However, he went up to the Acropolis with the courtesan Lamia and had sex with her in Athene's bridal chamber, displaying the sexual positions of the young courtesan to the old virgin. (Clement of Alexandria, *Protrepticus* 4.54.6; 48 Potter)

If we try to reach beyond the scorn, we may find in Demetrius' gesture not an act of contemptuous sacrilege, but almost its opposite. The clue lies in the curious detail of Demetrius' attempt to marry the goddess Athena in the form of her statue. Almost certainly Lamia was asked to impersonate or stand in for the goddess, so that Demetrius could accomplish a so-called "sacred marriage" with Athens' patron goddess and celebrate his unique relationship of patronage with the city in this way. Two and a half centuries before this, in 552, another tyrant, Pisistratus, had chosen a woman of statuesque beauty, one Phye, to escort him up to the Acropolis in a chariot in the guise of Athena, and Demetrius was perhaps making a similar gesture (Herodotus 1.60; Aristotle, *Constitution of Athens* 14).

We are further told that the Athenians and the Thebans dedicated temples to, respectively, Lamia Aphrodite and Aphrodite Lamia (Athenaeus 252f–253b, incorporating Demochares, *FGrH* 75 F1 and Polemon, F13 Preller). If such a gesture was to be worth anything, then it had to be presented as a spontaneously graceful act on the part of the adoring cities, but we can be sure that the dedications received Demetrius' approval in advance, even if they did not actually originate in his subtle command. A temple dedicated to "Aphrodite Lamia," as at Thebes, was perhaps not quite the same as, and was perhaps less outrageous than, a temple dedicated to "Lamia Aphrodite," as at Athens. The latter would seem to have been a temple dedicated to Lamia in her own right, albeit identified with Aphrodite. The former, however, would seem to have been a temple dedicated not to a courtesan in the first instance but to an established and recognized goddess, albeit, nonetheless, with special reference to that aspect of her that was manifest within or through the courtesan in question.

Ptolemy II Philadelphus too brought his courtesans to great public prominence, and in consequence we can give names to more of the courtesans attached to him than to those attached to any other Hellenistic king, some eleven in all: Agathocleia, Aglais(?), Bilistiche, Cleino, Didyme, Glauce, Hippe, Mnesis, Myrtion, Potheine and Stratonice (Athenaeus 576ef, incorporating Ptolemy VIII, *FGrH* 234 F4 and Polybius 14.11.2). And amongst these, particular prominence was given to Bilistiche, a woman of Macedonian stock. She sponsored chariot teams in the Olympic Games and was publicly advertised as victor in 268 and 264 (Pausanias 5.8.11; Eusebius, *Chronicles* i 207 Schöne; Phlegon of Tralles(?) *Olympic Chronology FGrH* 257a F6 = *POxy* 2082 lines 68). With the publication of the new Posidippus epigrams, it has become apparent that in sponsoring such teams Bilistiche was acting very much in the style of a Ptolemaic queen. The epigrams imply that Berenice I, Arsinoe II Philadelphus (the wife of Ptolemy II Philadelphus) and Berenice Phernophorus or Berenice II competed in similar fashion (Austin and Bastianini (2002) Posidippus Nos 78, 79, 82, 87, 88).

More significantly, Plutarch tells us that Bilistiche too was worshipped as a goddess:

> Was not Bilistiche, by Zeus, a barbarian female bought in the agora, she for whom the Alexandrians kept shrines and temples, on which the king, because of his love, inscribed the words "of Aphrodite Bilistiche"? (Plutarch, *Moralia* 753ef (*Amatorius* 9))

Moral outrage may here have induced Plutarch to depress Bilistiche's original status somewhat. One of these temples may have been associated – after Bilistiche's death at any rate – with the temple of Sarapis at Racotis (Clement of Alexandria, *Protrepticus* 4.48 = 42 Potter). To return to the considerations voiced in connection with Lamia, temples dedicated to "Aphrodite Bilistiche" were perhaps less outrageous than a temple dedicated to "Bilistiche Aphrodite" would have been. Although it is often assumed that Bilistiche was only deified after her death, as became usual in the case of the Ptolemaic queens, the Lamia precedent shows that this assumption is unfounded.

Bilistiche also took on Alexandria's most exalted religious office for a woman, that of the eponymous *canephore* (sacred "basket carrier") of Arsinoe II, in 251/250 (*PCairZen* ii.59289; *PZenDem* 6b). Ptolemy IV Philopator's courtesan Agathocleia was subsequently to take on this same role in 213/212 (*PGrad* 16 lines 1–3; *PHauswaldt* 18a). This is particularly interesting because it is probable that, as at Athens, Alexandrian *canephores* were normally supposed to be virgins.

The origin of the trend for exalting one's courtesans in the religious sphere must remain largely mysterious. The only palpable precedent for the phenomenon lies in the career of Alexander the Great's rogue treasurer Harpalus. He had effectively declared himself king, not least insofar as he demanded that his two Athenian courtesans, first Pythionice and then, after her death, Glycera, should be addressed as "queen" and that obeisance should be done before them. For the dead Pythionice, tradition tells, Harpalus erected not one but two monuments. One of them, close to Athens, on the road to Eleusis, was recognized as the most magnificent tomb in all Attica; the other, in Babylon, is described both as a tomb and as a temple in which

she was worshipped as Pythionice Aphrodite (Athenaeus 567f, 585a–c, 586c–d, 594d–96b, 605d; note also Diodorus 17.108.5–6, Pausanias 1.37.5; Plutarch, *Phocion* 22). The Babylonian temple may have been a figment of the Athenian imagination, but if it was, it was dreamed up already during Harpalus' lifetime (Python, *Agen TrGF* 91 F1; Theopompus, *Letter to Alexander*; *FGrH* 115 F253), and so the notion that Pythionice should have had her temple certainly preceded the careers of Demetrius and Lamia. But the difficulty remains that Harpalus remained such an unedifying precedent for Demetrius or any other king to emulate. We should probably conclude that Harpalus and Demetrius were both alike acting in line with a shared set of precedents, and that these precedents were likely to have been located in the Argead dynasty, perhaps in the generations prior to Philip and Alexander, since our copious sources for these two kings offer us nothing resembling a deified courtesan in connection with either of them.

3   Thou Shalt Not Marry Close Relatives

Ptolemy II Philadelphus' decision to marry his full sister Arsinoe II in ca. 276 is well known, and it initiated a custom that was to endure until the very end of the Ptolemaic dynasty and the reign of the famous Cleopatra VII. The dynasty's identifiable incestuous unions may be tabulated as follows:

1   Ptolemy II Philadelphus marries his full sister Arsinoe II, ca. 276 (Pausanias 1.7.1; Plutarch, *Moralia* 736ef; Justin 24.2; Schol. Theocritus 17.128).
2   Ptolemy IV Philopator marries his full sister Arsinoe III, ca. 211 (Polybius 5.83, 15.25).
3   Ptolemy VI Philometor marries his full sister Cleopatra II, ca. 174 (Porphyry, *FGrH* 260 F2.7).
4   Ptolemy VIII Euergetes II (Physcon) marries his full sister Cleopatra II, ca. 145 (Justin 38.8.4).
5   Ptolemy VIII Euergetes II (Physcon) marries his niece Cleopatra III, ca. 142–140 (Diodorus 33.13; Livy, *Periochae* 59; Valerius Maximus 9.1 ext. 5; Justin 38.8.5).
6   Ptolemy IX Philometor II (Lathyrus) marries his full sister Cleopatra IV, before 116 (Cicero, *De Lege Agraria* 1.1, 2.16–17; Justin 39.3–4).
7   Ptolemy IX Philometor II (Lathyrus) marries his full sister Cleopatra Selene, ca. 116 (Justin 39.3–4; Pausanias 1.9.1).
8   Ptolemy X Alexander I marries his niece Cleopatra V Berenice, ca. 107 (Justin 39.4–5; Pausanias 1.9.3; Posidonius, *FGrH* 87 F26 = Athenaeus 550a).
9   Ptolemy XII Neos Dionysios marries his full sister Cleopatra VI Tryphaena, ca. 80 (Cicero, *De Lege Agraria* 2.41; Porphyry, *FGrH* 260 F12.14).
10 Cleopatra VII marries her brother Ptolemy XIII, ca. 51 (Caesar, *Civil War* 3.1.7–8; *Alexandrine War* 33; Ampelius 35.4; Eutropius 6.21; Porphyry, *FGrH* 260 F2.16).
11 Cleopatra VII marries her brother Ptolemy XIV, ca. 47 (for the references, see 10).

The most immediate reasons for Philadelphus' marriage to Arsinoe were perhaps three. First, to boost his claim and those of his full siblings (those born from Ptolemy I and Berenice) and their offspring to rule in the face of competing claims from half-brothers, in particular those born from Ptolemy I and Eurydice. The greatest threat amongst these, Ptolemy Ceraunus, was already dead when the marriage was made, but others of that line continued to sustain their claims, Argaeus and the unnamed prince who fomented rebellion in Cyprus (Pausanias 1.7.1–2). More broadly, he may have been attempting to close down for future generations the problem of strife between a king's rival lines: the Argeads had been riddled with it and the Ptolemies too had fallen victim to it in their first generation, Philadelphus himself being at the heart of the troubles. Second, to lay claim to the throne of Macedon itself. For Arsinoe had in recent years been the wife of not one but two kings of Macedon. She had first married Lysimachus, to whom she had borne sons, and then she had married, for moments rather than days as it seems, her own half-brother Ptolemy Ceraunus, after he had contrived to seize the Macedonian throne (280–279). In the course of the wedding itself Ptolemy Ceraunus set about murdering her sons by Lysimachus, but one of them managed to survive (Justin 23.2–3). And third, perhaps as a background consideration, to appropriate other imagery of royal power. Memnon and Pausanias explicitly connect the marriage with supposed pharaonic precedent, although it is now thought that sister-marriage was not in fact typical amongst the pharaohs (Memnon, *FGrH* 434 F8.7; Pausanias 1.7.1). More securely, it was known that the greatest ruler of all, Zeus, had married his full sister Hera and ruled with her. And the analogy between Philadelphus' marriage to Arsinoe II and Zeus' marriage to Hera was accordingly drawn and advertised by the court poet Theocritus (17.128–34).

But this was by no means the first sister-marriage in the Argead or Hellenistic dynasties. It is likely that the Argead usurper, Ptolemy of Alorus (it would be good to know whether he bore any relationship to the subsequent Ptolemies of Egypt), was marrying his own half-sister when he married Eurynoe, ca. 368 (Justin 7.4.7–8). It is also possible that the Seleucid crown prince Antiochus I married a half-sister in marrying Nysa in the late 280s (Stephanus of Byzantium s.v. Antiocheia; *OGIS* No. 219). If so, it is theoretically possible that this marriage was itself influenced in part by Achaemenid Persian precedent: for example, that dynasty's last king Darius III (r. 336–330) had married his sister Stateira (Curtius 4.10.2; Plutarch, *Alexander* 30.3); whether she was his full sister or his half-sister is not known. But we are on firmer ground when we come to the half-sister marriage of Philadelphus' own competitive half-brother Ptolemy Ceraunus to Arsinoe II in 280–279. Philadelphus' subsequent marriage to Arsinoe II was no doubt, on another important level, a response to this union.

It is possible that the marriage between Philadelphus and Arsinoe II was not a sexual union, and that Philadelphus was keen to present it as non-sexual, in view of the reaction that might be expected from his Greco-Macedonian audience, and which was indeed articulated by Sotades of Maroneia: "You thrust your stick into an unholy orifice" (F1 Powell = Plutarch, *Moralia* 11a = Athenaeus 621a). As Athenaeus tells us, Philadelphus' response to these words was to have Sotades dumped in the sea in a leaden vase. Arsinoe II was ca. 40 when the marriage was made. The union did not

produce any children; Philadelphus rather adopted his children by Arsinoe I to Arsinoe II (Pausanias 1.7.8; Schol. Theocritus 17.128). As it happens, Philadelphus' son and successor, Ptolemy III Euergetes I, did not have a sister available to marry, and so the dynasty's next sister-marriage was that between his children, Ptolemy IV Philopator and Arsinoe III, and this did indeed produce the first fully sister-born Ptolemy in Ptolemy V Epiphanes, ca. 210. As we have seen, Philadelphus ostentatiously flaunted his courtesans, Bilistiche and the others, in public. Given the coincidence that this next sister-marrying king, Ptolemy IV, likewise flaunted his courtesans in public, Agathocleia in particular (Polybius 15.25; *PGrad* 16 lines 1–3; *PHauswaldt* 18a), one wonders whether Philadelphus and Philopator were not both alike attempting to establish a public differentiation between their (theoretically) child-bearing sister-wife on the one hand and their desired sexual partner or partners on the other. Ptolemy V was compelled by the Seleucid king Antiochus III to marry his daughter Cleopatra (Livy 35.15; Appian, *Syrian Wars* 5; Daniel 11.17), but the sons that succeeded him to the throne, Ptolemies VI and VIII, again married a full sister, the same one, in fact, Cleopatra II, and we may again note that Ptolemy VIII at any rate again flaunted a courtesan in public, Eirene/Ithaca (Diodorus 33.13; Josephus, *Against Apion* 2.5; Justin 39.5.2). Thereafter incestuous marriages were *de rigueur* in the dynasty. The seemingly low fertility rate that attended them may have been due to genetic compromise or to distaste between husband and wife.

If Seleucid sister-marriage did not begin with the union between Antiochus I and Nysa in the late 280s, then it did so with Antochus II's marriage to his paternal half-sister Laodice at some point before 261 (Polyaenus 8.50). Later on, Antiochus III the Great came to manipulate sister-marriage in an interesting way in the unions he arranged for his children. Antiochus III found that he had a considerable number of Seleucid princesses at his disposal and, as usual amongst the Hellenistic dynasties, he sought to exploit them to construct diplomatic marriage alliances: in 212 he gave his sister Antiochis to Xerxes of Armenia (Polybius 8.23); in 206 he offered a daughter to the Bactrian prince Demetrius (11.39); in ca. 195 he gave Cleopatra I to Ptolemy V, as we have seen; at around the same time he gave his daughter Antiochis to Ariarathes IV of Cappadocia; and in ca. 193 he offered an unnamed daughter to Eumenes II of Pergamum, though she was refused (Appian, *Syrian Wars* 5). In making these unions Antiochus III can be seen to have constructed a dynastic code in accordance with which he bestowed his womenfolk as wives upon the kings he wished to project as his own vassals, located as they were around the perimeter of his vast empire. But such a code inevitably prohibited his own sons from marrying the daughters of an external king, for that would project them as vassals to those kings in turn. The only solution was for the sons to marry one of their own sisters (which would still render them vassals, but only, appropriately and fairly enough, to their own father). And so Antiochus married his initially preferred crown prince, Antiochus the Son, to his (so far as we can tell, full) sister Laodice (Appian, *Syrian Wars* 4). Unfortunately, Antiochus the Son died before he came to rule (Livy 35.15). But then Antiochus' second son, Seleucus IV, and his third son, Antiochus IV, both of whom did make it to the throne, also married a sister Laodice and it is likely that in all three cases this was the same sister (*SEG* vii No.17; *OGIS* No. 252).

Another curious variety of marriage that flourished in the Argead and Hellenistic dynasties, and one that perhaps originated even prior to sister-marriage, was something we may for convenience call "stepmother marriage," although the term requires some qualification and contextualization. As adult sons succeeded to their dead father's throne, they would often marry one of his polygamously held widows. The widow in question would not have been their own mother, but typically, we may imagine, a rather younger woman their father had married in later days, who would have been more or less of their own generation or perhaps even still junior to them. Such a gesture could have the practical value of neutralizing a potentially dangerous rival line, but it also had an important symbolic value: the new king proclaimed that he was stepping into his father's broader role by stepping into his bed. Whilst the specter of Oedipus may rise up, such unions were not of course between individuals of shared blood, and, given the structures and tensions of polygamous courts, it is highly unlikely that the widows taken on in this way had previously been *in loco parentis* to their new husbands in anything but the most nominal and etiolated of fashions. Of course, some kings were succeeded, after violence or otherwise, by men who were not their own sons, and these successors could also make the same legitimating gesture of marrying one of their predecessor's widows. And the gesture could also be made, in aspirational fashion, by men who had managed to acquire a prestigious widow but not, as yet, the territory her former husband had controlled. Again, I tabulate the identifiable cases of kings marrying a widow of the man to whom they succeeded or aspired to succeed:

Argeads

1 Archelaus marries Cleopatra, widow of his father Perdiccas II, ca. 413 (Plato, *Gorgias* 471a–d, Aristotle, *Politics* 1311b).
2 Ptolemy of Alorus marries Eurydice, widow of his father Amyntas III, ca. 367 (Justin 7.4.7–8, 7.5.4–7).

House of Lysimachus

3 Lysimachus marries Nicaea, daughter of Antipater and widow of the regent Perdiccas, and thereby claims the entire inheritance of Alexander, ca. 320 (Strabo C565; Stephanus of Byzantium s.vv. *Lysimachos* and *Nikaia*).
4 Arsinoe II offers herself to Lysimachus' presumptive heir, Agathocles, whilst Lysimachus, her husband and his father, yet lives, ca. 284–282 (Pausanias 1.10.3–4).

Antigonids

5 Demetrius I Poliorcetes marries Phila, daughter of the regent Antipater, and thereby lays claim to the kingdom of Macedon, 320 (Plutarch, *Demetrius* 14).
6 Antigonus III Doson marries Chryseis, widow of his predecessor and half-cousin, Demetrius II, 229 (Plutarch, *Aemilius Paullus* 8; Pausanias 7.7.4; Justin 28.3.9–16).

Seleucids

7 Seleucus I in life passes his young wife Stratonice onto his son Antiochus I, 292 (Plutarch, *Demetrius* 38).

8 Seleucus IV marries Laodice, widow of Antiochus the Son, former presumptive heir to their father Antiochus III, ca. 193 (*SEG* vii No.17).

9 Antiochus IV marries Laodice, widow of Antiochus the Son and Seleucus IV, ca. 175 (*OGIS* No. 252).

10 Antiochus X Eusebes marries Cleopatra Selene, widow of his father Antiochus IX Cyzicenus, ca. 95 (Appian, *Syrian Wars* 69).

Ptolemies

11 Ptolemy Ceraunus marries Arsinoe II, widow of Lysimachus, 280–279 (Justin 23.2–3).

12 Ptolemy II Philadelphus marries his sister Arsinoe II, widow of Lysimachus and Ptolemy Ceraunus, ca. 276 (Pausanias 1.7.1; Plutarch, *Moralia* 736ef; Justin 24.2; Schol. Theocritus 17.128).

The most interesting of these cases is Seleucus I's handing over of his new young wife, Stratonice I, daughter of Demetrius I Poliorcetes, to his own son, Antiochus I, whilst proclaiming him king in his own right:

> For it happened, as it seems, that Antiochus fell in love with Stratonice, who was a young woman, but already had a child by Seleucus, and he was in a bad way. He did much to resist his emotion, but in the end he condemned himself for his terrible desires, for his incurable sickness and for the fact that his reason had been overcome. So he sought a way of escaping from life and gradually enfeebled his body by neglect and abstinence from food, whilst pretending that he was sick of some disease. But the doctor Erasistratus realized that he was in love without difficulty … And so Seleucus gathered a full assembly of the people and said that he wished and had indeed resolved to declare Antiochus king of the Upper Satrapies and to declare Stratonice his queen: they were to live together as man and wife. He said that he thought his son, who was used to obeying him completely and following his will, would not refuse in the matter of the marriage. And, in case his wife was upset by this unusual procedure, he invited his friends to tell her and persuade her to consider the beneficial decisions of a king to be fine and just. Anyway, they say that the marriage of Antiochus and Stratonice was brought about for a reason of this kind. (Plutarch, *Demetrius* 38)

The love of Antiochus for Stratonice was projected by the tradition as at once romantic and weird. But whether or not Antiochus had in fact fallen in love with Stratonice, Seleucus' thinking in handing over his bride is clear. Now that he was beginning to sire children by a wife in competition with Antiochus' mother and her line, Antiochus was beginning to feel threatened. By giving Stratonice over to Antiochus, Seleucus reunified the strands of his dynasty, whilst retaining the diplomatic tie with Stratonice's father Demetrius (even if his rights as her father were technically flouted in the

transfer). And, more germanely, it also offered Seleucus a convenient mechanism to bring his own son to kingship whilst he himself yet lived, by means of a quasi-stepmother marriage.

4   Thou Shalt Not Sire Illegitimate Children

The Argead and Hellensitic royal families were, if one could take our literary sources for them at face value, full of illegitimate children of one variety or another. Representations of illegitimacy in the dynastic traditions, broadly speaking, can be said to derive from two origins. The first is precisely the competition between lines referred to above: each line of children, from each of the king's wives, would attempt to advance their own claim to be the successor line by representing the other lines as in some sense illegitimate – either on the ground that their mother was of some inferior or disqualified status or ethnicity, or on the ground that she was a common prostitute and could not therefore be relied upon to supply the king with children of his own blood.

The second is the deliberate attempt on the part of the dynasts or their close promoters to supervalidate their claims to rule with an appeal to immediate descent from a god. Thus, Seleucus I:

> Seleucus' valour also was distinguished, and his origin was miraculous. His mother Laodice, it seems, after she had been married to Antiochus, a distinguished general of Philip's, dreamed that she conceived by sleeping with Apollo, and that, having been made pregnant, she was given a ring by the god as a reward for the sex. Its stone was engraved with an anchor. Apollo bade her give it to the son she was to bear. The discovery of a ring with the same engraving in the bed the next day made it clear that the vision had been miraculous, as did the appearance of the sign of the anchor on the thigh of the tiny Seleucus himself. Therefore Laodice gave the ring to Seleucus as he was setting out on the Persian campaign with Alexander the Great, and she told him about his origin … Proof of his origin endured also among his descendants, since his sons and grandsons had anchors on their thighs as if they were natural tokens of their family. (Justin 15.4.2–10)

Such a claim was not a difficult one for Seleucus to make: his actual sire, Antiochus, was not a man from whom he could inherit kingship, and so he could be shunted aside in favor of Apollo without too many scruples. But it is rather more surprising to see the sons of established kings doing the same thing:

> And once too a serpent was seen stretched out beside Olympias' body as she slept. And they say that this most of all blunted Philip's desire for and fond feelings towards his wife, so that he no longer visited her frequently to sleep with her, either because he feared that some kind of magic was being performed against himself, and he feared the woman's spells, or because he avoided her company out of religious scruple since she was having congress with a higher power … Anyway, after the manifestation Philip sent Chaeron of Megalopolis to Delphi, and they say that he brought an oracle from the god that bade

him sacrifice to Ammon and honor this god most of all. And it said that he would lose the eye that he had applied to the hinge-gap in the door when he saw the god sleeping with his wife in the form of a serpent. And Olympias, as Eratosthenes says, sending Alexander forth to his campaign and telling him alone the secret of the way in which he was sired, told him to have a mind worthy of his birth. Others say that she distanced herself from the notion and said, "Will Alexander not stop slandering me before Hera?" (Plutarch, *Alexander* 2–3, incorporating Eratosthenes, *FGrH* 241 F28)

As an aspirant to the Argead throne, Alexander could have wanted no more legitimating sire than Philip, not only because he was the current occupant of the throne, but also because he was so spectacularly successful in the role. And so the decision to shunt him aside – in the context of this particular dynastic myth at any rate – is a striking one.

In the light of these myths, the birth myth Ptolemy I Soter developed for himself is particularly interesting:

The Macedonians hold that Ptolemy is the son of Philip the son of Amyntas, although nominally the son of Lagus. For they say that his mother was given to Lagus by Philip with him already in her belly. (Pausanias 1.6.2)

Lagus … married Arsinoe the mother of Ptolemy Soter. Lagus exposed this Ptolemy in a bronze shield as having no relationship with him. A tradition comes down from Macedonia to the effect that an eagle visited him and stretched its wings over him and, hovering over him, shielded him from the direct rays of the sun, and from excessive rain, whenever it rained. It frightened off the flock-birds, tore up quails, and provided him with their blood as nourishment in place of milk. (*Suda* s.v. *Lagos* = Aelian F283 Domingo-Forasté)

As with both Seleucus and Alexander, Ptolemy's actual sire is shunted aside: Ptolemy had no position of rulership to inherit from him, any more than Seleucus did from Antiochus. But here Ptolemy has made an almost complementary gesture to Alexander's, in seizing for himself the spectacularly legitimating father that Alexander had disowned, Philip. But he has also taken Zeus for himself as an additional sire, for the eagle that fosters the baby Ptolemy is Zeus' agent. It might be thought, nonetheless, that Ptolemy was playing with fire in bringing upon himself such explicit and strongly characterized imagery of bastardy. Yet even this, paradoxically, need not have been wholly undesirable. For it was a well-established trope of the Greek legends of colony-foundation and tyranny-establishment to project the great new leader (whether good or bad) as deriving from the humblest of origins, and often, particularly, as an illegitimate child. Battus, the founder of Cyrene, was portrayed in legend as the illegitimate child of a woman cast out and reduced to concubinage (Herodotus 4.154–55). Cypselus, the founder of the Corinthian tyranny, was portrayed in legend as the son of Labda, a woman of Corinth's exclusive Bacchiad aristocracy, but one who had been given out in an illegal marriage to a non-Bacchiad because of her lameness (Herodotus 5.92).

5   Conclusion

We have seen that each of the phenomena considered here can be accounted for, to a greater or lesser extent, in its own terms. Polygamous marriages were justified by the desirability of forging multiple diplomatic alliances, the need for multiple princes to lead armies, and the need to hold many heirs of the blood in reserve. Sister-marriages were justified by the desire to confer an exceptional degree of legitimacy on a particular bloodline or to avoid the compromise to status that an out-marriage might entail. Stepmother marriages were justified by the desirability of affirming one's right to rule by identifying oneself as closely as possible with one's predecessor in all regards. The flaunting of courtesans was justified by the opportunity to make grand religious gestures, to construct an aura of appropriately royal excess and perhaps even (in the case of the Ptolemies) to mitigate public hostility to sister-marriage. Claims to illegitimacy were justified by the desirability of connecting oneself with the divine and of appealing to – paradoxically legitimating – legendary archetypes. But given that the norms of Greco-Macedonian families were being flouted in so many ways – one might almost think systematically so – a broader level of explanation for these phenomena as a group is surely called for. And the readiest explanation is the kings' will, conscious or otherwise, to express difference from the Macedonian, Greek and Hellenized commonalty and to project themselves as exceptional and as presiding over a family apart. Creativity in family structuring and family codes was not of course the only locus in which the Hellenistic kings expressed their exceptional nature, but it was a particularly important one in which to do it. This was because so much of a king's power and authority at any given moment depended – under normal circumstances – upon the expectation that his regime would endure indefinitely, whether embodied in the figure of the same individual, in that of his son or in that of his remoter descendants.

FURTHER READING

General treatments of the Hellenistic world and its history proliferate; among these the variorum volume Erskine (2003) is recent, readable and respected. The synoptic chronological survey of Will (1979–1982) is unsurpassed. Shipley (2000) seems to regard interest in dynastic matters as quaintly archaic, and all but omits treatment of them.

Ogden (1999) offers a survey of the developing family structures and the pressures upon them in the Argead and Hellenistic dynasties, and supplies more detailed justification for many of the claims made glancingly in this piece. Otherwise, dynastic matters tend to be addressed most fully in works focusing on the queens (not always a strictly accurate term for the royal women). Macurdy (1932), still, amazingly, the only monograph covering the full set of Hellenistic queens, retains value for that reason and others, along with considerable charm. Note also Seibert (1967).

The authoritative resort for all matters bearing upon the queens of Macedon, Argead and Antigonid, is Carney (2000); note also the same author's important biography of Olympias (2006), and her special studies of the women of Alexander's court (2003) and of the public assertiveness of women in the Argead dynasty (2010). For Argead polygamy, see also Prestianni

Giallombardo (1976/1977), Greenwalt (1989) and Tronson's classic study of the Satyrus fragment (1984).

The most helpful survey of the Ptolemaic dynasty is Fraser ((1972) i 115–31, ii 209–34), with very full citations, often indeed quotations, of the evidence. One trusts that Chris Bennet's thorough web-based work in reconstructing the dynasty, with admirable exploitation of demotic sources, will one day reach fruition in print (check search engines for current web address). Ager (2005) offers a comprehensive and engaging survey and analysis of Ptolemaic incest; note also Buraselis (2008) and Carney (1987), whose eagerly awaited biography of Arsinoe II (forthcoming) will replace that of Longega (1968). For brother-sister marriage amongst the commonalty in Greco-Roman Egypt, see Scheidel (1996a) and (1997a), superseding Hopkins (1980).

The Seleucids are less well served by synoptic dynastic studies. The difficult evidence, much of it numismatic, for their final decadence is assembled in a classic study by Bellinger (1949). Grainger's more recent prosopography of the dynasty (1997) is not always accurate. Mehl (1986) offers the best dedicated study of Seleucus I and Schmitt (1964) that of Antiochus III.

The Attalids have received little attention in this piece, but Hansen (1971) provides a very full account of the dynasty in all its aspects, and much else besides; Allen (1983) is also valuable.

The Argead and Hellenistic dynastic birth myths are discussed in Ogden (forthcoming), and the role of illegitimacy in Greek foundation myths more broadly in Ogden (1997a).

What we know of the Hellenistic royal courtesans is surveyed in Ogden ((1999) 215–72), and more detailed treatments of the evidence bearing upon Bilistiche and Lamia are supplied in Ogden (2008), (2009) and (2010). On Bilistiche, see also Kosmetatou (2004) and the tendentious Cameron (1981), and on Lamia, see the good piece by Wheatley (2003).

For a helpful introduction to the comparative anthropology of royal families in general, see Goody (1966a).

Monogamy and Polygyny

Walter Scheidel

1   Why Greco-Roman Monogamy Matters

To a modern Western audience, the fact that ancient Greeks and Romans were not supposed to be married to more than one person at any given time, nor even to cohabit with others alongside legal spouses, must seem perfectly "normal." This may explain why this practice has received hardly any attention from historians of the classical world. Yet from a global, cross-cultural perspective, there is nothing "normal" or unremarkable about this. Instead, until very recently, acceptance of polygynous arrangements of marriage and cohabitation was the norm in world history, and strict monogamy remained an exception. Barely one in six of the 1,195 societies surveyed in the largest anthropological dataset have been classified as "monogamous," while polygyny was frequently considered the preferred choice even if it failed to be common in practice (Gray (1998) 89–90; with Clark (1998)). Smaller samples of better documented societies convey a similar picture, and while "monogamy" is observed in a small proportion of all cases (16–20 percent in samples of 348 and 862 systems: Murdock (1967); Burton et al. (1996)), due to their failure to distinguish between rare instances of polygamy and its formal prohibition these surveys tend to overestimate the actual incidence of strictly monogamous rules. In fact, although the nature of the evidence does not allow us to rule out the existence of strictly monogamous systems prior to the first millennium BCE, the earliest unequivocal documentation originates from the Archaic Greek and early Roman periods. Thus, even though Greeks and Romans need not have been the first cultures to prescribe monogamy, these are the earliest securely attested cases and, moreover, established a paradigm for subsequent periods that eventually attained global dominance. In this sense, Greco-Roman monogamy may well be the single most important phenomenon of ancient history that has remained widely unrecognized. What is

more, the global positive correlation between patricentric kinship systems and polygyny (Burton et al. (1996) 93–94) renders the emergence of prescriptive monogamy in the patricentric societies of Greece and Rome even more remarkable.

2   What Is Monogamy?

The term "monogamy" is used in different ways, and it is important to define its meaning here. The most basic distinction is between formal – that is, legal – monogamy, in the sense of marriage to one spouse; social monogamy, in the sense of exclusive living arrangements; and genetic monogamy, in the sense of exclusive mating and reproductive commitments. This chapter is concerned with the first category, formal monogamy, and the ways in which it could be reconciled with effectively polygynous relationships in the social and sexual spheres. (I use "polygyny" in a more general sense than "polygamy," with the former denoting any kind of non-monogamous marital, social, or sexual arrangements and the latter limited to plural marriage.) Exclusive marital unions arise from either ecologically or socially imposed (or prescriptive) monogamy (Alexander et al. (1979) 418–19). Under ecologically imposed monogamy, polygamous arrangements may be acceptable in principle but are not feasible due to resource constraints that prevent potential polygamists from claiming or providing for multiple spouses. This scenario is common and indeed often the norm in many formally polygamous systems, to the extent that only a few privileged individuals (usually men) can afford to enter multiple marriages. Socially imposed monogamy, by contrast, prohibits multiple marital relationships even for the wealthy and powerful, including rulers.

In practice, prescriptive monogamy can take many forms: they range along a continuum from arrangements that allow informal extra-marital cohabitation, sexual relations, and reproduction to stricter variants that seek to ban or penalize any concurrent extra-marital relationships. Needless to say, monogamy never exists in pure form. What we can observe over millennia of world history is a trajectory from polygamous to formally monogamous but effectively often polygynous arrangements and on to more substantively and comprehensively monogynous conventions. As I have argued elsewhere and will again outline below, Greek and Roman societies occupy an intermediate and – retrospectively speaking – transitional position on this spectrum, one that might be labeled "polygynous monogamy" (Scheidel (2009b), (2009c)). Shunning multiple marriage and discouraging informal parallel cohabitation, such as concubinage within marriage, their system readily accommodated multiple sexual relations for married men (though not for women), most notably through sexual access to slaves (of either sex).

3   Contexts

The rise of agrarian societies had varied consequences for mating and marriage practices. On the one hand, the global record shows that polygamy was particularly common in advanced horticultural systems in which women's labor generated most

resources, whereas it occurred less frequently in more advanced, agrarian, societies (Nielsen (2004) 306). On the other hand, the increasing complexity and socio-economic stratification associated with agrarianism could at times push polygamy and more generally polygyny to unprecedented levels, especially at the top of the social pyramid. Early agrarian empires in particular were characterized by sometimes staggering levels of resource polygyny, featuring large harems attached to royal and aristocratic households (Betzig (1986), (1993)). Relevant cases are known from the ancient Near East (Pharaonic Egypt, Mesopotamia, Iran and the Old Testament tradition), from India, Southeast Asia, and China, from the Pre-Columbian Americas and more recently from African kingdoms (Betzig (1986), (2005); Scheidel (2009b)). While it is true that the most extravagant manifestations were confined to state rulers and ruling elites, in many cases polygamous arrangements were likewise feasible among commoners, albeit on a much reduced scale. Early examples from western Eurasia include second wives in the Old Babylonian, Middle Assyrian, and Sasanid Persian traditions (Scheidel (2009b) 274–75, 278). The existence of polygamy among commoners in Egypt remains controversial but plausible (Simpson (1974) 104).

Early conditions in the heartlands of Greek and Roman culture are obscure. Owing to the lack of data, it is impossible to tell whether the Minoan and Mycenaean palaces were inhabited by polygamous or otherwise effectively polygynous elites. However, if analogies to the adjacent Near Eastern palace cultures are anything to go by, this may very well have been the case. What we do know is that polygynous arrangements were standard practice for Homeric heroes (Wickert-Micknat (1983); Gottschall (2008)). As Thersites complained, the Greek war leaders were allocated female captives for private enjoyment (for example, Homer, *Iliad* 1.184–87, 9.128–29, 9.139–40, 9.664–68): "many women are in your huts, chosen spoils that we Achaeans give you first of all, whenever we take a citadel" (*Iliad* 2.227–28). Polygyny, however, was not tantamount to formal polygamy: it was the enemy ruler, king Priam of Troy, who was endowed with three wives, while the Greek leaders merely kept consorts who would only yield illegitimate offspring. Later Greek preference for prescriptive monogamy may therefore already be foreshadowed in the epic tradition.

4   Greek Monogamy and Polygyny

In the historical period, Greeks were expected to marry monogamously. Only "barbarians" did otherwise: as Euripides put it, "we count it as shame that over two wives one man hold wedlock's reins" (*Andromache* 215). Exclusive legitimate reproduction and physical co-residence were the defining characteristics of Greek monogamy. In Classical Athens, in any case, only wives could bear legitimate children. This was the outcome of an earlier process of tightening rules that had enabled male citizens to have extra-marital children recognized as legitimate offspring (Lape (2002/2003)). Once firmly in place, monogamous norms were only relaxed in times of serious crisis: near the end of the Peloponnesian War, massive male casualties justified a temporary exception that allowed men to father legitimate offspring with one woman other than their own wife (Ogden (1996) 72–75). However, less democratic systems may have

been more permissive: Aristotle's references to the enfranchisement of citizen-slave offspring in other *poleis* may be relevant here (*Politics* 3.1278a25–34, 6.1319b6–11).

Co-residence was the second critical variable. While congress with concubines (*pallakes*) was not illegal for married men, they were meant to keep such women physically separate from their main residences and hence their wives: to name just one counter-example, the contrast to the Chinese custom of incorporating lesser wives and concubines into the household is striking. Greater license was given outside the marital residence, a concession that must have favored the wealthy who could afford to support concubines in separate homes. At the same time, however, polygyny also intruded upon the monogamous household in the form of (male) sexual relations with domestic slaves. While considered vexing for wives, this habit, alluded to on the stage and in oratory (Scheidel (2009b) 289), did not seem to carry particular stigma and was never formally penalized. Greek evidence of sexual relations with slave women extends into the Roman period with Plutarch's infamous advice to wives to accept their husbands' affairs with slave women because that way they were spared direct involvement in their husbands' "debauchery" (*Moralia* 140b). Slave-like status invited similar behavior: for instance, scholars suspect that the numerous *nothoi* of Sparta were the illegitimate offspring of Spartan men with Helot women, and that they may even have been identical with the *mothakes* who were reared alongside legitimate Spartan sons (Ogden (1996) 217–24). As I argue below (Section 7), these practices may well have been a crucial factor that sustained formal monogamy and mark the transitional character of this institution.

Greek monogamy was geographically narrowly circumscribed. Not only was bigamy attributed to the Thracians and polygamy common in the ruling class of the Achaemenid Persian Empire, even the Hellenized Macedonian rulers and their associates took multiple wives (Ogden (1999), and above, Chapter 5). Greeks abroad, however, did not necessarily adopt more relaxed customs: marriage contracts from Ptolemaic Egypt prohibit concubinage for Greek husbands, not to mention polygamy. Prescriptive monogamy remained a defining feature of "being Greek."

5   Roman Monogamy and Polygyny

In the historical period, Roman rules envisioned monogamy in comparable terms. From a legal perspective, formal polygamy was impossible given that a new marriage would have voided an existing one. Modern scholars are divided over the question whether concubinage was feasible within (rather than as an alternative to) Roman marriage (Friedl (1996) 214–15). Our sources do not permit certainty until Justinian affirmed the illegal nature of concurrent concubinage in the sixth century CE, albeit as a putatively "ancient law" (*CJ* 7.15.3.2). The conventional expectation was certainly that concubinage would serve as an alternative rather than a supplement to marriage, and occasional allegations to contrary behavior need not have been more than slander (Friedl (1996) 218–20). The presence of parallel relationships among soldiers remains a possibility but the evidence is ambiguous (Friedl (1996) 256–57; Phang (2001) 412–13).

Just as in Greece, however, effectively polygynous relationships with (a man's own) slaves were not prohibited. Married men's sexual relations with slaves did not legally count as adultery. The Roman literary tradition is rife with allusions to sex with slaves (for example, Garrido-Hory (1981); Kolendo (1981)), a notion that is well illustrated by the Stoic philosopher Musonius Rufus' criticism of a "man who has relations with his own slave girl, a thing that some people consider quite without blame" (fragment 12). Several centuries later the Christian writer Salvian made the same point when he claimed that the wealthy universally behaved "like the husbands of their slave girls" (*Government of God* 7.4). More mundanely, slaves who were the illegitimate children of their owners (*filii naturales*) could be manumitted before they reached the standard legal-age threshold of 30 years (Gaius, *Institutes* 1.19), and blood ties between owners and slaves are repeatedly referenced in legal cases (Rawson (1989) 23–29). Adoption of such offspring was legally feasible upon manumission but entirely optional, and eventually subject to restrictions (Gardner (1998) 182–83). Also as in Greece, sex with domestic slaves was supplemented by unsanctioned access to (often servile) prostitutes.

Although Roman emperors were technically subject to the same marriage rules as the general citizenry, their alleged habits of sexual predation exercised the imagination of contemporaneous historians and biographers (Betzig (1992a); Scheidel (2009b) 299–301). Notwithstanding the possibility of very considerable exaggeration, such behavior would be fully in line with royal polygyny in other early empires, and it is perhaps not a coincidence that critics emphasized this aspect of imperial (mis)conduct.

Roman marriage rules were coterminous with the sway of Roman law. Divergent customs prevailed in more peripheral parts of the Roman Empire. The Jewish polygamous tradition can be traced back to the Old Testament. Josephus refers to "our ancestral custom that a man may have several wives at the same time" (*Jewish Antiquities* 17.14). While the overall scale of this practice in the Roman period cannot be ascertained, actual cases of bigamy were reported and the rabbinic texts repeatedly mention plural unions and do not normally disapprove of them as long as they were undertaken for honorable reasons (Schremer (1997/2001); Satlow (2001) 189–92). The fact that as late as in 393 CE, the Roman state had to forbid Jews to "enter into several matrimonies at the same time" (*CJ* 1.9.7) underscores the persistence of this custom (cf. also *Novel* 139 from 537 CE).

6   Theories of Causation

Thanks to the pervasive neglect of this subject among historians, debates about the causes of monogamy and polygamy have traditionally been the domain of sociologists, economists and anthropologists. In economic terms, polygyny has been recognized as capable of delivering benefits to women as long as substantial resource inequality prevails among men and women rely on male resources for reproductive success. If male inequality is sufficiently pronounced, a woman may be better off sharing a high-status male with other women than monopolizing access to a low-status partner in a monogamous relationship. In this case, all women but only high-status men benefit, whereas – assuming a balanced sex ratio – low-status men lose out on marriage and mating opportunities (Grossbard (1980) 324; Becker (1991) 87–89). In this scenario polygyny

tends to reinforce male inequality. Cross-cultural analysis confirms that the incidence of polygyny is positively correlated with male inequality as well as female mate choice (Kanazawa and Still (1999) 32–41), a finding that is consistent with the logic of the economic rational-choice argument outlined here. In a further refinement of this model, it has been observed that resource inequality determined by non-labor income (that is, control of assets) favors polygyny (Gould et al. (2004)). This means that economic development is not conducive to polygyny, which helps explain why it is more prevalent in underdeveloped economies, including those of premodern societies.

However, while this model successfully accounts for variation in the incidence of polygyny, it cannot explain its suppression in the form of socially imposed monogamy: because male inequality never disappears, some women and some powerful men would always benefit from stable polygyny. This means that strict prescriptive monogamy calls for an auxiliary hypothesis, which is provided by the observation that since polygyny exacerbates male inequality, socially imposed monogamy may have arisen as a means of reducing tension among males and fostering cooperation (Alexander (1987) 71; K.B. MacDonald (1990); Scheidel (2009c)).

Yet there can be no doubt that cooperation can likewise reach high levels in the context of polygyny, especially in as much as its intrinsic inequality fuels aggression that can be directed toward warfare, plunder and the forcible acquisition of women (White and Burton (1988); Bretschneider (1995)). As the existence of polygynous empires demonstrates (Section 3), monogamy is by no means necessary to sustain successful collective action. At the same time, the history of Greece and Rome shows that monogamy does not necessarily reduce aggressiveness. Monogamy is therefore only one possible strategy for fostering cohesion. It was arguably only with modern economic development that it became the best strategy overall (Betzig (1986) 103–106; Price (1999)). If true, this would highlight the inherent fragility of prescriptive monogamy in any premodern setting.

From the perspective of these theoretical models, we would expect socially imposed monogamy to arise in systems in which relatively low resource inequality among men coincided with growing group cohesion. In the ancient Greek case, this scenario fits the post-Mycenaean loss of complexity and the subsequent development of the citizen *polis*. Yet even in this environment monogamy remained a work in progress. In Athens, for example, effective elite privilege was not reined in until the sixth century BCE (Lape (2002/2003)). It is worth noting that the evolution of Greek monogamy coincided with the expansion of chattel slavery, which provided a socially acceptable arena for extra-marital sexual activity and male reproductive inequality (section 7).

7   The Accommodation of Polygyny within Monogamous Marriage

Sex with slaves had a long pedigree in the Ancient Near East (Scheidel (2009b) 281) but arguably assumed especial significance under the formal constraints of socially imposed monogamy. Extra-marital sex with marginalized subordinates may have been a pivotal mechanism for reconciling formal marital egalitarianism ("one man, one wife") with effective reproductive inequality that mirrored abiding resource inequality.

This invites comparison to the frequently noted relationship between the growth of both personal freedom and civic rights, on the one hand, and chattel slavery, on the other, in Greek *poleis*: these two trends not merely coincided but reinforced each other (Finley (1981), (1998); O. Patterson (1991)). Effective sexual and reproductive inequality sustained by chattel slavery would have alleviated the tensions arising from the persistence of resource inequality alongside symbolic egalitarianism. While sexual access to chattel slaves enabled high-status males to translate their resources to extra-marital relations and enhanced reproductive success, the institution of prescriptive monogamy prevented negative consequences of unrestrained resource polygyny such as the creation of a wifeless and consequently disaffected male underclass.

This suggests that the concurrent development of socially imposed monogamy, chattel slavery, and political rights in post-Early Iron Age Greece may not have been a coincidence. With a sudden decline in overall inequality after 1200 BCE providing an initial impulse, centuries of growing male egalitarianism and slave ownership would have favored the establishment and gradual reinforcement of prescriptive monogamy. In ideal-typical terms, this resulted in a model of exclusive marital monogamy (in terms of both cohabitation and legitimate reproduction) that co-existed with socially marginalized sexual predation, a model that became normative in both Greek and Roman cultures. This, in turn, created an unusually unfavorable environment for women. They came to be denied both the potential benefits of polygamy (in the form of access to resource-rich men) as well as the enjoyment of effective monogyny, given that they had no recourse against their husbands' relations with female slaves. At the same time, men benefited both as groups – the rich being free to indulge in polygynous behavior and the poor being less handicapped in their marriage prospects – as well as collectively, through the cohesion fostered by the conjuncture of these two group benefits.

8   The Afterlife of Greco-Roman Monogamy

As both the notion of civic rights and the institution of chattel slavery declined in the Greco-Roman world of the later Roman Empire, Christianity maintained and reinforced monogamous norms. The canonical New Testament tradition has Jesus take sides in Jewish debates about the propriety of divorce in a way that implies rejection of any non-monogamous practices (Matthew 19:3–12; Mark 10:2–12; Brewer (2000) 89–100). The roughly contemporaneous Qumran movement likewise opposed polygamy (Brewer (2000) 80–82). Pauline doctrine, however, fails explicitly to address this issue (Brewer (2000) 104). Later Church Fathers saw fit to explain away Old Testament polygamy as motivated by God's command to populate the world, an expansion that was no longer necessary or desirable (for example, Clark (1986) 147). However, monogamy *per se* does not play a central role in early Christian writings, and the fact that Augustine labeled it a "Roman custom" (*On the Good of Marriage* 7) indicates that Christianity may simply have appropriated it as an element of mainstream Greco-Roman culture.

Prescriptive monogamy came under pressure as the Roman Empire unraveled: powerful neighbors and conquerors, from Zoroastrian Iranians and Islamic Arabs to nominally or not at all Christian Germans and later Slavs, Norse, and steppe

populations, did not subscribe to comparable marital norms. In the East, the Sasanid Empire with its polygamous elite (Hjerrild (2003)) was replaced by Islamic polities. The Qur'an prefers monogamy and tolerates plural marriage only if it is feasible and serves the interests of individuals who would not otherwise be provided for: "If you fear that you shall not be able to deal justly with the orphans, marry women of your choice, two or three or four; but if you fear that you shall not be able to deal justly with them [i.e., as wives], then only one" (Qur'an 4.3). Post-Roman Germanic practices are less well documented but polygamy and parallel concubinage did occur; only one of the several Germanic Roman-style law codes outlawed polygamy (Brundage (1987) 128–33). Thus, Germanic arrangements do not appear to have differed greatly from the polygynous dealings recorded in the early medieval Irish tradition (Bitel (2002) 180–81, 184; cf. Ross (1985)).

Under these circumstances, Greco-Roman-style prescriptive monogamy found itself in a precarious position, and its eventual expansion as a Christian institution was by no means a foregone conclusion. The unfolding of this drawn-out process is well beyond the remit of this chapter. Suffice it to say that the very considerable normative power of monogamy within Christianity is highlighted by the fact that sectarian polygamy – among the Anabaptists of Münster in the early sixteenth century and the first generations of the Mormons – remained a sporadic fringe phenomenon. In recent centuries, Western-style prescriptive monogamy achieved global reach through demic diffusion and acculturation, with the areas least affected by European influence (the Middle East and tropical Africa) showing the greatest resilience of polygamous preference. These developments can ultimately be traced back to Greek and Roman conventions and form an element of our Greco-Roman heritage that deserves a far more prominent status in our historical consciousness than it has so far achieved.

FURTHER READING

This subject has received very little attention. The main technical discussions are in German, namely Erdmann ((1934) 87–103) and Friedl ((1996) 25–39, 214–28, 380–94). Ogden (1999) focuses on Hellenistic royal polygamy. The most wide-ranging study of reproductive inequality is Betzig (1986), while Betzig (1993) and Scheidel (2009b) deal more specifically with elite polygyny in ancient civilizations. For attempts to address the nature and possible causes of Greco-Roman monogamy, see K.B. MacDonald (1990), Betzig (1992b), and Scheidel (2009c). Brewer (2000) is a good survey of the origins of Christian thinking on this issue. Brundage (1987), Betzig (1995), Herlihy (1995), and MacDonald (1995) track developments beyond antiquity.

The Roman Family as Productive Unit

Richard Saller

1 Introduction

The Roman family was the primary site of production, reproduction, consumption and the intergenerational transmission of property and knowledge undergirding production in the Roman world. This seemingly banal statement has far-reaching implications which will be explored in this chapter. In Roman antiquity (as in other pre-industrial societies) the family organized labor on family farms and in urban workshops, making decisions about how to deploy the efforts of men, women, and children. Further, the family made basic decisions about family size, including whether to raise or to expose newborns. Consumption patterns, such as the distribution of food and other goods, were the outcome of family interactions. And the family had responsibility for conveying the property and the knowledge – whether through schooling, apprenticeship or informal observation – that would help the next generation to produce their livelihood. Of course, all these decisions were constrained by mortality and fertility, by social structure, cultural norms, and institutions. This chapter cannot pursue all these ramifications exhaustively, owing to the limitations of space and of evidence, but it can point to reasons why family and household should loom larger in our understanding of Roman society and economy than is usually appreciated.

It is fair to say that in the field-shaping works on the Roman economy the primary role of the working family (peasant and urban) has been at once stated and taken for granted. By "taken for granted" I mean that no systematic analysis has been devoted to the implications of family-organized production for the major issues of social and economic history, for example, the potential for and limitations on growth in productivity. So M. I. Finley opened his *The Ancient Economy* (1973)

with the acute observation that *oeconomia* meant "household management," rather than modern-day "economics," from antiquity through to the early eighteenth century, but then Finley did not follow through with a detailed study of the property rights and labor of women or children. This is understandable, given the state of the discipline of economics in the first half of the twentieth century, which focused on the "firm," not the family, as the unit of organization and decision-making. Over the past 50 years, and especially in the past two decades, economists' attention has been increasingly focused on the role of human capital formation (investments in health, education and training) in the fundamental shift from "Malthusian stagnation" to sustained growth, and these investments had been largely the function of family and household until the advent of universal public education in the past two centuries (Galor (2005)).

The organization and scope of this chapter are as follows. The first section describes the sources and methods used in the chapter. Next follows a summary of the relevant demographic and institutional frameworks of family life. Then I will consider the scattered evidence for the division of labor by gender in rural and urban production. The next section will analyze how children were raised and imbued with the knowledge for their economic roles. The chapter will conclude with thoughts about the broader implications of these findings for issues of gender hierarchy and economic productivity within the context of a slave society. The chronological scope encompasses the late Republic and Principate (ca. 100 BCE–235 CE); the geographical scope is the empire, with a focus on Rome and Italy. It is certain that within these scopes there was far, far more variation than this chapter can capture, and yet some of the principal characteristics are likely to have been similar across the empire. Finally, the main focus of this chapter is the family, not the *familia*, which included slaves. Indeed, the Latin word *familia*, when used in an economic sense, often meant slaves only without reference to "family" in our contemporary sense (Saller (1999)). The institution of slavery will appear as part of the context, but not receive systematic treatment.

2   Sources and Methods

The sources for production by Roman families include literary, legal and funerary texts, as well as documentary papyri from Roman Egypt. They are relatively scarce and difficult to draw generalizations from for several reasons. Everyday labor by ordinary people was regarded as mundane and not worthy of systematic gathering of data. As a result, the Romans did not leave quantitative data for actual behavior of the sort that modern economic historians rely on. Instead, we are heavily dependent on texts written to convey representations for various purposes (Dixon (2001a) 16–28).

The surviving literary and legal texts, ranging from poetry to agricultural handbooks to juristic excerpts, were written by elite males and were heavily influenced by the gendered ideology contrasting male outdoor work with female indoor domestic work. A central question of this chapter is the extent to which this ideology reflected and influenced behavior or obscured it. My view, based on a few precious corpora of

documentary evidence and on comparative studies, is that this male/female ideology simplified realities but was not an arbitrary fiction unconnected with patterns of behavior. Although women's work did not always conform to the dominant morality, there were powerful asymmetries in men's and women's participation in the labor-force.

The legal texts present special challenges insofar as they are not archives of legal cases. For the most part, they are much later excerpts from the opinions of the classical jurists, who wrote about real and imaginary situations. Consequently, their relationship to actual behavior is indirect, but in a way that makes the texts more useful for our purposes. The texts may not reveal what really happened in any one instance, but the jurists' reasoning incorporates socio-economic assumptions about the way their world typically behaved. If those assumptions had been wildly at odds with the realities of the elite male citizen's world, their responses would have been easily challenged and their authority undermined. Special care needs to be taken in interpreting juristic texts for our purposes, because Latin usage often effaced females. As Ulpian explicitly noted, "the use of a word in the masculine is most often extended to both sexes" (*D* 50.16.195 praef., Ulpian Ad Edictum) – "most often" but not always (Gardner (1995); Saller (1999)). Beyond the ambiguities of the jurists' language, the content of the law raises complex questions about the interactions of legal rules and behavioral patterns. Roman law should be thought of not only as regulations seeking to limit behavior but also as an institutional framework enabling behavior. For example, Roman law notoriously concentrated legal rights of property ownership within the *familia* in the *paterfamilias*, but also developed the legal institution of *peculium* to give sons-in-power and slaves the ability to engage in property transactions with a fund set aside for their use. Simplistic readings of the general principles of Roman law and neglect of its subtler features have led to caricatures and misunderstandings of the family.

For sheer bulk, inscribed funerary monuments provide the largest and most valuable source for economic production. A sizeable fraction of the commemorative texts identifies the occupation of the deceased, both men and women. For all their valuable detail, the epitaphs noting the deceased's occupation present interpretive challenges: they are almost entirely urban, they over-represent the better-off artisanal population, and they represent the identities most valued by the commemorator (for example, grieving husbands may have chosen to remember their wives for their conjugal devotion rather than their occupation).

3   Demographic and Institutional Context

The family and household as units of production and consumption were dynamic, changing shape over time as family members were born, aged, married, divorced, and died. In Roman thought the normative household unit consisted of the father, mother, their children, and domestic slaves. This norm is assumed in the juristic definition of *penus*, or "household stores" of food and drink at the disposal of the head (*paterfamilias*) to be consumed by the standard household unit made up of his wife, their children, and the personal servants *qui opus non facerent* (*D* 33.9.3 praef. and 6, Ulpian on Sabinus).

The realities were far more complex and shifting owing to the demographic regime of the Roman world, characterized by high mortality, high fertility and (typically) older male/younger female marriage and divorce. The best estimates place Roman life expectancy at birth in the range of 25–30 years, with variations by region and over time (Scheidel (2001) 13–27). The high mortality rate of 40 per 1,000 or so (more than three times higher than in contemporary societies) required high fertility rates for women, averaging five to six children per woman who lived through her child-bearing years, just to maintain the population. High infant mortality meant that a large fraction of newborns, perhaps a third or more, did not survive to adulthood; high adult mortality meant that marriages did not last on average more than 15 years on account of the death of husband or wife. Complicating family production strategies further, the high mortality was unpredictable, leaving families without an adult male or female, or with more or less than the average number of two surviving children. Humble working Romans and their wealthy counterparts developed coping strategies in a social context in which widows and orphans were pervasive. Households took in needy relatives beyond the nuclear family. At the extreme, the strategies included infant exposure by families that could not afford to raise their offspring; an exposed child could be picked up and enslaved by a household able to support it and to use its labor (Harris (1999)).

The institutional framework for production started from the highly developed Roman law of private property, which governed the transmission of land and other capital. The Roman family is usually characterized as "patriarchal" based on the *pater-familias*' nearly absolute property rights, but care needs to be taken in the use of this characterization. *Patria potestas*, the father's legal power, gave the oldest living male ascendant in the family sole ownership rights within his *familia*, including his children-in-power and his slaves. However, his *familia* and his authority over property in the most common type of marriage in the classical era (*sine manu*) did not extend to his wife and her property, which the law kept quite separate. As long as the wife's father was alive, she remained part of his *familia*; upon his death, she acquired independent property rights and could wield control with broad discretion. Legal texts, however, also indicate that some Roman wives – and we cannot know how many – chose not to exercise their independence and deferred to their husbands for management of their estates (Gardner (1995)).

Quite apart from the woman's own property, Roman marriage customarily included the transfer of a dowry from the wife or her father to her husband or his father. The jurists conceptualized the dowry as support for *onera matrimonii*, that is, to pay for the maintenance of the wife and her children in the husband's household. Though the husband owned the dowry, part or all of it had to be returned to the wife or her father in case of divorce as a source of support for her after the marriage (Saller (1994) 204–24).

By the age of 20 most Roman women had lost their fathers and in wealthy families had inherited property beyond the dowry. In marriages *sine manu* such women had guardians or *tutores* to sign off on the women's major property transactions. In contrast to Athens and later European societies, the guardian in Roman law could not be the woman's husband. Over time, the authority of the institution of guardianship

of women diminished to the point that by the mid first century CE it was a mere formality. At this point, Roman women, whether married or not, enjoyed independent property rights nearly the equal of men's and the concomitant social power that wealth granted within the household and in broader society. Although daughters might receive a smaller share of the paternal estate than their brothers in the will, it is also likely that at the time of their parents' death fully half of Roman women had no brother alive to compete for a larger part of the parents' property. Altogether, it is reasonable to suppose that women may have owned one-third of the property in the empire. Women of the wealthiest strata used male slaves and freedmen to manage their estates, just like their male counterparts.

Whereas guardianship of women weakened over time, guardianship of children was strengthened and extended. The latter institution received far more attention from the classical jurists than the former. Roman law defined children before the age of puberty (roughly 14 years old for boys and 12 for girls) as *impuberes*, who required guardians upon the death of their father. The death of a father was a far more common misfortune for young children in antiquity than today: perhaps one-third of Roman children suffered the loss of a father and inherited their family estate before puberty (Saller (1994) 181–203). As a result, guardianship of children was a pervasive institution with highly developed rules about care of the child's property and possibly had widespread economic consequences in as much as it strongly encouraged conservative investment by guardians so as to protect the value of the estate.

The demographic context of high mortality and late male/earlier female marriage appears to have been generally true across the empire (at least in those places where evidence exists). The legal context described above was applicable to propertied Roman citizens across the empire, whose numbers multiplied over the centuries of the Principate as citizenship was gradually extended to all persons of free status. Non-citizens and humble working citizens had their own varied institutions or customs, which in many areas are not documented.

4 Women's and Men's Labor

From Homer through to Xenophon's *Oeconomicus* to the Latin agronomists, the contrast of men's outdoor labor and women's domestic work can be found. This should not come as a surprise, since labor is coded by gender in nearly all societies (Costin (1996)). It is important to determine the truth of the contrast, insofar as the evidence allows, because women's participation in the labor-force and their integration of work with child-bearing have profound consequences for the status and treatment of women as well as for the total production of the economy (Dercon and Krishnan (2000)). Despite the schematic quality of the ideology, I believe that evidence exists to show that the ideology, together with the burden of child rearing, probably did have a marked effect in limiting women's range of occupation and level of participation through a gendered coding of jobs. Given that the code remained broadly similar through Greco-Roman antiquity, the likelihood that women's work remained much the same over a millennium has consequences for any consideration

of economic growth. The following discussion will look first at the rural gendered division of labor, free and slave, and then the urban division.

The deployment of men's and women's labor in the countryside differed somewhat, depending on whether the farming unit was a peasant family or a larger estate with a finer division of labor, slave or free hired. There were, no doubt, regional differences, but they are hard to capture, given the scarcity of the evidence and the rhetorical overlay in the few fragments of testimony about regional practices. Roman authors viewed men's role as behind the plough in the fields and stereotypically associated the anomaly of female field labor with marginal and barbarous peoples, such as Strabo's native Spaniards (Saavedra (2000)). The one place in the empire in which documents offer more than just literary stereotypes is Egypt, where the evidence suggests that the ideology was not at marked variance with practice. The references to women's agricultural labor in Egypt in the papyri (for example, an olive-carrier) are relatively few, and these women were paid less than men (Rowlandson (1998)). It is notable that women are absent as agricultural laborers in the accounts of the vast Appianus estate of the third century CE (Rathbone (1991) 164). Furthermore, it was common for peasant households in Roman Egypt (as in other places and eras) to lease plots of land to utilize labor surpluses through the family life cycle, but very few Egyptian women are found in the papyri as lessees, whereas they are common in the role of property owners leasing land (Rowlandson (1998) 220). The most plausible inference from the very limited evidence is that among rural families in Egypt the ideology of outdoor male/indoor female labor simplified but did not seriously misrepresent the contrasting realities of male and female labor. Although we cannot assume that the Egyptian evidence is representative of the empire as a whole, it strongly suggests that even the harsh realities of rural subsistence did not necessarily force full participation by women in work in the fields.

The series of three classical Latin estate handbooks by Cato, Varro, and Columella provide a schematic view of the organization of labor on Italian slave estates over two centuries, albeit tinged with moralizing advice. Although the motive for using slaves was to extend the labor-force beyond the family, the family unit nevertheless played a role. At the core of the estate's workforce were the slave husband and wife, the *vilicus* and *vilica*. Columella's description of the responsibilities of the wife illuminates domestic supervisory duties essential to keep an estate productive. His evolutionary and moralizing account imagines that in the early days the slave-owning family themselves worked on the farm, leaving little work for the *vilicus* and *vilica* (12 praef. 8). By contrast, in Columella's day the *materfamilias* was stereotyped as idle and self-indulgent, shifting the household duties to the *vilica*, who was supposed to supervise the indoor work and tend to the health of sick members of the *familia*. The *vilica* had the major responsibility to inspect, store and keep track of perishable and non-perishable items, according to Columella with reference to Xenophon's *Oeconomicus* (12.3.5). Also, the *vilica* was obliged to keep a stock of wool on hand, so that on cold or rainy days when slave women could not be expected to be outdoors doing farm work (*opus rusticum*) they could be kept busy making cloth (12.3.6; Carlsen (1993)).

Does Columella's comment about the "farm work" of slave women contradict the conventional opposition of male field labor and female domestic labor? One might suggest that these women, as slaves, were not subject to the ideology of honorable domesticity and hence were used in the fields, at least at harvest time (Erdkamp (1999) 571; Scheidel (1995) 208). It has also been argued, to the contrary, that the outdoor male/indoor female dichotomy affected slave women as well as free, limiting the use of female slaves in agriculture and hence lowering productivity of the rural slave labor-force as a whole (Brunt (1971) 234; Ste Croix (1981) 231). In the slave economy of the American South no ideology protected female slaves from heavy field-work; indeed, a higher proportion of slave women (69 percent) than men (58 percent) were identified in planters' accounts as field hands (Fogel (1989) 45–46). Plantation owners, in assigning tasks, reckoned women as the equivalent of three-quarters of a male field hand (White (1985) 121; Hudson (1997) 4).

Though there is no conclusive proof, Roman estate owners appear to have thought of rural female slaves differently from their American counterparts, insofar as they considered slave women as wives of their slave husbands and adjuncts, rather than a central element, of the workforce in the fields (cf. Scheidel (1995) 212). There is no reason to think that Columella's reference to *opus rusticum* is a reference to field work, rather than the tending of small animals, mentioned elsewhere (Scheidel (1996c) 3–4). The jurists' discussions of *fundus instructus* ("equipped farm") and *instrumentum instrumenti* ("equipment of the equipment") contain an assumption that many slave women did not participate in what was regarded as the central productive work of the farm; otherwise, they would have been categorized simply as part of the farm's *instrumentum*, defined as the productive humans, animals and tools (Saller (2007) 104). As part of the support staff (the *instrumentum instrumenti*) some women baked bread, kept the villa, served in the kitchen as *focariae*, spun wool (*lanificae*), and cooked the gruel for the *familia rustica* (*D* 33.7.12.6, Ulpian on Sabinus). These texts, though not detailed, suggest that the slave wives' primary responsibility was domestic, though they did some farm work.

The productive value of the domestic work undertaken by women, slave or free, should not be underestimated. Observation of recent low-technology societies suggests that "it is not always realized how very time-consuming is this crude process-ing of basic foods," which in Africa and Latin America could take 30 hours per week or more (Boserup (1970) 164–65). The contrast with slave women of the American South is apparent: they typically put in full days of work in the fields and then also did the domestic work in their off-hours. Southern masters considered slave women as an integral part of the workforce and would have included them in the *instrumentum*, as defined by Roman jurists. Overall, the Egyptian papyri and the juristic texts at least suggest that rural labor on Egyptian farms and Roman estates was influenced by the cultural norms of gender and as a result was not organized to exploit the labor of women in the fields to the fullest extent possible.

Although the population of the Roman Empire and the vast majority of its economic production were agricultural, it was the efflorescence of urban life that marked out the early Empire from what went before and what came after in Western Europe. The urban population – 10–20 percent of the whole – is better attested in the surviving

evidence, which is a fundamental reflection of a higher level of literacy in cities. Over the millennia of human history cities have been the site of increasing division of labor and concomitant economic growth (Jacobs (1969)). The best insights into the Roman urban economy come from the funerary commemorations with occupations, which have been studied carefully by Susan Treggiari and Sandra Joshel (Treggiari (1979a); Joshel (1992); Gardner (1986) 233–55). The jobs ran the gamut from high-level imperial administrative positions to crafts and retail, including the manufacture of clothing, jewelry and perfume, the sales of fruits and vegetables, and the provision of prepared food, wine, rooms, and sexual services.

Treggiari's comprehensive list of occupations points to several important conclusions about the gendered division of labor in the cities. Perhaps most important, women are attested in many fewer occupations than men: about 225 different occupations are attested for men, in contrast to only 35 for women. Next, the gendered organization of occupations is apparent: "Women appear to be concentrated in 'service' jobs (catering, prostitution); dealing, particularly in foodstuffs; serving in shops; in certain crafts, particularly the production of cloth and clothes; 'fiddly' jobs such as working in gold-leaf or hair-dressing; certain luxury trades such as perfumery. This is a fair reflection of at least part of reality" (Treggiari (1979a) 78). That is to say, women in Rome worked in what Ester Boserup has dubbed the "bazaar and service sector," characteristic of a number of areas of the developing world (Boserup (1970) 91).

Joshel's quantitative survey of men's and women's participation in the workforce of Rome confirms and extends Treggiari's conclusion. In Joshel's table 3.1 (summarized below – see Table 7.1) women are rare or non-existent in the occupational categories of banking, building, transportation, and administration, which men dominate or completely monopolize. The seeming exception is the category of "skilled service," in which both men and women are found in substantial numbers, but a breakdown of the specific jobs in this category (barber, hairdresser, masseuse, entertainer) reveals gendered patterns here as well. These occupational inscriptions are over-weighted in favor of higher status, male jobs, which (as Joshel argues) were worth publicizing as one's identity (Joshel (1992) 16). It is no doubt true that the absence of women from some, but not other, occupational categories is not a simple reflection of their absence from those jobs, but, on the other hand, it surely points to their lower participation in certain kinds of labor, consistent with the prevalent ideology. Within the Roman value system husbands no doubt preferred to represent deceased women as virtuous wives, even if they were also workers. But if we take that set of women who are identified with an occupation, their distribution among different categories of jobs tells us something of what they did and did not do.

Treggiari also pointed out that "the frequency with which a woman is paired with a man, usually a husband, in the same trade suggests that many of them worked alongside husbands" (Treggiari (1979a) 76). In view of the (male) Roman ideal of subordination of wife to husband, this "working alongside" is likely to have been on unequal terms and may be part of the reason for the lower epigraphic visibility of women in occupations (Kampen (1981a) 125). The division of labor within an artisan family often assigned to women, boys or girls the responsibility of minding the shop (Treggiari (1979a) 73; Kampen (1981a) 112–13; *D* 14.3.8, Gaius ad Edictum Provinciale).

Table 7.1 Gender asymmetries in occupational participation, from Roman epitaphs (*CIL* 6) as tabulated in Joshel (1992) 69, table 3.1.

Occupation	Men	Women
Building	112 (100%)	0
Manufacture	282 (85%)	49 (15%)
Sales	99 (92%)	9 (8%)
Banking	42 (100%)	0
Professional	101 (84%)	19 (16%)
Skilled service	40 (53%)	35 (47%)
Domestic service	235 (73%)	86 (27%)
Transportation	55 (100%)	0
Administration	296 (97%)	10 (3%)

5   Education and Training

In the absence of widespread public education, most of the transmission of knowledge for production from one generation to the next happened within the family and household. In the absence of quantitative data, this straightforward (and uncontroversial?) generalization is based on qualitative descriptions and assumptions about Roman society. Access to formal education depended on social class because the parents or masters paid fees to teachers; access to teachers was far easier in the cities than in the countryside.

Formal education is only one method of imbuing children with the knowledge for production. The other basic methods included learning from parents and family and apprenticeship in crafts (Rawson (2003) 146–209). Learning within the family came through imitation and instruction from parents and other kin, and is a form that is nearly universal and, in fact, not unique to humans. Family farming throughout antiquity surely depended on this method for training the next generation. Scattered references in the ancient texts suggest that young children began to participate in the labor of the farm with light tasks (Wiedemann (1989) 153–55). As boys grew stronger and physically able, they learned basic agricultural skills from fathers and other relatives and neighbors. It would be a mistake to underestimate the extent and sophistication of learning through experience, to judge from comparative studies of peasant agriculture in India. These studies show that the older and more experienced the household head, the more productive the farm, especially in difficult years (Rosenzweig (1994)). The increases in productivity continued with age into the 60s. One consequence of the high mortality in the Roman world was that most sons inherited their family farms quite young, in their 20s. Even with extended families in Roman Egypt, according to Bagnall and Frier, less than 20 percent of households had a head over 60 years of age and 40 percent had a head under 40 (Bagnall and Frier (1994) 179–312). Thus, Roman peasant households were generally held back by the double restraint of a high

mortality society: early death both cut short the application of knowledge gained through experience and limited the further accumulation of knowledge with age.

The estate handbooks show that farm work was more differentiated in large holdings, but learning still took place through imitation and experience. In an under-appreciated observation, Columella lamented the fact that, in contrast to rhetoric, mathematics, surveying, and other skills, agriculture "lacks both students and teachers" (1 praef. 5). Whereas there were *officinae* for the most contemptible vices – for example, the preparation and serving of luxurious foods – there were no schools dedicated to the dominant form of production, agriculture. Nor were there societies or periodic publications for the improvement of agriculture of the sort found in the United States and Europe around 1800 (True (1929)). Consequently, the incentive for widespread literacy in the countryside was very limited. Indeed, Columella advised that it was important for the *vilicus* to be experienced in farm work, but he need not be literate or formally educated. Of course, we know from the papyri of Roman Egypt that the skills of literacy and numeracy were deployed in the management of large estates, but it is interesting that Columella did not regard these beginning elements of formal education as essential, even on an estate producing for the market.

The cities of the empire, as centers of craft production, trade, and retail, had more developed institutions for the training of children. Even here many children's education was no more than informal learning from parents in the absence of universal public education. But, beyond the family, there were institutions of apprenticeship and more formal education in several types of settings.

The documentary evidence for apprenticeship comes mainly from the papyri of Roman Egypt, but it is unlikely that the institution was limited to that province (Bradley (1991) 103–24). Why did apprenticeship make sense as an alternative to training by parents in the household or workshop? High mortality meant that perhaps one-third of sons at the typical age for apprenticeship would not have had a living father to transmit his skills. But demography does not provide a full explanation, as demonstrated by the example of the Egyptian weaver-father who contracted out his sons as apprentices to other weavers (Bradley (1991) 109). Moreover, a recent study of the craft economy has found that craftsmen were much less likely to receive funerary dedications from sons than other segments of the urban population, which is hard to reconcile with a pattern of sons habitually following fathers into their occupations (Hawkins (2006)).

Why would a family decide to apprentice a young son, even when a skilled father was alive? The situations and imperatives must have differed from one family to another. Many societies have institutions and practices to move children from their natal family to a household that can use their labor and support them. Apprenticeship was such an institution. The contracts usually included provision for the master craftsman to provide very basic subsistence for the apprentice. A distressed household in bad times could transfer maintenance costs of a child to a more prosperous craft shop through apprenticeship.

The apprenticeship agreements offer a sense of how the training fitted into the life cycle of the family. The apprentices were usually adolescents in their early teens – an age that gave the highest return in the sense that it was the developmental moment

after the ravages of childhood diseases when the children had the physical and mental capacity to learn the skills and pull their weight in the workshop. The extant apprenticeship contracts are varied in their length from a year or less up to six years, with the majority being for only a year or two. This length of time is short by comparison with apprenticeships in the early modern era (Smuts and Stromback (2001)). The agreements were structured so that as the apprentice served time and grew more experienced, the compensation increased beyond bare maintenance. By the time the apprentice became a skilled *artifex*, or craftsman, our sources assume that his wages would be twice those of an unskilled laborer (for example, *D* 17.1.26.8, Paulus). One wonders why more parents did not apprentice their sons.

Whereas apprenticing a child allowed a family to save the cost of food for him, more formal education in literacy and numeracy required an outlay to pay the teacher as well as a sacrifice of unremunerated time. This education was much less standardized than in modern times. We know most about the education of the Roman elite in rhetoric and literature, which prepared them for public life. There were more basic types of education in the skills of reading, writing, and numbers for work as managers, stewards, surveyors, bankers, scribes, shorthand writers, and so on. These skills could be learned through apprenticeship, but with the difference that the student paid, to judge from an Egyptian contract apprenticing a male slave to a shorthand writer for a fee (Bradley (1991) table 5.1). More widely attested are the humble teachers, who derived an uncertain income from teaching in storefront classrooms or spaces as makeshift as the street. Alan Booth ((1979) 19) described the arrangement in the following terms: "there is cause to believe that in first-century Rome the *ludi magister* (the *calculator* and *notarius* too) ran a lowly type of technical school which peddled craft literacy to children, slave and free, to enhance their employability, but that the elements were usually acquired elsewhere by children embarking upon a liberal education." Booth makes an appropriate distinction here between education for the leisured elite and skills for working people, but his characterization of the latter as "lowly" reflects the viewpoint of the upper few percent of society, not the illiterate majority who could not afford to pay a teacher.

The great aristocratic houses were large enough to need their own classrooms, the *paedagogium*, where urban slave children were taught the elements of letters and numbers, as well as the finer arts of elegant domestic service (Mohler (1940)). The skills transmitted in the *paedagogium* met the needs of the large estates, which were the most complex economic organizations in the Roman Empire apart from the state. The fact that much of the formal education was organized within the wealthy households meant that the slaves and freedmen of these *familia* received a higher investment of human capital than ordinary freeborn Romans, and hence had better economic opportunities. Some sense of this can be gleaned from Sandra Joshel's tabulation of occupations by slave, freed and freeborn status in funerary dedications: slaves are most overrepresented in administrative positions; freedmen are most overrepresented in manufacture; and the freeborn are most overrepresented in building occupations ((1992) 104).

If, as I argued, occupational participation was influenced by gendered assumptions, can the ideology of gender also be seen in decisions about educating and training girls

in contrast to boys? The evidence from the city of Rome and from Roman Egypt suggests that the gender divide in this regard was not absolute – that is, women were not completely barred from the training and education that enhanced men's life chances. Yet, they seem to have received much less training than males. The Egyptian apprenticeship contracts reveal male children, free and slave, being sent off to learn a skill and they also reveal slave girls being apprenticed. But no freeborn girls appear, as Bradley (1991) notes. It appears that in the craft sector slavery trumped the gender norms in a way not so evident on slave estates.

If freeborn girls were rare or non-existent in apprenticeships in Rome as well, it would fit well with the fact that women appear in so many fewer occupational categories in Roman funerary dedications, as Treggiari and Joshel discovered. The heavy underrepresentation of women in jobs requiring education is corroborated by Setälä's brickstamp catalogue of 335 *officinatores*, only 20 of whom were women ((1977) 108). On the other hand, the number of women is not zero, and it is certain that some women did learn letters and numbers, and more.

6 Conclusions

Roman families were the units that organized most of the production of the Roman economy. In the absence of corporations, they owned and deployed most of the capital; they were also responsible for the training and organization of most of the labor. The evidence suggests that Roman women enjoyed near equality of property rights and a potential for financial independence from their husbands that were quite unusual in European history before the twentieth century (Crook (1986)). It would be an exaggeration to say that wives possessed wealth, status, and power on a par with their husbands, but their independence in matters of property was enough to threaten the traditional gender hierarchy within the family and so provoked male complaints as early as the first extant prose by Cato the Elder.

Modern development economists have found that women's participation in the labor-force is linked to their wellbeing along several dimensions, including differential nutrition and education. It appears that Roman women may have been at a greater disadvantage in regard to work than in regard to property ownership. Though the gender divide between women's work and men's work was not stark and absolute, the evidence suggests that men were more likely to work outside the household and to be trained in skills that yielded higher incomes. This must have made the mass of propertyless widows and divorcees vulnerable after the dissolution of their marriages, especially if they had no surviving father or brother.

The description above of labor and education is consistent with the assertion that the Roman economy experienced some growth, but it was unsustained. In the course of the nineteenth century Western Europe and the United States went through a dramatic demographic and economic transition that doubled life expectancy and reduced fertility, as the economy entered an era of unprecedented sustained growth that has resulted in an increase of income per capita of nearly 20 fold over two centuries. With much reduced infant mortality, families in the late nineteenth century had

fewer children and invested more in the human capital of each one, to the point that the investment today in human capital, including education and health, is far more than investment in physical capital.

The Roman Empire was not able to escape the high mortality trap. As a result, most Roman women must have devoted most of their adult lives to child bearing and infant rearing. Although the Romans surely invested more in the education and training of their children than any European society before 1500 CE, the average investment per child remained tiny by comparison with contemporary societies and also small by comparison with the leading early modern societies. Consequently, the Romans never generated the rapidly increasing knowledge base and educational levels that have become the hallmark of twenty-first-century societies around the world.

FURTHER READING

The study of household production draws together several strands of scholarship. The context of the broader economy was sketched in Finley (1973), which has been revised, updated, and expanded in Scheidel et al. (2007). The yet broader context of economic growth in European history is discussed in Galor (2005) with extensive bibliography. Boserup (1970) is the classic work on women's role in economic growth.

The collection published by Rawson (1986a) was basic to establishing the family as a vibrant subfield of Roman social history; chapters in that volume addressed women's property rights and other central issues. Subsequent volumes, such as Bradley (1991) and Saller (1994), took up topics related to property and labor within the household. Gardner (1986) treated these and other legal aspects of the position of Roman women.

The classic epigraphic studies illuminating Roman women's labor started with Treggiari's articles of the 1970s, including Treggiari (1979a). Joshel (1992) offered an insightful and comprehensive analysis of the complex interplay of status and gender in occupational identity in the funerary inscriptions from imperial Rome. Kampen (1981a) collected visual representations of women's work.

The demographic framework of a high mortality society has been authoritatively delineated by a series of articles and books by Scheidel, summarized in Scheidel (2001). For a discussion of the basic demographic variables and their incorporation into a model of the Roman kinship universe, see Saller (1994).

Dixon (2001a) offered an extended and thoughtful discussion of the methodological challenges of the ancient sources for this topic.

The Families of Roman Slaves and Freedmen

Henrik Mouritsen

1   Introduction: Questions and Sources

Within a study of the "Ancient Family" the families of slaves and former slaves stand out as a special category which differs in its nature from other types of families but also raises wider historical issues that take us well beyond a mere "history of private life." What distinguished the families of slaves from those of most other Romans was the simple fact that – by and large – they did not exist in the eyes of the law. As the jurists plainly stated: "the laws do not apply to servile relationships" (" … ad leges serviles cognationes non pertinent," *D* 38.10.10.5, Paul; cf. *D* 38.8.1.2, Ulpian). Slaves, in other words, did not have any right to enter into marriage, but could merely form *contubernia*, companionships. The logical, if extreme, consequence of their legal invisibility was that slaves were not formally related to their parents, siblings, spouses, and children.[1] These relationships were therefore not covered by normal legal safe-guards preventing the break-up of family units or the forced separation of spouses or parents from their children. For that reason the slave family was precarious to a degree unknown to other Roman families, since they relied for their very existence on a number of external factors, above all the goodwill of the owner. Presumably this also affected the nature of the slaves' relationships within the family.

These features in themselves warrant a separate treatment of this category, but the families of slaves are interesting on several other levels. The extent to which these – legally unrecognized – unions existed is bound up with broader social, demographic, and economic issues central to our understanding of the Roman Empire. They include the question of the sources of slaves, the slave population's ability to reproduce itself and the possible decline in the number of slaves as a result of its failure to do so. The

impact of manumission on the slave population must also be evaluated in the context of slave families, their frequency, and structure.

This aspect gains a particular significance in the context of the available source material. Thus, most of our documentary evidence for slave families comes in fact from those who had escaped servitude rather than the slaves themselves. Freed slaves produced tens of thousands of funerary monuments which often recorded their familial relations. This body of primary sources offers a first-hand insight into the family lives of (former) slaves and the particular meaning which the family unit seems to have held to this section of the population. However, despite their abundance and unmediated character, inscriptions pose their own problems of interpretation, which make them a less straightforward source of information than is often assumed.

In addition, literary texts occasionally mention the families of slaves, but in general Roman authors showed little interest in the topic. Cicero, for example, never mentions the families of either slaves or freedmen, leaving us in the dark as to whether Tiro, one of the best-known Roman freedmen, was married or not. In satires and novels the issue occasionally surfaces, most frequently in Petronius' *Satyricon*, where the existence of *contubernia* and slave offspring seems to be taken for granted (for example, 70.2.10, 96.7). In Roman comedy, slave relations also feature with some regularity (for example, Plautus, *Casina* 191–216; *Miles Gloriosus* 1008; Terence, *Adelphi* 973), but the fullest discussions are found in the works of the agrarian writers, who advised Roman gentleman farmers on the management of their estates. Predictably, much of the modern debate has evolved around these particular texts.

The vast body of legal sources, including the *Digest*, normally provides the bulk of our evidence on Roman families, but on this topic they are uncharacteristically reticent for the simple reason that servile relationships as a rule fall outside the scope of the law. The information that may be gleaned from these sources is therefore mostly incidental to other juridical concerns, for example wills and legacies and manumission.

As will be apparent from this brief survey of the sources, any attempt at piecing together a full picture of the familial structures and family lives of Roman slaves (and ex-slaves) faces fundamental obstacles. Therefore, the aim of this chapter is primarily to highlight some of the central issues which currently occupy social historians. In this context we may note a certain split in the modern debate(s) between, on the one hand, globalizing attempts at understanding slavery in general – and indeed the scale of slavery and its place in the Roman society and economy – and, on the other hand, more detailed studies of specific areas, bodies of evidence or individual households, often with a focus on the personal experience of slavery. While also recognizing the somewhat artificial nature of this divide, we will in the following look firstly at the broader issues raised by slave families before turning to the lives and experiences of Roman slaves and freedmen.

2   How Many Roman Slaves Lived in Families?

Unlike other Roman families, those of the unfree population did not occur naturally; they had to be facilitated – as well as permitted – by the slave owners, whose ability

– and willingness – to create the conditions for slaves to form family units therefore presents a logical starting point for our survey. There can be no doubt that some Roman slaves had families; the question is how many of them did. Some scholars have been highly skeptical, chief among them William Harris, who stated that: "It hardly seems necessary here to parade the evidence that only a very small proportion of Roman slaves lived in families of their own …" ((1999) 68), while other historians, most persistently Walter Scheidel, have argued that slave families were far more widespread and possibly included the large majority of slaves. The question is closely bound up with the contentious issue of the sources of Roman slaves and their ability – or failure – to reproduce themselves, and thus ultimately with the long-term sustainability of Roman slavery in general.

The discussion has typically been conducted along two separate axes, one defined by chronology and the other by physical location and context. Thus, Republican slavery has commonly been distinguished from imperial and urban slavery from rural. The periodization of Roman slavery and the posited caesura in the early Empire are based on the presumed change in the sources of slaves, since the large-scale enslavement of indigenous populations which characterized the age of expansion supposedly came to an end with the Augustan consolidation of the empire. As a result, the abundant supplies of cheap, foreign slaves dried up, automatically shifting the focus onto internal sources of manpower. Owners gained a new interest in slave "breeding," which came to provide a far more substantial source of unfree labor than had previously been the case.

This model corresponds very neatly with the testimonies of the three agronomists as well as those of the jurists. Thus, while we find no explicit concern for slave procreation in Cato's *De agricultura* or Varro's *De re rustica*, Columella mentions that he encourages procreation by offering freedom to slave women who have given birth to and raised four *filii* (*De re rustica* 8.19).[2] Much of the posited increase in slave reproduction has thus been located in the countryside where the incidence of slave families supposedly rose markedly as owners became more interested in promoting child rearing. This was in sharp contrast to earlier periods when the virtual absence of female slaves in the countryside had prevented the formation of families. Thus, Keith Hopkins ((1978) 106) described rural slaves as "male and celibate."

Still, some scholars have doubted whether the slave population – despite these efforts at "breeding" – was ever able to reproduce itself under the Empire. As alternative sources Harris suggested child exposure, self-sale by free adults and – last but not least – continuous imports of slaves from outside the borders of the empire. The key argument against high levels of reproduction was the uneven gender balance, which Harris believed would have reduced the fertility of the slave population as a whole. According to Harris, the deficit of females – which he believed went back to the time when the large slave holdings were first established – was not gradually balanced out over time because later imports were equally skewed in favor of males, whose labor was in greater demand.

Against this view Scheidel ((1997b), (2005)) argued on the basis of demographic models that it would have been impossible to sustain a large slave population without

a very substantial level of reproduction, suggesting up to 75–80 percent. External sources – from outside the empire and from the free population – would have been unable to sustain the slave population in the longer term. Thus, the territories bordering the empire were too underpopulated to be able to sustain such continuous loss of manpower. Scheidel also pointed out that in order for child exposure to provide a substantial addition to the slave population, its frequency, as well as the survival rate of those exposed, had to be unrealistically high. And while "self-sale" undoubtedly occurred, it is unlikely to have represented a significant source of slaves.

Other scholars, such as Elio Lo Cascio (2002), have suggested that none of these sources were adequate to maintain the slave population, and that the overall number of slaves in Italy – deprived of major foreign conquests and enslavements – therefore declined during the Empire.[3] In principle this argument does not affect the question of slave families, merely their impact on the slave population. It does, however, draw attention to a critical but probably insoluble question, which is the overall scale of the slave population. The larger their share of the total population the greater the importance of reproduction must have been. In other words, if the number of slaves was relatively small it would have been easier to cover a shortfall through child exposure and foreign imports. In this context Scheidel has recently shown that traditional high estimates of the slave population – typically one-third of the Italian population – are little more than conjectures, in turn suggesting a somewhat lower figure based on an assessment of the manpower requirements in the rural economy ((1999), (2005), (2008)).

Comparative evidence has also been adduced in support of the unsustainability of unfree populations. Thus, Harris pointed to the West Indies as a typical import-based slave system not dissimilar to Rome's, which relied on continuous supplies of mostly male slaves. Scheidel, on the other hand, surveyed the modern evidence for the growth and decline of slave populations and concluded that the substantial increase found in USA between 1810 and 1860 was not exceptional ((1997b) 168–69). The comparative material adduced turns out to be inconclusive, since historical parallels can be found to support either view, and in each case there are specific factors explaining different slave populations' success or failure to reproduce themselves. The question is where Rome fits on this scale.

Given the complexity of all these arguments and the number of imponderables involved, no estimate of the proportion of slaves living in families is likely to find universal agreement. Nevertheless a strong case can be made that – at least under the Empire – reproduction must have played a very important part in maintaining the slave economy, although undoubtedly supplemented by a mix of external sources. The possibility also exists that it may not have been sufficient to maintain the slave population of the Republic, in turn leading to an overall decline in absolute numbers of slaves. However, this particular theory can only be judged as part of a comprehensive study of the demographic history of Italy, which falls outside the scope of this chapter. Instead, we will consider in greater detail the various factors which facilitated or impeded the formation of slave families.

3   Men and Women in the Slave Household

The strongest argument against widespread slave families has been the lack of economic incentives for owners to provide the basic conditions for them to emerge, above all sufficient numbers of female slaves. Thus, the abundance of cheap slave imports would have rendered the rearing of unproductive slave children and the purchase of female slaves purely for "breeding" economically irrational. The widely posited female deficit has been linked to the composition of the imports and the labor needs of the economy where more functions were performed by males than by females. Hard evidence for the gender imbalance in the slave holdings has been drawn primarily from the writings of the agronomists, already mentioned, and from epigraphic sources. Among the latter the large *columbaria* linked to early imperial aristocratic households are particularly important since they offer a glimpse of the internal structure of specific, if exceptionally large, households. The two largest private *columbaria* are those of the Statilii Tauri and Volusii Saturnini, containing references to 568 and 294 individual slaves and freedmen, respectively (cf. Hasegawa (2005); Mouritsen (forthcoming b)). In the two samples women are indeed in a minority, making up only around a third of those commemorated. This, however, may be due to epigraphic factors and the commemorative cultures which developed within these households. Thus, in the larger *columbarium*, that of the Statilii, there seems to be a marked underrepresentation of younger female slaves, suggesting that the imbalance at least partly may be explained by less frequent commemoration of girls.

It has also been noted that more male than female urban slaves are commemorated with job titles, which has been taken as proof that most functions were performed by men, reducing the need for female slaves (Treggiari (1979b) 190). But the inclusion of job title in epitaphs often depended on a number of cultural factors as well as purely epigraphic conventions. Slaves generally carry job titles more often than freedmen and the addition of this distinguishing feature may have been a response to the "bare" visual appearance of an epitaph inscribed with just a single slave name. Many female slaves, on the other hand, were commemorated by relatives, whose names appear alongside that of the deceased, thereby obviating the need for additional descriptors. It is also possible that their productive roles were less specialized than those of male slaves. In any case, we cannot conclude from this evidence that female slaves served mostly reproductive purposes.

The general distinction between reproductive females and productive males must also be queried since the former obviously could be productive as well. Scheidel (1996c) argued for the important role of women in farming, and in her study of the rural household economy Ulrike Roth (2007) recently questioned the assumption that female slaves contributed little to the economy apart from providing future slave replacements. She has pointed out that the presence of female slaves can be traced already in the writings of Cato, who listed looms as part of farm equipment, thus reminding us of the varied economic roles of female slaves (*De agricultura* 10.5, 14.2). She suggested textile production may have been one of their main responsibilities,

the advantage being that many aspects of this process were compatible with childcare. Female slaves could in other words be economically rational parts of a commercially run estate. Interestingly, Varro devoted considerable attention to the "breeding" of *pastores*, shepherds, whose reproduction posed a number of practical problems (*De re rustica* 2.10.6), and his concern with this issue suggests that the slaves who resided permanently on the estate normally had families. According to Bradley ((1994) 41), Cato took the presence of women and children on farms for granted.

Most likely, female slaves would have been economically viable even in the days when supplies were cheap and plentiful, and the distinction between Republic and Empire may therefore be overstated. Moreover, the mass enslavements of the great expansion would probably have included men, women, and children, thereby laying the foundation for a relatively balanced slave population from the outset (Volkmann (1990)). The slave population of the Republic would therefore have grown from two sources: external imports *and* natural reproduction by existing slave holdings, neither excluding the other. Despite the abundant foreign supplies, natural reproduction would have made good economic sense, not least because slave children could be made to work from an early age (Bradley (1991); Laes (2008)).

Scholars have pointed out that families are not necessary for reproduction, only females. Thus, Scheidel recently raised the possibility that a greater share of slave children may have been the master's own children, so-called *filii naturales* ((2009b) 38–40). While the sexual abuse of female slaves by their masters is well documented (Herrmann-Otto (1997) 256; Scheidel (2009b) 38–40), the existence of large numbers of *filii naturales* remains hypothetical. The Augustan manumission laws explicitly offered dispensation for masters wishing to free their own children (Gaius, *Institutes* 1.19; cf. *D* 40.2.11, 20.3, Ulpian), but in the epigraphic record they are quite rare (Herrmann-Otto (1997) 42–46, 88–90).[4] And although sexual abuse of slaves may have been common, it does not necessarily follow that a large proportion of slave offspring was the masters' own. Not every female slave would have been equally affected and their most frequent sexual contacts would presumably still have been with their *contubernales*.

Moreover, when assessing the "breeding strategies" of slave owners, we should not lose sight of the fact that alongside the strictly economic rationales dictating the size and composition of households there may have been other, equally important considerations owners had to take into account. Some of these might have facilitated the formation of slave families even when the economic arguments were less compelling. Thus, it is not inconceivable that the notion of stable slave households – renewed by home-born slaves – might have appealed to owners. The famous example of Cicero's friend Atticus, whose entire household allegedly was made up of *vernae* trained and educated by their master, may not have been wholly anomalous (Cornelius Nepos, *Atticus* 13). Other sources imply that *vernae* were preferred by many masters, who regarded them as more "homely" and "comfortable," having been brought up in the household and known since childhood. The Romans were well aware of the psychological damage caused by the violence and degradation often experienced by slaves, and for those who wished to be surrounded by relatively well-adjusted servants the safest option was to "rear" them at home – rather than purchase them on the open

market. Undoubtedly, *vernae* felt a greater attachment to the household than slaves who had been uprooted and in many cases shipped across the empire. The formation of families provided another means of binding them closer to the *familia*, a point not lost on writers such as Columella who noted that married bailiffs, *vilici*, were "more steady and more attached to the place" ("firmiores ac coniunctiores fundo," *De re rustica* 1.17.5). Presumably the risk of absconding would have been much reduced if relatives were left behind.

The slave family also offered greater opportunities for controlling and exploiting the household. A staff composed of family units would *prima facie* have been more loyal and compliant, not least since punishment could be meted out not just to the offending slaves themselves but also to their close relatives. Those with families to protect were in other words more vulnerable and exposed than those without. Likewise, the prospect of forming a partnership or the actual provision of a spouse could be used as an incentive to slaves, improving their work performance and keeping them obedient.

Given these benefits it seems unlikely that owners would deliberately prevent slaves in a mixed household from forming unions, although they may not always have taken direct measures to ensure an even gender balance, itself affected by a number of structural factors. Thus, the range and nature of the domestic functions to be filled obviously played a part, and in large urban households there would have been a greater need for educated slaves with specialist skills supplied from the market, the majority of whom were presumably male. The resulting deficit meant that some male slaves probably did not have the opportunity to form families. Among the Statilii we may find traces of such a pattern since those at the bottom of the hierarchy, above all the *lecticarii*, litter bearers, were commemorated not by relatives but by friends and fellow bearers. Likewise, more men than women formed unions outside the *familia*, perhaps because of a shortage of women within the household.

In smaller households it might also have been difficult to "pair off" all slaves into family units, leaving some – presumably male – without a spouse. In that situation the possibility of cross-familial unions, that is between slaves belonging to separate households, should be considered (Rawson (1966) 79; Bradley (1984) 52). Little evidence survives for such unions. The legal sources show no interest in the topic since the situation was clear-cut – the children always belonged to the mother's owner. Epigraphically they are difficult to trace, since slave names often do not give the master's identity, while after manumission such a couple would resemble freed people who had married after they had gained their freedom. However, they should not be discounted for that reason. Thus, the early Christian writer Tertullian (*Ad uxorem* 2.8.1) comments that some very strict masters forbid their slaves from marrying outside the household, "foras nubere," implying that normally it was allowed. In Petronius' *Satyricon* (61.9) we are told about a slave trying to form a relationship with a *serva* living next door, but without either master's permission. Slaves could also form unions with free people, and the *Senatus Consultum Claudianum*, which gave masters ownership of the offspring produced by slaves forming partnerships with free women, stressed the importance of the master's consent, suggesting that when that was forthcoming extra-familial unions were not controversial as such.

It is possible to make a strong case that many slaves – perhaps even the majority – would have lived in families, although undoubtedly with considerable variation depending on factors such as their education and origins, and the size and location of household. The question remains whether the slave population was therefore able to sustain itself at any point. *A priori* it is difficult to see why unfree populations should not be able to reproduce themselves provided sufficient numbers of female slaves. However, it has been suggested that slave families would have been unstable and hence unlikely to produce many offspring (Harris (1999) 65). The physical environment of the family is significant and here the contrast with the highly "reproductive" American South is striking. In Rome there is no evidence for specific housing allocated to slave families comparable to the huts which existed on the estates of the American South. They might of course have been built of wood and left no trace, but most likely slaves had no designated housing. Columella 1.6.3, for example, implies that rural slaves lived within the villa complex itself. The common identification of small cells in urban *domus* and at *villae rusticae* as slave accommodation remains hypothetical (George (1997b); *pace* Thompson (2003) 83–89), and in any case there are no compelling reasons to assume they would be allocated to individual family units. Some slaves were more privileged and ran small businesses, perhaps together with their spouse and in effect enjoyed a "normal" family life within a secure setting. It would therefore seem that the physical environment in general was not particularly conducive to a stable family life for Roman slaves. But not only does that reflect a modern perception of privacy but the question is also whether the lack of private space limited their fertility or – more likely – simply acted as an extra spur to strive for freedom, a fairly realistic ambition for most slaves.

The rate of manumission had a direct impact on the sustainability of the slave population. If, as it seems, considerable numbers of slaves were given their freedom, it would evidently affect a household's ability to reproduce itself. The critical question is therefore the age at which they were freed. It has been suggested that the majority of slaves were freed at a very early age – many still in their teens or earlier – but the epigraphic evidence that formed the basis for the theory may not be able to support this radical proposition (Weaver (1990)). Thus, while many ex-slaves are commemorated with a remarkably low age at death, we have to remember that epitaphs and the information they contain do not represent a demographic database. The information included in epitaphs – and indeed the decision to commission a funerary inscription – was determined by a number of cultural factors. Thus, we find a marked preference in Rome for commemorating those who had died young and parental dedications to children were therefore much more common than filial commemorations of parents. Similarly, information about age at death was included in only a quarter of all epitaphs, again with a strong preference for juveniles, presumably reflecting the particular pain caused by the loss of a child.

Therefore, epigraphic profiles of freedmen notwithstanding, most slaves were probably freed in adulthood. Still, many appear to have been relatively young, as suggested by the Augustan legislation, which sought to regulate access to the Roman citizenship and reserve it for more mature freedmen, also introducing the lesser statuses of *Latinus Iunianus* and *libertus dediticius*. The reform prescribed a minimum age of 30

for the slaves, which would imply that many normally would be freed earlier. Likewise, the evidence from the large *columbaria* of the early Empire indicates that manumission of slaves in their 20s was not uncommon. *Servae* appear to have been freed as frequently as males. Some scholars have even suggested they were more likely to be freed than males, but that theory seems to ignore the cultural aspects of commemoration as well as the higher mortality rate among young women. Nevertheless, there is sufficient evidence to conclude that female slaves, including those of childbearing age, also received their freedom, irrespective of the loss of future slave births that entailed for the owner (Mouritsen (forthcoming b)). The figures compiled by Rawson ((1966) 81) suggested that around 33 percent of freedmen's children might have been freeborn, but given the likely overrepresentation of *ingenui* the actual ratio may have been lower. In aristocratic *familiae* such as those of the Statilii and Volusii such losses were easily sustained and here we also have to bear in mind that the household – its size, quality, and specialization – was part of ostentatious consumption and not necessarily aimed at self-sustainability. Continuous purchases of specialized slaves would have been expected to fill often unpredictable vacancies. Therefore, a net deficit of *vernae* caused by "over generous" manumission would probably not have been considered an issue, at least at this elevated social level.

The high frequency of manumission would suggest that as a rule it was not expected to lead to any break in employment or severance of personal ties. Indeed it could be seen as a form of "promotion" *within* the household and as such economically rational from the viewpoint of the master who did not suffer any loss of labor. Freedmen's continued links to the household were partly legal, bound as they were to pay respect, *obsequium*, and partly economic since their best hope of prosperity rested on patronal support. But many also had strong personal bonds, reinforced by the fact that relatives frequently remained in servitude. Leaving the household behind would therefore have been unthinkable for most freed slaves. In addition, the *familia* represented a social world where many slaves had been born and grown up, formed families and friendships. As such it could also be a source of identity and belonging, as illustrated by the freedman's inclusion into the patron's family whose name he automatically assumed. Some masters might actively try to foster a sense of community (Pliny, *Letters* 8.16.2; Seneca, *Letters* 47.14). Likewise, there are tantalizing hints that some freedmen insisted that their children married within the *familia*, *in familiam nubere* (Flory (1978); Bürge (1988)).

4   The Slave Family

We have very little evidence for the family life of Roman slaves. Most information will therefore have to be inferred from general arguments and reconstructions of the structure of the Roman household. The basic question is how they differed from those of the free population, and here the focus will be on the ways in which they came into existence and potentially later were dissolved. The simple fact that they were unfree would imply a limited choice of partners or none at all. In smaller *familiae* slaves may have been paired off by the owner, while in larger households the possibility

of choosing a spouse may have been greater. On the other hand, in the *Satyricon* a "divorce" between a slave and a freedwoman is mentioned in passing (53.9), but since one party was free this may not imply that slaves generally had much influence on the formation and discontinuation of their relationships. As noted above, the central concern of the *Senatus Consultum Claudianum* was also the need for the owner's permission to form unions outside the *familia*.

In this respect they may not have differed much from the free population, since most Romans probably also had a restricted choice when entering into – at least their first – marriage, presumably arranged for them by their family. Some privileged slaves – with substantial separate funds – might have been able to buy a slave partner for themselves out of their *peculium*. These spouses would have been chosen personally.[5] The slaves of the *domus Augusta* appear to have enjoyed a free choice – of course subject to their master's permission – and often found "wives" outside the *familia*, probably because of the uneven gender balance within the imperial household where males were preferred for administrative tasks.

What set the slave family apart was less the constraints on their choice of partner as much as the fact that – once formed – their relationships enjoyed no legal protection. Since slaves had no legal personality, they could not enter into formal marriage and held no authority over their own children who formally were not even theirs but their master's. The reality was of course very different from the legal fiction, and their family bonds appear to have been as strong as those of any other Romans. Thus, in their inscribed monuments they used the conventional terms of relations – *pater*, *mater*, *uxor*, *vir*, *coniunx* and *filius/-a* – to describe members of their families.

Although the legal fiction did not change the character of their relationships, the lack of legal recognition nevertheless had very real implications for the slave family, making it far more vulnerable to external threats. The risk of physical violence and abuse was ever present for the slave population, and the presence of relatives in the household would have multiplied this danger as well as the attendant anxieties. Slaves were also exposed to sexual abuse, irrespective of their familial status, which must have put even greater strain on their family lives. However, the most fundamental risk was that of enforced family break-up (cf. Bradley (1984) 51–64). Slave families could at any time be broken up by the master, spouses separated from each other and parents from their children. This might happen in a number of ways. Slaves might be sold off, either as punishment or to raise capital and profit from the natural growth of the slave holding. Short of sale, a slave could also be relegated to other parts of the estate, again either for punitive or practical reasons to meet changing labor requirements.

We have no way of determining how frequently this happened, but while the punitive sale of slaves may not have been the norm, profiting from slave reproduction exceeding the owner's needs may not have been uncommon. As Bradley (1984) demonstrated, mainly on the basis of Egyptian evidence, the sale of slaves generally seems to have taken place on an individual basis, and this impression is also borne out by examples from other parts of the empire.

Even in the richest households slaves might be passed on, as illustrated by epitaph 6.7290 from the *columbarium* of the Volusii. It records Primigenius L. Volusi Saturni who was married to Charis, another slave of the Volusii. Her brother was T. Iulius

Antigonus, who commemorated his *nutrix* Spurinnia Nice Torquatiana, whose *agnomen* indicates that she had once been owned by the Volusii. The implication is that both Antigonus and Nice had at some point been alienated from the *familia* of the Volusii and passed on to two different households, while Antigonus' sister Charis remained.

The off-loading of slaves surplus to requirement would logically have affected children more than adults, and we may also envisage scenarios like that described by Plutarch, who tells us that Cato purchased slave children, had them trained and sold them off with a profit. The implication is a market in slave children some of whom would have been slave-born and sold off at an early age, as also indicated by the epigraphic examples collected by Rawson ((1966) 78–81) of young freed children who carry *nomina* different from those of their freed parents. These families, in other words, were broken up while the child was still very young.

Slave families probably found themselves most at risk when the master died, an event which might result in the break-up of the entire household. Unless the deceased was able to pass on the estate to a single direct heir, it would normally be divided up between several heirs, who could each claim a share of the *familia*. Inheritances were therefore recognized as a significant source of slaves, for example in Pseudo Quintilian, *Declamationes Minores* 311.7, where we find slaves divided into three categories: those who were born into that condition; those who had been left in a will; and finally those who were bought, "aut natus aut relictus hereditate aut emptus." A similar distinction appears in the *Satyricon* (47), where a slave is asked whether he is home born or purchased, to which he answers that he was left in a legacy. How frequently this led to the break-up of slave families is not clear. In smaller households keeping them together was probably not practically feasible, and doing so may not have been a priority even in larger *familiae*. As Bradley ((1984) 64–70) suggested, the slave *familia* would probably be divided up with little concern for the family units (cf. Herrmann-Otto (1997) 262–65). Varro, *De re rustica* 1.17.5, notes that slaves from Epirus were sought after because of their family relationships, suggesting they were sold in familial units, but also that this was not the norm.

Admittedly, some jurists regarded the splitting up of slave families as cruel and inhumane, and measures were eventually taken to protect them.[6] However, the general ban on splitting up family units belongs to a later period (*Codex Theodosianus* 2.25.1; *CJ* 3.38.11). In classical times the law probably protected them only in situations of legal uncertainty, that is, when the content of the estate had not been properly defined, and masters could at any time decide to disregard family ties (cf. *D* 33.5.21, 33.7.20.4, Scaevola).[7] The conclusion is that the slave family was suspended in a state of existential insecurity. The only means of securing the family unit was manumission, which granted the slave complete, irrevocable freedom, and any child born afterwards was generally freeborn. However, the Romans operated with several forms of manumission, which can be broadly classified as formal and informal, and until Augustus the latter only led to an *imago libertatis*, a likeness of freedom rather than the real thing. The praetor protected their right to live as free but they still died as slaves, which presumably also meant that their children were slaves instead of freeborn. To clarify the position of informally freed slaves Augustus introduced the new status of Latin

freedmen, also known as *Latini Iuniani*, who were free but non-citizens. The reform granted their children free, even freeborn, status but since their parents' estate reverted to the patron they were economically disadvantaged and left dependent on the patron's support. However, soon afterwards the *lex Aelia Sentia* (4 CE) allowed *Latini Iuniani* freed under the age of 30 to gain full citizenship through procreation via the procedure of *anniculi probatio*, which involved presenting a one-year-old child born in legal marriage to the local magistrate. This right was later (by the *Senatus Consultum Pegasianum* in 75 CE) extended to those freed after the age of 30.

Manumission may have provided the only way out of slavery but it was entirely up to the owner to decide whether – and when – to free a slave. There is little evidence to suggest it was applied in any systematic fashion according to criteria such as age, gender, and experience, and as a result families would often count among its members slaves, freed and freeborn. Roman epitaphs provide plenty of evidence for family units of mixed legal status. Using a large sample of inscriptions from the city of Rome, Rawson ((1966) 78–81) identified a wide range of different combinations, also suggesting their relative frequency. Families where both parents were slaves and the child freed (73 children); families where one parent was slave the other free (751 free children); broken families, where parents and children were freed in different households (122 children); families where the parents were both free at the birth of the freeborn child (591 children).

The large *columbaria* of the Roman elite present a more concentrated "snapshot" of family structures within individual households. The material from the two largest known private households, those of the Statilii Tauri and the Volusii Saturnini, differs somewhat in composition, partly because of their relative state of preservation. The former is the larger and more complete, while the latter represents only a selection of the original material, apparently favoring larger and more richly decorated epitaphs. The surviving inscriptions from the Volusian *columbarium* were therefore of higher quality, containing longer and more detailed descriptions of the deceased, including family relations. Thus, while the Statilian evidence gives a fuller picture of the overall composition of the household, including the lower ranks, the Volusian offers the more detailed information.

Despite these structural differences the two corpora present broadly identical pictures. The proportion of freed to slaves may vary, the two households containing 32 percent and 46 percent freedmen respectively. But in both *columbaria* we find that around a third of all unions were "mixed," also bearing in mind of course that the freed couples at some point may have been "mixed." A similar share of children appears to have had different status from their parents, but again, where all parties were freed, their status might also at some point have differed.

The mixed families would have entrenched the patron's control over his freedmen, whose obedience was assured by the existence of family members still under his *dominica potestas*. They could also act as an additional incentive for the freedmen to work hard and apply themselves in an attempt to secure the liberty of their relatives and unite the family in freedom. Most directly this could be effected by offering money to the owner in return for the freedom of relatives. This process may not necessarily have involved fathers and husbands rescuing children and wives; in principle it could also be the other way round.

Paul Veyne described the damaging consequences such transactions might have on freedmen's family relations. Thus, he stated that:

> The family life of former slaves must have been a veritable hell, filled with conflict, ambivalence, and resentment. A father might never forgive his son for his crushing generosity; a son might never forgive his father for behaving like an ingrate. ((1997) 82)

However, contrary to this image of a widespread malaise there is little evidence that payment for freedom was as common as many scholars have assumed (for example, Hopkins (1978)). Moreover, Veyne took it for granted that they bought their relatives rather than their freedom.[8] But it was perfectly possible to hand over money to the owner in order to effect the manumission of their relatives rather than buying the slave himself or herself. In that situation it was still the former master who would become patron, not the relative. This situation is indicated by a number of sources, for example *Satyricon* 57.6, where the freedman Hermeros says he purchased his partner's freedom, and various passages in the legal texts.[9] The freed relative would still owe a moral debt to his or her benefactor, but formally the law did not define their relationship in terms of *obsequium*. Most often this would probably have conformed to "natural" hierarchies of age and gender.

5 The Families of Roman Freedmen

Most of our documentary evidence for the families of Roman slaves was produced by those who were no longer slaves. Thus, most of the information comes from funerary epigraphy, which under the Empire became the almost-exclusive preserve of freedmen and their immediate families. In Ostia, for example, virtually all those who commissioned tombs and monuments in the imperial period were former slaves and their spouses or children (Mouritsen (2004)). It is often assumed that this passion for commemoration reflected the freedmen's "arriviste" mentality and particular concerns about social status (Petersen (2006) being an exception). The freedmen's funerary epigraphy has thus been reduced to a simple question of self-display. But while many libertine monuments sent a strong message of personal success and achievement, not all their epitaphs were public, showy, or even self-celebratory. Indeed the majority did not commemorate the successful freedmen themselves but were dedicated to their children or spouse.

When considering the epigraphic evidence, we have to distinguish between two different types of funerary inscription. On the one hand, "titulary" inscriptions placed on the front of monuments which indicated the owner's identity, the dedicatee and who were entitled to burial there. On the other hand, "proper" funerary inscriptions that were directly linked to the remains of the deceased, recording their name and perhaps further details about their life. Although the two types occasionally overlap, they differed in their basic rationale. The display associated with freedmen's epigraphy was largely restricted to the "titulary" inscriptions, which often included references to titles, honors and benefactions. However, even here the message of arrival may have

gone beyond a mere assertion of status and prosperity; the erection of monuments can also be seen as a celebration of the free and secure family and the foundation of a new lineage.

The commemoration of relatives by freedmen has also been interpreted as an expression of social ambitions, since these also could be invested in their children, especially freeborn sons. There are of course striking examples of freedmen spending lavishly on their sons' public careers. Most famously, the Temple of Isis was rebuilt after the earthquake in 62 CE by the six-year-old N. Popidius Celsinus at Pompeii, who in return was admitted to the town council (*CIL* 10.846). However, as a general explanation of the freedmen's concern with family this model may be too simple. The fundamental point is that the family is likely to have held a very distinct meaning to the freed population. While freeborn Romans could take the basic legal safeguards of their families for granted, that would have been an entirely new and exhilarating sensation for the ex-slave. The experience of slavery – and the essential uncertainty that entailed for the family – would naturally have given those who managed to secure their freedom a different perspective on this institution.

The particular significance of the family to former slaves to a great extent explains their domination of funerary epigraphy in the Roman world. It gave rise to a particular cultural practice, rooted in their unique background and experiences and apparently maintained through the formation of a shared cultural practice. Their inscriptions celebrated freedom in the broadest sense but the focus was on familial relations, suggesting that the newly gained security of the familial unit was considered a primary benefit of manumission. The inscriptions were typically small and unobtrusive, attached to niches containing the urn or inscribed directly on the urn itself. The setting was often secluded from public view, located inside burial enclosures or monuments. The context lent the practice a private, even personal aspect, which suggests it became part of the mourning rituals that developed among the freed community.

Viewed in this light it is less surprising to find that the most eye-catching illustrations of the Roman family – the funerary "window" reliefs of the late Republic and early Empire which show spouses next to each other or a lineup of several family members often of different generations (cf. Huskinson, this volume, Figure 31.6) – belong almost exclusively to the freedmen. These monuments are visual reminders of the particular meaning of the family unit for this social category and should not, as often has been done, be reduced to a question of status and self-display. The emphasis of modern scholars on the *togae* and *bullae* worn by the freedmen and their sons seems overstated, not least because the absence of these elements would have been more remarkable than their presence.

As well as indicating conformity to conventional Roman norms and ideals, the freedmen's decision to display their entire family units may reflect a wish to give visual expression to the newly founded lineage. This particular concern can also be traced in their naming patterns, since they typically adopted the standard Roman practice of naming children after their parents, grandparents or other relatives. This often involved giving them Greek *cognomina*, which generally hinted at a servile background. For example, in *CIL* 6.21599 the freeborn daughter of D. Lucilius Glyco and Lucilia

Helpis, Lucilia D.f. Melitine, was named after her father's sister, Lucilia Sp.f. Melitine (cf. Rawson (1966) 77). It would seem, therefore, that the desire to demonstrate family continuity in these cases took precedence over their presumed anxiety to "cleanse" the next generation of servile associations.

One of the most intriguing features of freedmen's families relates to their marriage patterns. While many, possibly most, freedmen had already formed unions before being freed, some found new spouses after manumission, either due to divorce, bereavement or because they had been freed young. These couples can be identified by the different *nomina* carried by the spouses (although there is a possibility they may originally have been cross-familial *contubernales* or separated from each other), and a closer analysis of this evidence indicates that former slaves almost exclusively married people of similar background. This phenomenon has been interpreted – like other aspects of the freedman's life – in light of their inferior status. Thus, freeborn Romans are assumed to have been unwilling to "marry down," thereby forcing freedmen to seek partners within their own class. While such concerns of course may have applied in some cases, it seems unlikely that the wealth of many freedmen would not have compensated for their inferior status; Claudius Etruscus' father, a powerful imperial freedman, famously married the sister of a consul (Statius, *Silvae* 3.3.114–15). In everyday life free and freed mingled at all levels and the prejudices against freedmen may have been less widespread than the moral discourse of the Empire would suggest. Moreover, the fact that even the prestigious and wealthy imperial freedmen normally married freedwomen would suggest that other factors might be at play.[10] The conjugal patterns observed among the freedmen may therefore reflect a preference for marrying within their own community and forming unions with people who shared the same background and had experienced the same life-changing transition from slave to free as they themselves had.

FURTHER READING

The best modern studies of the lives of Roman slaves are those of Keith Bradley ((1984), (1994)). Treggiari (1969) is a rich source of information on freedmen and manumission during the Roman Republic, a topic also treated in great detail by Fabre (1981). For discussion of the legal aspects of manumission, see the articles by Sirks ((1981), (1983)) and Gardner (1993). The most important contributions to the debate on the sources of slaves are Bradley (1987a); Scheidel (1997b), (2005), (2008); and Harris (1980), (1999). Rural slavery and the role of women have been studied by Scheidel (1996c) and more fully by Roth ((2005), (2007)). The reproduction of slaves and the role of *vernae* were the subject of a major study by Herrmann-Otto (1997). The seminal work on the epigraphic evidence for the families of slaves and freedmen is that of Rawson (1966), while the epigraphic habit of freedmen has recently been discussed by Mouritsen (2005). The composition of the aristocratic *columbaria* was the subject of a monograph by Hasegawa (2005), superseding Treggiari (1975a), but a new study of the *familiae* of the Volusii and Statilii by Mouritsen is forthcoming (forthcoming b). The structure of the Roman *familia* was well analyzed by Flory (1978) and Bürge (1988).

NOTES

1 In practice the law acknowledged the existence of slave relationships, for example in the context of incest prohibitions (for example, *D* 23.2.8, Pomponius; *D* 23.2.14.3, Paul).

2 Harris ((1999) 66) thought this system was Columella's own idiosyncrasy, but it seems to be echoed in *D* 40.7.3.16, Julian; cf. *D* 1.5.15, Tryphoninus. On the other hand, the much-debated passage of the *D*, 5.3.27 praef., Ulpian, would indicate that slave women were not usually bought for the purpose of "breeding," cf. Treggiari (1979b) 188; Harris (1999) 66.

3 Lo Cascio's argument reflects his general model of the Italian population, envisaging a decline in the unfree population which matches the rise in the number of free citizens and keeps the total relatively stable, cf., for example, Schumacher (2001) 42.

4 In *CIL* 6 only 14 people are described as *filii naturales* and only one as *filia naturalis idemque liberta* (*CIL* 6.21458).

5 Since *peculia* were recognised as *de facto* property and generally left with the slave when sold, alienated or manumitted, the result may have been a more secure family unit. On the *peculium* as a means of supporting slave families and on families as part of *peculia*, see Roth (2005).

6 Solazzi (1949) argued that Ulpian's comment (*D* 33.7.12.7 and 31–33, Ulpian) on the cruelty involved in splitting families is an interpolation, but Treggiari ((1979b) 196–99) was unconvinced.

7 Thus, in *D* 33.7.12, Ulpian, the issue was whether the *instrumentum* of the farm included the slaves together with their families or these could be sold off separately.

8 Bradley ((1984) 78) assumed a freedman who paid for his wife's freedom became her patron, seeing this as the background for most patron-*liberta* marriages. However, husbands might also have become the owner/patron of their wives and children as a result of a bequest from the master, cf., for example, *D* 30.71.3, Ulpian; *D* 32.37.7, Scaevola; *D* 32.41.2, Scaevola. Likewise, Petronius, *Satyricon* 70.10; *FIRA* 3.48.40–45.

9 *D* 12.1.19 praef., Julian; cf. *D* 12.4.1 praef., Ulpian; *D* 12.4.3.1–5, Ulpian; *D* 12.5.4.2–4, Ulpian; *D* 40.1.19, Papinian; *CJ* 4.6.9.

10 *Contra* Weaver (1972), but his theory that imperial freedmen predominantly married *ingenuae* is purely conjectural; indeed the *cognomina* of their wives suggest most of them were freedwomen.

Foreign Families in Roman Italy

David Noy

1 Introduction

Despite the proliferation of studies of the Roman family, very little attention has been paid to the issue of foreign families, that is, family groups which migrated to Italy or families formed by individuals after they had migrated there. Research has been done on families in specific areas of the Roman Empire (for example, Edmondson (2005) on Lusitania; Corbier (2005) on Africa; Revell (2005) comparing commemoration in various regions), and some local differences have been detected, but the limitations of the evidence make it very difficult to follow them through the process of migration. In any case, migrant groups may be atypical of their home societies in terms of age, gender, or social status, and therefore cannot necessarily be expected to reproduce the same behavior. Ancient comments on foreigners in Italy, whether positive or negative, are directed towards individuals or "nations," not families. Only one description of the numerous expulsions of foreigners from Rome acknowledges that they had families, and that probably owes more to rhetoric than to observation. According to Appian (*Macedonian Affairs* 11.9), when the Macedonians were expelled from Rome in 171 BCE at a few hours' notice, "Some, in their haste, could not reach a lodging-place, but passed the night in the middle of the roads. Others threw themselves on the ground at the city gates with their wives and children." There is a large amount of epigraphic and literary evidence about individual foreigners in Italy, but very little contains any information about the family circumstances of the individual. Studies of migrants (Noy (2000a), Ricci (2005)) and the numerous studies of people from individual provinces (for example, Nuzzo (1999), (2002); Ricci (1994)) therefore do not spend much time on family formation or structure. Neither do studies of the Roman

life-course or of non-elite families (for example, Harlow and Laurence (2002), (2007); Balch and Osiek (2003); Revell (2005)) look in any detail at the role of migration.

Reliance on the evidence of inscriptions, particularly epitaphs, has a number of well-known problems. Identifying a foreigner in an inscription normally depends on wording which denotes someone's foreign status such as an ethnic (for example, *Gallus*) or a place of birth (often introduced by *natione*, "by birth"). The inclusion of such information was entirely at the discretion of whoever composed the epitaph. It was clearly much commoner for some groups (notably soldiers stationed in Italy, discussed below) than others. It can also be assumed that it was commoner in some types of commemoration than others, for example a migrant parent commemorating a young child would be much more likely to mention place of origin than an adult child born in Italy commemorating an elderly parent who had migrated several decades earlier. There are some cases where the wording of an inscription indicates foreign origin even where this is not stated explicitly, for example, using a curse formula otherwise found only in a specific area of Asia Minor (Noy (2000a) 194–96) or at Apamea (Lettich (1983) Nos 86–96). Some foreigners who died abroad were not migrants but temporary visitors, such as ambassadors, pilgrims, and sailors; these would not usually have had family members with them, but may be commoner in inscriptions than is apparent from the people who are specifically labeled as such.

Names can also provide a clue to foreign origin, although in practice non-Latin or non-Greek names very rarely seem to have been given to the children of immigrants and were often abandoned by immigrants themselves (Noy (2000a) 179–83). They also help to indicate a person's legal status: freeborn Roman citizen, ex-slave with Roman citizenship, slave, or free non-citizen (*peregrinus/a*). However, the form of a name may vary according to the context in which it is inscribed: it is only by accident that a man with Syrian connections recorded in a number of benefaction inscriptions just as Gaionas is known to have been a freeborn Roman citizen M. Antonius M.f. Gaionas rather than a *peregrinus* (Noy (2000a) 240–42). Epigraphic evidence is likely to be biased in favor of the more prosperous, literate and Romanized. Migrants who did not adopt the Roman epigraphic habit or were too poor to afford it will not appear in the evidence, and if non-Roman practices such as polygamy existed, they are not likely to be detectable. The amount of evidence in which foreign families can be identified is very limited and therefore not susceptible to statistical analysis. A more impressionistic approach will necessarily be adopted here, in which anecdotal evidence is related to theoretical models.

Comparative evidence suggests that in pre-industrial societies (in fact, in most societies) the peak age of migration is early adulthood, mainly by individuals who have not previously formed their own families (Boyle et al. (1998) 110–18). Migration can therefore affect family formation directly. For example, if migrants are predominantly of one sex, they are likely to delay marriage and children either voluntarily (for example, waiting to return home) or involuntarily (lack of suitable spouses). The "urban graveyard" model has often been adduced in studies of Roman demography (for example, Jongman (2003) 106–109; Scheidel (2004) 15–17), emphasizing the effect of diseases such as malaria on immigrants to Rome who had no natural immunity (Sallares (2002) chapter 8). The Romans had some awareness of this, since Herodian

(1.12) notes that the effects of plague were particularly severe at Rome because it was overcrowded and immigrants were coming from all over the world. The demographic consequences of reduced fertility through the effects of large-scale free (not slave) migration have been stressed less in a Roman context than in studies of early modern Europe (Galley (1995), 449–50, 457–58), but Lo Cascio ((2000a) 44–45, 51–52) offers some criticisms of the "urban graveyard" model on this basis.

A very lengthy third-century CE Latin inscription from Sulmo shows some of the issues (*SuppIt* 4, Sulmo 58). A man named Murranus and his wife Decria Melusa, freedwoman of Secunda, commemorate their six children with very Roman names who had predeceased them – Primigenius, Severus, Pudens, Castus, Lucilla, and Potestas – and call on their grandson Thiasus, who had a name of Greek origin, to remember them and protect the tomb. Murranus describes himself as "a barbarian man, by birth a Pannonian" and asks his grandson to note that "sorrow itself teaches even barbarians to write down laments." His self-description can perhaps be read as irony since the nature of the inscription itself, and its references to "piety" and "the gods above and below" are conventionally Roman. However, his Pannonian origins also seem to have influenced the style of the epitaph, which was too long to fit into the epigraphic field of the *cippus* on which it was carved; lengthy Latin epitaphs using poetic language are well known from Aquincum and Carnuntum in Pannonia. Murranus defined himself as a foreigner, but the inscription gives no information about the geographical origin of his wife, where their children were born or whether Thiasus considered himself to have any share in his grandfather's Pannonian identity.

2 Types of Family

The ways in which migrants form families can follow a number of patterns, related to different types of life-course:

1 Migration by a whole family group.
    a   The whole nuclear (or extended) family migrates together;
    b   The breadwinner migrates first, being joined by the rest of the family later.
2 Migration by an unmarried individual who later marries.
    a   The individual marries a member of the local population at the destination;
    b   The individual marries a fellow-migrant at the destination;
    c   The individual marries someone from home who then migrates to join him/her;
    d   The individual returns home before marrying.

Below, some of the migration histories which can be found in inscriptions will be related to these patterns. The reason for migration would clearly have influenced family formation. Someone who was involved in trading between Italy and a province needed connections at both ends, and may never have regarded Italy as a permanent home, in which case he would not have formed a family there (Noy (2000a) 114–17). Conversely, a Rhodian who may have been a wine-merchant built a tomb at Ravenna

for himself, his wife, their children, foster-children, grandchildren and another named male (*SEG* 48 (1998) 1283), so clearly regarded his family as permanently established there. Foreigners who married into the local population (pattern 2a) are less likely to be identifiable in the inscriptions, since the likelihood of their foreign origin being recorded must have been reduced considerably.

Some people even maintained two civic identities. Ti. Claudius Magnus was a city-councilor of Aquileia in 256 CE but also called himself an Ephesian when he made a dedication to the "national goddess Artemis" at Aquileia (*IAq* 182; Boffo (2003) 540). The inscription was in Greek and Latin, so intended to be read by Ephesians and Aquileians, but most of the lower Latin section has been lost:

> For the great reputation of the most distinguished city of the Aquileians and of the council (*synedrion*) of the association of the Nemesiac hunters around the goddess. Ti. Claudius Magnus, Ephesian and city-councilor of the Aquileians, patron of the *synedrion*, adorned and consecrated the stoa of the temple at his own expense, making the floor with varied stone and painting (the walls).

The hunters may have been associated with the amphitheater as *venatores* (which would explain the connection to Nemesis) but must have been Ephesian emigrants, suggesting that this was one of the cults of local deities which formed focal points for people of shared nationality (Noy (2000a) 183–87; there is no evidence for non-religious *collegia* formed by groups of foreigners). The inscription does not show whether Magnus had a family. If he did, would his children, presumably growing up at Aquileia but with connections to Ephesus, have considered themselves to belong to both cities as their father did? It will be argued here that some sort of "foreign" identity could be retained by the second generation, but it was unlikely to be handed down any further: Magnus' grandchildren would probably have been fully integrated Aquileians.

Where a young child is commemorated as a foreigner, it can be assumed that the whole family group migrated together (pattern 1a). In an epitaph from Aquileia, a boy aged two from Chababon in Arabia was commemorated in Greek by his mother (*IG* XIV 2347–48). In another, an Arabian boy aged five and a girl probably aged seven months, not siblings, were commemorated together (*IG* XIV 2356; 2360). This suggests that an extended family group, or two or more separate families, had migrated together. Boffo ((2003) 547) discusses these cases as an example of chain migration, where people at the destination provide help and encouragement for new migrants from the same place of origin. In such a context, individuals who migrate without family still have a place in a wider social network. They are also more likely to marry within their group, since the existence of the "chain" makes it easier to find a potential spouse (pattern 2b or 2c). Family ties, even distant ones, could still be important within such groups. When the future emperor Septimius Severus came to Rome from Lepcis he joined a male relative of consular status who lived there; later he was followed to Rome by his sister, but hurriedly sent her home because he was embarrassed by her inability to speak Latin, a problem which would not have worried a family of lower rank (*Historia Augusta*, *Septimius Severus* 1.15).

Chain migration also seems to have been important for Syrians from Apamea, who are very well attested in Italy in Late Antiquity. The evidence is Christian, but not particularly affected by Christianity; some foreign groups followed distinctive epigraphic practices which are related to nationality rather than religion. A family group is commemorated in a Greek epitaph from Pavia dated to 471 CE (*IG* XIV 2290):

> Here lie at rest, sleeping well, Patricius and Paulus, legitimate brothers, sons of Abbosa, of the village Maraōtatōn in the territory of Apamea. There was also placed here the child of blessed memory Petrus, grandson of the aforementioned Patricius, son of Theodorus and Euphoimia. He died on 6th Gorpaios.

The author of the epitaph is not specified but seems most likely to be Theodorus. In this case only the two brothers of the first generation are said to be migrants, and it is not clear if the second and third generations were born in Italy or Apamea; the pattern followed could be 1a, 1b, or 2a–c. Patricius and Paulus did not necessarily travel to Italy together; one could have preceded the other. The commemorator followed the usual Apamean epigraphic practices: using Greek, giving a date according to the calendar used at Apamea and specifying the exact village from which the deceased came, which suggests that other Apameans who knew the villages were expected to read the epitaphs (other examples in Boffo (2000) 133; (2003) 544; Noy (2000a) 237–38). It is likely that groups who practiced chain migration lived in the same parts of the cities to which they moved. At Rome, Trastevere and the Aventine seem to have been heavily populated by foreigners, but it is not clear if specific groups tended to cluster together within those areas (which could have facilitated the retention of a separate identity if they did), although there is some evidence for groups being buried together in the catacombs (Noy (2000a) 146–52).

Marriage arrangements are difficult to reconstruct from inscriptions. At Naples, Sarapias also called Ammia from Laodicea, aged 19, and Vera from Sicily, aged 24, were commemorated in Greek by their husbands, Marcellus and Cornelianus the scribe (*INap* 157, 149). Had they come to Naples with their husbands (1a), joined their husbands later (1b), gone to Naples specifically to marry (2c), or even gone independently before marrying (2b)? Their husbands are not stated to be migrants themselves, but they would not repeat an ethnic label which they shared with their wives, and the fact of recording the wife's place of origin in itself tends to suggest that the husband shared it. Two men buried in the Cyriaca catacomb at Rome are described as having a wife "in the province of Spain": Felicissimus, a soldier aged 65, and Lazarus, aged about 28, who had a wife for two months and was commemorated at Rome by his brothers Timoteus and Pannosus (*ICUR* 18762, 18995). Nuzzo ((2002) 282) points out that the men themselves were not necessarily from Spain, but the Spanish connection must have been a strong one for the composers of the epitaphs, perhaps the wife in the first case but clearly the brothers in the second, to mention it. It seems improbable that a native of Rome would marry a woman in Spain and leave her there. The first case is unlikely to be a recent marriage, and perhaps the husband and wife were visiting Rome together when Felicissimus died. In the second, it seems more likely that Lazarus had moved to Rome, with his brothers or in order to join them, and his wife had not yet followed him there (pattern 1b or 2c).

3   An Elite Foreign Family: The Annaei of Cordoba

The movements of the Annaeus family in the late first century BCE and early first century CE provide, from literature, an example of some of the complex migration histories which may be hidden in epitaphs (see Noy (2009) for fuller discussion). The elder L. Annaeus Seneca, born ca. 55 BCE in an equestrian family at Cordoba, went to Rome to study rhetoric, and seems to have been there ca. 30 BCE (Seneca the Elder, *Controversiae* 1.pr.22; 2.22.8) and in the last decade of the century (Seneca the Elder, *Controversiae* 3.pr.1; 4.pr.3), but he also spent time at Cordoba, where his sons were born and his wife Helvia originated and continued to live, and probably maintained homes in both places simultaneously. He was periodically at Rome after this, but died at Cordoba in 39 or 40 CE, with all his sons absent (Seneca the Younger, *To Helvia* 2.5).

The middle of his three sons, L. Annaeus Seneca the philosopher, was born at Cordoba, ca. 5/4 BCE. He was accompanied by his father to Rome for his studies, and seems to have been there at the age of about ten as he claimed to remember Asinius Pollio personally (Seneca the Younger, *On Tranquillity of Mind* 17.7). He was also taken there by his aunt and nursed by her when he was ill for a long time (Seneca the Younger, *To Helvia* 19.2). He does not appear to have returned to Cordoba to live, and his one known wife, Pompeia Paulina (not necessarily his first wife), is not known to have had Spanish connections. When he was exiled in 41 CE, the sentence was passed two days after his mother left Rome, their first reunion for some years. She was at Rome when Seneca's son (apparently his only child) died there in 41 CE, but received the news of the exile back at Cordoba within 20 days (Seneca the Younger, *To Helvia* 2.5, 15.3).

M. Annaeus Lucanus the poet, son of Annaeus Mela and grandson of the elder Seneca, was born at Cordoba in 39 CE and moved to Rome with his father or parents when he was about eight months old. Despite his early departure, his Spanish origin seems to have been emphasized in a positive way, since Statius' poem in honor of his birthday makes much of it (Vacca, *Life of Lucan*; Statius, *Silvae* 2.7.24–35).

Various patterns of migration and family formation are thus illustrated by this family. Lucan's nuclear family followed pattern 1a, but Lucan's father had already spent time at Rome for his own education. The elder Seneca's experience was somewhere between 2c and 2d; he apparently returned home to marry but then continued to move between Cordoba and Rome. The younger Seneca followed pattern 2a, and he was a permanent migrant, but retained close connections with his family at Cordoba, at least while his mother was alive. However, if epitaphs had survived, it is unlikely that the elder Seneca's would show that he lived at Rome or that the younger Seneca's would show that he was born in Spain.

4   Military Families

The Praetorian Guard formed the largest military presence in Italy: some 14,000 men stationed at Rome in the third century CE (Coulston (2000) 76–81 discusses numbers). Septimius Severus introduced a complete change of recruitment policy, drawing

praetorians primarily from the Danube and Balkan provinces rather than from Italy as had happened previously. He was also the emperor who legalized serving soldiers' marriages in 197 CE; before this, although soldiers sometimes had "wives" and children as if they were married, there was no legal recognition of the family. Thus praetorians in the third century were potentially a substantial focus of foreign family formation, and there is a large amount of evidence because it was normal for them to record their birthplace in their inscriptions. Other military units were stationed at Rome too, most significantly the *equites singulares* (the emperor's mounted bodyguard) numbering 1,000 from the late first century CE. The Urban Cohorts did some of their recruitment outside Italy. The Roman fleet was based at Misenum and Ravenna, and recruited almost entirely in the provinces, particularly Dalmatia, Thrace and Egypt (Starr (1960) 74–77). Starr ((1960) 92) argues that sailors' marriages were legalized earlier, by Marcus Aurelius.

Sailors and auxiliaries were granted citizenship and *conubium* (i.e. the right to make a valid Roman marriage with a free non-citizen) on discharge, and citizenship was also granted to children they already had from one relationship. Ex-praetorians, who were already citizens, were also granted *conubium*, suggesting that they were thought likely to marry non-citizens (Phang (2002) 357). They were only allowed to marry one woman under this provision, showing an awareness of potential polygamous practices or, perhaps more likely, the possibility that otherwise citizenship might be spread indiscriminately through an ex-soldier's relationships with a number of women (Phang (2002) 369, note 20). After the *Constitutio Antoniniana* of 212 gave citizenship to most free inhabitants of the empire, *conubium* ceased to be an issue.

Epigraphic evidence does not make it possible to determine if foreign soldiers normally married women from their home area, since the place of origin of both husband and wife is almost never given, but some wives of soldiers from the Balkans had Thracian names and some wives commemorated their husbands' home villages rather than just provinces (suggesting that the village meant something to them too), so the evidence is consistent with the possibility that marriage between people from the same place was common in this context (Noy (2000a) 71–22). One clear example is found in the epitaph of a sailor's wife from Lycaonia (*CIL* 10.8261):

> To the *Di Manes* of Valeria Frontina, by birth a Gnigissan from the city of Coropissus, village of Asseris, daughter of our lord Valerius Fronto Aquilienus, who lived 29 years three months 21 days. Valerius Montanus, ship's guard (*nauphylax*), from the same city and village, made this for his dearest, well-deserving wife.

This seems most likely to be pattern 2c, but the Roman names of Fronto and his daughter may suggest that he too was in military service. Starr ((1960) 85–86) notes a tendency for sailors to marry other sailors' daughters or, in one case, sister, and also some "cohesion of compatriots" where sailors named as their heirs men from the same region. This can be observed among praetorians too, and the heirs may sometimes be extended family members such as distant cousins or in-laws, although this cannot be proved.

Phang ((2002) 366) suggests, on the basis of ages at which commemorations by wives and children outnumber those by parents or siblings, that soldiers in Italy were

most likely to marry in their mid-30s. This is considerably later than is normally supposed for civilian males, and may be attributable to the circumstances of military life, as she discusses, but also to a tendency for migration (even if not connected to military service) to delay marriage. The epitaphs do not show if married soldiers normally had a family home in a civilian area as well as maintaining official residence in the barracks (on which, see Coulston (2000) 82–86), which seems most likely to be the case (cf. Allison, this volume).

Soldiers and sailors serving in Italy were often commemorated by brothers (Noy (2000a) 69). While the term "brother" did not mean a real brother in all contexts, there is no reason to doubt its significance in military epitaphs, since there is ample evidence for brothers serving in the army at the same time, and commemorators designated themselves as friend, heir, or fellow-soldier more often than brother. The brothers recorded in these epitaphs are unlikely to have lived together in family groups as they were often serving in different military units such as praetorian cohorts, but were able to maintain contact. There are also examples of close relationships between soldiers and their male slaves or ex-slaves, some of whom had the same provincial origin and may have accompanied their masters from the time of their enlistment, such as Miles, a 19-year-old Marsacian, the *delicium* (slave-favorite) of the *eques singularis* T. Aurelius Sanctinus who commemorated him (*CIL* 6.3221, 32784).

Examples are known of soldiers who had tombs built at home while serving at Rome (Ricci (1994) 20–21); they presumably also made arrangements to ensure that their remains would be returned to these tombs, although they no doubt planned to return home to live after their military service (usually in their 40s). In *CIL* 8.4245 from Numidia (discussed by Ricci (1994), 38–39), a praetorian veteran, C. Paconius Saturninus, is commemorated with his wife in a family tomb set up by Paconius Iustus and Paconius Emeritus, both veterans of Legio III Augusta, for themselves, their children and Emeritus' wife. The other two Paconii are probably Saturninus' brothers although this is not stated. In a case like this it is clear that military service at Rome or elsewhere did not break family ties even though Saturninus did not serve with his brothers, and burial at home, presumably after returning there to live, was normal. It also shows that military service was common in some families, probably over several generations although that is not shown in this case. This might lead to the same migration route being followed by successive generations when they reached enlistment age, returning (perhaps with a family) when they were discharged. Aurelius Moca, aged 55, from a village in Dardania, is commemorated at Aquileia after a military career recorded in detail by his nephew (*IAq* 2802). At Rome, an *eques singularis*, T. Flavius Victor, commemorated his brother T. Flavius Verinus, aged 20, a Frisian (*CIL* 6.3260; Kakoschke (2004) 93). In both these epitaphs there is no indication that the younger man was a serving soldier; military details might have been left out by the commemorator in the first case but would not have been omitted for the deceased in the second. Thus it seems that a nephew or younger brother might be present in Italy with a soldier, perhaps with a view to enlisting later.

Aelius Emeritus from Noricum is commemorated at Rome (*CIL* 6.2482). He served as a praetorian for 14 years and had been an *evocatus* (ex-soldier liable to recall) for three months when he died aged 41. The epitaph was put up by his wife Pomp(onia?)

Marcia, "with him for 14 years" and his sister Aelia Saturnina. This raises the question of how his sister came to be with him at Rome as well as his wife. A possible explanation is that she was there not in her capacity as Emeritus' sister but as someone else's wife. It is intrinsically likely that the elite (within their own provincial communities) and Romanized families who produced the military recruits would have intermarried, as may also have been the case with the Lycaonians discussed above.

5   Foreign Identity among Ex-Slave Families

The erection of tombs by groups of ex-slaves is a well-known phenomenon in and around Rome in the first centuries BCE and CE (cf. Mouritsen, this volume). Since ex-slaves tended to build family tombs when they could, those who were buried in groups were probably without families of their own (see Flory (1978) on quasi-familial relationships). Such tombs normally emphasized common identity and Romanness rather than individual origin, and slaves and ex-slaves were much more likely to record occupation than place of origin (Noy (2000a) 77–78). The following example from Rome is therefore unusual (*AE* (1972) 14 = *CIL* 1.2965a, discussed in detail by Di Stefano Manzella (1972)):

> With C. Caesar as dictator again and M. Antonius as master of horse [48/46 BCE], the burial place was bought from Q. Modius L.f. of the Quirine tribe. Twenty-four feet across, 24 feet deep.
> C. Numitorius C.l. Nicanor, by birth a Theban, eye doctor.
> Numitoria C.l. Philumina, by birth a Phrygian.
> C. Numitorius C.l. Stabilio, by birth a home-born slave (*verna*).
> P. Opitreius C.l. Butas, by birth a Smyrnan.
> They built the foundation.
> Buried in their tomb is Numitoria C.l. Erotis, by birth a Carthaginian (*Punica*).
> Q. Numitorius C.l. Isio.

Most of the people mentioned were evidently alive when the inscription was made, so presumably chose their own descriptions rather than having them chosen posthumously. The decision to use Latin, which is unlikely to have been the original first language of any of them, was a natural one since it was the common language of the group and of outsiders likely to read the inscription (although doctors normally used Greek as their epigraphic language). Latin or Latinized ethnic terms are used, but they do not correspond to Roman administrative units. Two people are identified by city (Thebes and Smyrna), one by region (Phrygia – not a Roman province) and one by an ethnic or racial term (Carthaginian). *Verna* is used in exactly the same way, as if it too was an ethnic identity; the *verna* is the only one with a Latin *cognomen*. It would be inconceivable for people with all these different origins to be buried together if they had come to Rome as free immigrants, since there would have been no opportunity for them to form a group; it was the slave system which brought them into contact with each other, mostly in the one (Numitorian) household.

The issue of language choice is also raised by a bilingual epitaph with very different texts in Latin and Greek, set up probably in the second century CE by a freedman whose family came from Phrygia (*IGUR* 902):

> Latin: "To the *Di Manes*. L. Pompeius Itharus, imperial freedman, made this for his fellow-freedwoman Pompeia Gemella and her sister Ulpia Gemina and himself and (his?) freedmen and freedwomen and their descendants."
> Greek: "Your memorial. Iulia also called Nana of Eumenia, mother of L. Pompeius Itharus, wife of Alexandros son of Alexandros, daughter of Demades of Eumenia."

The text uses forms of expression which were regarded as appropriate for each language. Itharus' imperial freedman status is puzzling because he did not have an imperial name and his family were apparently not slaves, but, at Rome, being an imperial freedman had many advantages over being a well-born *peregrinus*. He used Latin for himself and others in the ex-slave world in which he moved but Greek for his mother. This presumably reflects his mother's first language; it may indicate that his was Latin not Greek, but at least shows that he wanted to be remembered as a user of Latin. The younger people were when arriving at Rome, the more likely they were to change their first language to Latin, but there is some evidence for the descendants of immigrants continuing to use Greek for epitaphs, and no doubt the use of Greek and other languages within the home was much commoner than the written sources suggest (Noy (2000a) 169–78). Comparative evidence suggests that in most cases the children of immigrants would have used their parents' language in the home and Latin outside, but their own children would have been fluent only in Latin.

Before the *Constitutio Antoniniana*, slavery and manumission provided a route to Roman citizenship which was not available for free foreigners. Immigrants, who might be citizens of another city, would not acquire Roman citizenship just by residence. Their *peregrinus* status would pass down from one generation to the next, since under the *Lex Minicia* from the Republican period, the child of a *peregrinus/a* and a citizen could not inherit citizenship. There was thus an incentive for ex-slaves who held citizenship not to intermarry with free *peregrini* who did not hold it, even if they shared the same ethnic background. Consequently, *peregrini* were likely to marry other *peregrini* from the same background, whereas ex-slaves were more likely to marry other ex-slaves irrespective of background.

Slavery and migration did not necessarily break family ties. When an ex-slave named L. Atilius Saturninus from Pannonia was killed by robbers, he was commemorated at Aquileia by his brother and a male friend, who were presumably travelling with him (*IAq* 861). Ex-slaves who formed their own families might still remember their place of origin, like Mevia Nicopolis of Interpromium (Regio IV) who died aged 53: "Born in Asia, I died here; I lived as a poor woman," and her epitaph recorded that she left three children alive (*AE* (2003) 567). On the whole, however, place of origin seems to have been important mainly to ex-slaves who did not have their own families. Those who did form nuclear families were more likely to emphasize Romanness and citizenship.

6 Entertainers' Families

Professional entertainers in Roman Italy were usually people of low legal status: slaves, ex-slaves or *peregrini*. They were also likely to lead lives which were not conducive to forming families: gladiators in barracks, charioteers attached to stables, actors in mobile troupes. Like slaves and soldiers, where they did not have families they were often commemorated by co-workers, such as members of the same gladiatorial unit (*familia*) (Hope (2000a) 104).

This is partly illustrated by a third-century CE Greek epitaph (inscribed on a stele with a portrait bust) from Aquileia commemorating the actress Bassilla (*IAq* 710 = *IG* XIV 2342). Her successes on stage "in many towns and many cities" are recorded in verse and she is described as the tenth Muse. The use of Greek at Aquileia was unusual at this period but was appropriate to the verse form, the outsider status of Bassilla (Hope (2001) 22) and perhaps to the professional identity of the troupe. The tombstone was erected by Heracleides, described as a skilled speaker and probably a mime actor (the meaning of *biologos phōs* is uncertain), who does not state any relationship (although he may have been her partner in some sense), and the epitaph ends: "Your fellow-actors say: Farewell, Bassilla, no-one is immortal," effectively putting the actors in the place of family.

The extremely long epitaph of the charioteer C. Appuleius Diocles from Lusitania, whose career began in 122 CE, records his racing achievements in minute detail, but says nothing about the commemorator (*CIL* 6.10048). Similarly, Crescens from Mauretania, who died aged 22 in 124 CE, had details of his much shorter career recorded in full but no commemorator named (*CIL* 6.10050). The implication seems to be that the stables (Red and Blue respectively) were responsible for the inscriptions. In another epitaph a father, a charioteer himself, commemorates two sons aged 29 and 20, again with details of their careers but this time showing that they drove for all four stables (*CIL* 6.10049). They were both freedmen but are described as *natione verna* (used as with the Numitorii in a context where most people recorded were born outside Rome), so were born at Rome and able to have some sort of family life.

For gladiators, as for charioteers, it was often felt important to record place of origin. In some cases this may be in order to link them to a prestigious gladiatorial school, particularly the imperial *familia* at Alexandria (*CIL* 10.1685), but foreign origin may also have been part of a gladiator's public image (Hope (2001) 102) as well as a charioteer's. Gladiators were sometimes able to form families despite the difficulties. There is a striking example in a Greek inscription from Rome where a four-year-old boy, Serenus, is commemorated by his father Fuscinus, "emperor's *provocator*," and his mother Taōn, both described as Egyptians (*IGUR* 939 = *ICUR* 4032). Fuscinus probably trained at Alexandria before coming to Rome and was able to bring his wife with him, although it is also possible that she was already at Rome when they met. In this family, a mother with an obviously Egyptian name and a father with a Latin name which may not have been what he was originally called produced a son with a Latin name but commemorated him in Greek, using typically Egyptian style (addressing him as *aōre*, "untimely dead") and clearly stating their own Egyptian origin.

Two *retiarii* of the Ludus Magnus were commemorated together at Beneventum (*AE* (1960) 139/40), probably in the second century CE. Purpurio, a Greek, was killed in his 11th fight and commemorated by people labeled only *con.*, perhaps *conservi* (fellow-slaves) or *convictores* (co-residents) but certainly fellow-gladiators of some sort. Filematio from Cologne was aged 30 and had 15 fights, and was commemorated by his wife Aurelia Aphrodite. Again, the nuclear family apparently took priority (gladiators were highly unlikely to have any other relatives available), but co-workers stepped in for the purposes of commemoration if there was no family.

7   Jewish Families

Jewish families in Italy were not necessarily "foreign" in the sense of having migrated recently. Most Jewish migration is likely to have happened in the first centuries BCE and CE, while the evidence is primarily third to fourth century from the Jewish catacombs of Rome and later from elsewhere in Italy. There was a continuous flow of Jewish immigrants, as a variety of places of origin shows, but most Jewish families are likely to have been established in Italy for generations while still preserving a distinctive Jewish identity (Noy (2000a) 287; Williams (2005) looks at Jewish families in Judaea).

A marriage pattern which may have been common among small Jewish communities in Italy is illustrated by an epitaph from Venosa, dated to 521 CE, commemorating Augusta, wife of Bonus, a man with the civic rank of *vir laudabilis* and a Venosan Jew (*JIWE* I 107). She was the daughter of Isa, *pater* ("father" as a title in the synagogue) from Anchiasmon (now Saranda in Albania) and granddaughter of Symonas, *pater* of Lecce. If Symonas was her maternal grandfather, this can be understood as representing three generations of virilocal marriage by Jewish women. Leading members of small communities would naturally look to leading members of other communities for marriage arrangements, and it is likely that this was the practice much earlier than the date of this inscription.

Williams (1999) is able to reconstruct a Jewish family at Venosa over seven generations from fifth- and sixth-century inscriptions, showing that holding office in the synagogue and having ancestors who did so was central to the family's identity. Evidence does not exist to do this elsewhere for an earlier period. The Jewish catacombs of Rome no doubt contain several generations of many families but connections can rarely be traced: whereas at Venosa recesses (*arcosolia*) with multiple graves were extended for family use, there was no equivalent at Rome. Some of the inner chambers (*cubicula*) found in the Monteverde and Vigna Randanini catacombs may have been used by families or other groups, but there are not enough inscriptions securely associated with them to be sure about this. Epitaphs for two sisters come from one *cubiculum*, but it is not known if a third sister's epitaph was also found there (*JIWE* II 237–39). There are two epitaphs from the Villa Torlonia catacomb which seem to record a mother and son (*JIWE* II 453, 481) but they are from completely different parts of the catacomb, suggesting that most people were buried in the next available space without any attempt to put them near other family members, which

was probably the case for less-distinguished families at Venosa too. Furthermore, Roman Jews did not have the habit of recording numerous generations of ancestors which is found at Venosa.

The Jewish epitaphs from Rome do provide some information about family life (discussed in detail in Noy (2007)), but it should be remembered that they are not necessarily typical of Roman Jews as a whole. Even within the Jewish environment of a catacomb, writing an epitaph in Latin or (more commonly) Greek with such details as the deceased's age and the name and relationship of the commemorator may have been a practice associated with the more educated, affluent or acculturated members of the community. The epigraphic evidence suggests that Jewish women could be expected to marry from about 15 to their late teens (Noy (2007) 89). There are a number of cases in which a father and son or two brothers are recorded as holding titles in Roman synagogues. In two of these, the son held a title while still a child: a *grammateus* aged six and an *archon* aged eight (*JIWE* II 256, 289). The relevant epitaphs do not represent complete synagogal "careers" since usually the son either died relatively young or commemorated his father while still at an early stage of title-holding himself. Predictably, it was common for two generations to hold titles, as it was at municipal level, and no doubt having a father of significant status in the community was a factor in boys being given titles. Jewish communities had their own elite families.

The evidence suggests that Jews were endogamous, but it is impossible to know how wide a trend that was. No one buried in a Jewish catacomb is specifically said not to be Jewish, but no doubt Jews who married out would tend to be buried elsewhere. Since only a small minority of Jews used distinctive names, which they might discard anyway, this cannot be traced in the epigraphic evidence. A proselyte named Cresces Sinicerius aged 35 was commemorated in the Villa Torlonia catacomb by his unnamed mother in a Latin epitaph worded completely differently from others in the catacomb (*JIWE* II 491), strongly suggesting that, although his mother had him buried among Jews, she kept to her own non-Jewish traditions when composing the epitaph. In general, Jews tended to commemorate spouses, children and parents just as non-Jews did, and the nuclear family was as important for them as for everyone else, although they did not usually follow the pagan practice of building family tombs.

8   Maintaining Links with Family at Home

A few letters on papyrus show how migrants tried to keep in touch with family in Egypt. Two recruits to the Roman fleet in the second century CE sent home letters from Italy to their parents which have survived. Both sent greetings and enquiries to their "brothers and sisters" (which may not be meant literally) and one letter has a postscript sending greetings from two other men who had presumably traveled with the writer to enlist (Starr (1960) 79–80, 84–85; *BGU* 423; *PMich* 4527–28). One of the writers, originally called Apion but known as Antonius Maximus after enlistment (a point at which foreign names were often discarded), was still writing to his sister Sabina in the Arsinoite *nome* some years later (*BGU* 632). The surviving part of

the letter consists almost entirely of greetings and good wishes, and gives no indica-
tion of where Maximus was or what he was doing there; it is only the existence of the
earlier letter which identifies him, suggesting that other letters where the people are
not otherwise known may also conceal long-distance migrants. The brother and sister
exchanged letters via a fellow-townsman called Antoninus. Maximus sent greetings to
various people at home, and the surviving names are different from those in his first
letter. He also greeted Sabina from his wife Aufidia, his son Maximus, and Elpis and
Fortunata who were probably his daughters. His son's birthday is given by the
Egyptian calendar as 30th Epeiph, but he invoked "the gods here" in the later letter,
replacing Serapis in the earlier one. It is not clear if Aufidia was an Egyptian herself
who knew Sabina personally, or if she met her husband in Italy; her Latin name clearly
does not rule out the former possibility.

There is also other evidence that family ties could survive geographical separation,
for example by commemoration at home of people who had moved to Italy and died
there. This may have involved the repatriation of the physical remains (cremated
bones or, with considerably more difficulty, the whole body) or the recording of the
deceased's name on the family tomb while burial took place in Italy. Di Stefano
Manzella ((1990) 191–92) discusses such "double burials" and provides examples of
permission being granted for the removal of human remains, including one where the
removal took place over 12 years after the death. There are three cases where the same
text is found in two places, once in Italy and once in a province, and in two of these
it is not clear where the actual burial was.

Epigraphic evidence for people who died at Rome and were commemorated else-
where is collected in Noy (2000a) 193–94 (21 cases). The deceased are predomi-
nantly males in their teens, 20s and 30s, and the commemorators are predominantly
parents. Clearly there was a correlation between the likelihood of being commemo-
rated at home, the recentness of the migration (which was not necessarily intended to
be permanent in all cases; two involve people who died while on embassies) and the
presence at home of family with a wish to maintain their ties. In *CIL* 6.15493, two
sons commemorated their mother Claudia Lepidilla, "an Ambian from the province
of Belgica." The epitaph ends: "Here we consecrated our mother's ashes with only an
altar. The earth which gave birth to her will cover her bones with a mound." The
inscription belongs to the altar at Rome, while the "mound" would have been in
Gaul. The implication is that the sons were themselves residents of Rome. They may
have been complying with their mother's wishes about her burial while also wanting
a memorial which was accessible to them.

In the third or fourth century CE Rufinus also called Asterius from "the city of the
Nile" was commemorated at Rome (*IGUR* 1321), but his body (perhaps mummi-
fied) was returned to his native land by his wife Damostrateia and lay there with their
two children who died later. She must have been fairly prosperous to leave a 15-line
inscription behind in Rome, raising the question of who was intended to read it and
why. The inscription says that Rufinus did not see the death of the children, but that
he now lies with them. It mentions only his corpse sailing the sea and reaching home,
so it appears that Damostrateia returned to Egypt with the children after Rufinus'
death. The inscription was presumably left in the tomb where he was originally buried

(it comes from the Calepodius catacomb on the Via Aurelia and holes show that it was fixed to the wall). This is the longest distance recorded in an inscription for the repatriation of a corpse.

A different perspective is given by the death of Monica, mother of Augustine (Augustine, *Confessions* 9.10–11). She originally wanted to be buried with her husband in Africa. When she fell ill at Ostia, she was on her way back to Africa from Milan, but this was because Augustine wished to return, not her own decision. Augustine's brother Navigius said he would be happier if she died in her own land rather than abroad, but she said it did not matter, and they should bury her there, even though others asked if she was not afraid to leave her body so far from home. Her attitude was rather different from that expressed at Aquileia in the epitaph of a Christian pilgrim from Africa who came to see "that city" (*istam urbe(m)* – Aquileia or Rome?). The text laments his death away from his family and not being able to return home, but records his burial instead by a group called *sodalicium Florensium* (*IAq* 3180).

The point of the story about Monica is to show her true Christian trust in God and rejection of pagan ideas about posthumous homecoming and awareness, but the background is a general assumption that migrants would prefer to be buried at home if they could not return before death. However, when Euodianus of Smyrna, who held the chair of rhetoric at Rome, was dying and his friends were debating whether to bury him there or embalm his body and return it to Smyrna, he demanded to be buried at Rome in the grave which already contained his son (Philostratus, *Lives of the Sophists* 597). It should be noted that if migrants regularly did as Navigius suggested and returned home before they died, they would not feature in the epigraphic record as migrants at all since only the most detailed epitaph would be likely to mention their migration.

9   Conclusion

The most visible foreign families in the available evidence are military ones. Although many soldiers had no immediate family with them, and were likely to find a substitute in their fellow-soldiers, particularly those from the same homeland, some formed their own nuclear families, without legal approval before 197 CE and with it afterwards, although they tended to do so later than other people and must have experienced limitations in their family life. Some were able to maintain close ties to brothers or other relatives who were also in Italy, normally on military service too, and there is likely to have been intermarriage between soldiers' families. The marriage of Valerius Montanus to a woman from his home village represents an arrangement to which many must have aspired. For all soldiers the expectation of returning home after their period of service must have been a strong incentive to retain links with their family at home, leading to many cases of soldiers dying on service in Italy but being buried at home. Veterans who returned home could in some cases fit back into the extended family from which they had been separated.

The Annaei show that members of an elite family could move between their home province and Italy in a complex migration history which lasted over several generations

and involved members of the extended family. The papyri and inscriptions suggest that this was not confined to the elite. Epitaphs which simply record a place of birth and indicate a place of burial may obscure the fact that someone had moved many times between the two. Ti. Claudius Magnus was able to be a city-councilor in Italy while still identifying with his original home at Ephesus. A new arrival in Italy who died in his 20s might have his remains repatriated for burial in a family tomb in Pannonia by his parents, but if the same person lived to his 60s he might build his own family tomb in Italy for his descendants, like Murranus, still stating his Pannonian identity directly and, through the style of epitaph, indirectly. Chain migration produced groups of emigrants from Arabia or Apamea and gave them a social network which extended beyond their immediate family. Family units sometimes survived slavery or were created through slavery, but people of different backgrounds were brought together, like the ex-slave Numitorii, by the slave system in a way which did not happen for free foreigners, and co-workers could step in for commemoration purposes if there was no family available. Foreign families might adhere to the cult of a local deity, use a local language at home or intermarry with other people of the same background, but only Jewish families deliberately preserved such differences in successive generations. L. Pompeius Itharus used Greek to commemorate his mother but Latin for himself. Patricius and Paulus were commemorated as immigrants from Apamea, but Patricius' grandson was only described as "a child of blessed memory."

FURTHER READING

The only full-length studies of foreigners in the city of Rome are Noy (2000a) and (in Italian) Ricci (2005). The cosmopolitan nature of the city is discussed in some of the papers in Edwards and Woolf (2003), and Coulston and Dodge (2000) have helpful papers on many aspects of life at Rome. There are no general surveys of foreigners in Italy as a whole, but various local studies are available in Italian, for example Boffo (2003). George (2005) contains a number of chapters on families in various parts of the Roman Empire. The volumes edited by Balch and Osiek (2003) and Rawson and Weaver (1997) also contain relevant material although they do not deal directly with the issue of foreign families. Scheidel (2004) addresses the question of population movement within Italy, with some relevant discussion of population figures and immigration. Full discussion of the various military units can be found in Le Bohec (1994) for the Praetorian Guard and the army in general, Speidel (1994) for the *equites singulares* and Starr (1960) for the fleet; see also Erdkamp (2007). Phang ((2001), (2002)) studies soldiers' marriages and family life in a book and article.

Soldiers' Families in the Early Roman Empire

Penelope Allison

1   Introduction

Until recently, Roman military scholars viewed the military sphere as a male domain, a combat zone at the edge of the civilized world. Archeological investigations of military sites have concentrated on the evidence they provide for military strategy and for Roman power and authority over local populations (for example, Groenman-van Waateringe (1997); see also Jones (1997) 190). These military bases have been considered as communities of active soldiers. Roman authors wrote about the inappropriateness of families here and of women being involved in military affairs. Juvenal (*Satires* VI.398–405) was sharply critical of those women who "with unflinching face and hard breasts" participated in military matters and Herodian (*Histories* 3.8.4) considered wives to be "alien to military discipline and an efficient readiness for war." Such views are used to support a perception among modern scholars that the frontier was no place for families. Van Driel Murray commented ((1995) 7) that "a typically nineteenth-century notion of segregated [male] military communities pervades thought on Roman military life."

Despite the perspectives of some ancient authors and modern scholars, there is ample evidence that forts on the Roman frontier acted as habitation spaces, involving a community that included wives, families, and concubines. Caesar mentioned baggage trains of the carts of camp followers (*On the African War* 75) and Dio Cassius (56.20.2–5) noted that "not a few women and children and a large retinue of servants" followed the marching column of Varus when he led the Roman legions to disastrous defeat in 9 BCE.

2   Traditional Perspectives and the Augustan Marriage Ban for Ordinary Soldiers

It has long been acknowledged that, from early imperial times, governors, commanders and senior officers were accompanied by their families when on campaign. Agrippina accompanied her husband Germanicus while he was commander in Germania Inferior (Tacitus, *Annals* 1.69, 2.55.5). Their son, the later Emperor Gaius (Caligula), was born in a military camp. However, participation in their husbands' military duties, by both Agrippina and Plancina, the wife of Cn. Calpurnicus Piso (governor in Syria in 17 CE), led to complaints being brought against them (21 CE) which started a debate in the Senate. The senators felt that there would be much less corruption if such wives and families remained in Rome while their husbands were serving on the frontier (Evans (1991) 27). Events such as this no doubt led to Juvenal's satirical comments, and consequent modern views that women and families were rarely members of Roman military communities.

In addition, there was a ban on the marriage of ordinary soldiers on active service during the early Empire. This ban has been attributed to Augustus (see Watson (1969) 134; Wells (1998); cf. Phang (2001) 16–17), to explain why Claudius needed to grant the privileges of married men to "the men who served in the army, since they could not legally have wives" (Dio Cassius 60.24.3). Tacitus commented (*Annals* 14.27) that veterans who settled around Tarentum (59/60 CE) lacked the habit of marrying and rearing families. However, Livy (43.3) had commented on the ineligibility of soldiers for marriage in the second century BCE. In 197 CE Septimius Severus lifted the ban, allowing ordinary soldiers to "wear the gold ring and live [in marriage?] with their wives" (Herodian, *Histories* 3.8.4–5). This marriage ban has been taken to explain the lack of reference to women who were dependent on the military and to indicate a complete absence of soldiers' families from the military sphere, prior to the end of the second century (for example, Garnsey (1970) 46; Smith (1972) especially 497; Southern and Dixon (1996) 85).

3   Changing Ideas about Military Communities

Some nineteenth- and early twentieth-century scholars were indeed aware that soldier families were part of Roman military communities during the early Empire. Mispoulet argued ((1884) especially 115) that it would have been impossible for Augustus to have made celibacy obligatory for 200,000–300,000 men while they were on duty for some 25 years. Liebenam also observed ((1909) 1676) that a strict law prohibited ordinary active soldiers from marrying, but lax handling of discipline permitted them to live together with women. However, for the last 100 years Roman scholars have assumed that the marriage ban required that soldiers were indeed celibate (for example, Watson (1969) 133).

Since the 1980s, a more social-historical approach to Roman military life has developed, with a growing interest into the community associated with, and often

economically dependent on, the military (see James (2002) 42–43). Scholarly attention has turned from an overwhelming concern for military strategy to investigating these communities, especially the interactions between military and non-military personnel (for example, Bowman (1994); Goldsworthy and Haynes (1999)). Greater attention has been paid to the archeological evidence for settlements outside the fort walls (so-called *vici* and *canabae*) (for example, Haalebos (1991), (1998); Sommer (1997), (1999a), (1999b)). And papers in Goldsworthy and Haynes' *The Roman Army as a Community* (1999) have investigated the people who made up, and supported, the Roman military. For example, Alston (1999) discussed early second-century CE papyrus letters that illuminate the social networks of soldiers stationed in Egypt and their relationships with surrounding communities. And Speidel (1989) discussed literary and epigraphical evidence, from the first century CE, for soldiers' servants who accompanied their masters and carried out many of their daily chores, and who could outnumber the soldiers themselves. Other scholars have stressed the range of textual and epigraphical evidence concerning the civilians associated with military bases (for example, Eck and Wolff (1987); Maxfield (1995); Wesch-Klein (1998)).

Some research has also been focused on women and families in these communities. For example, Wells observed (1997) that, even during the ban on soldier marriages, veterans were permitted to marry and their children were granted citizenship. Their sons and daughters would therefore have been part of these military communities, the daughters providing citizen wives and offspring for further veterans and officers. And Phang has taken a critical approach to the significance of the marriage ban and its relationship to the actuality of Roman military life (for example, Phang (2001)). Essentially, the legal ban on marriage did not result in the absence of soldiers' wives – "wives," in the *de facto* sense – or of their families from the military arena.

The general understanding is that most, if not all, non-military personnel, including any women and families, were housed in the settlements outside the forts.

4   The Evidence for Families of All Ranks

Evidence that serving men of all ranks had wives and families who accompanied them while on duty is found among the ancient authors. Epigraphical evidence – inscriptions, particularly epitaphs on tombstones, papyri, military diplomas and also inscribed wooden tablets found within military sites – provides more information (see Phang (2001)). In addition, there is a considerable amount of other archeological evidence – the arrangements of structural remains, skeletal remains and other artifacts in context.

Different types of evidence tend to provide information on different military ranks. The ancient authors provide information on the wives and families of the higher ranks and sometimes, at least the potential for, evidence of families of the lower ranks. Inscriptions, particularly on tombstones, inform us about senior officers' families, as can the associated sculptural remains (i.e. relief depictions of the people mentioned in the epitaph), but we also find tombstones put up to, or by, the families of centurions and ordinary soldiers. Particularly important information on senior officers' families is found on the

inscribed wooden tablets found in the early forts at Vindolanda, on Hadrian's Wall (see Bowman and Thomas (1994)).

Papyri (petitions, contracts, judicial records, receipts, accounts and personal letters) tend to provide evidence that is most pertinent to the families of lower ranking soldiers (Phang (2001) 22). Particularly important documents on soldiers' families are bronze military diplomas, copies of the imperial constitutions that granted privileges to soldiers who had completed their statuary term of service with an unblemished record. These granted them Roman citizenship and *conubium* (the right for legal marriage to non-Roman women) and citizenship for their children (Maxfield (1987)).

Material remains can also provide evidence for soldiers' families across all ranks, and are important for understanding of how these families were accommodated and what roles they may have played within the military community.

5   Commanders' and Senior Officers' Families

Augustus' legislation, promoting marriage among the elite, would have included equestrian and senior officers (see Phang (2001) 129). The negative rhetoric against Agrippina and Plancina, far from indicating that senior officers' wives and families were not part of frontier life, actually documents the opposite reality. According to Suetonius (*Augustus* 24), Augustus allowed legates' wives to visit the forts during winter when the army was not generally at war. However, Dio's reference to the people following Varus' marching column (56.20.2–5) suggests that senior officers' families and households went on active campaigns.

Senior officers' families are commemorated in tombstones (Allason-Jones (1989) 55). There is ample evidence for the later Empire, such as Julia Lucilla, who was of senatorial rank and who accompanied her equestrian husband Rufinus to High Rochester during the Severan campaigns north of Hadrian's Wall at the turn of the third century (Collingwood and Wright (1965) No. 1271; see Allason-Jones (1999) 41). There are also examples of officers' families on the frontier during the first and second centuries. The family of Fabius Honoratus, tribune of the first cohort of Vangiones, a large infantry unit stationed at Chesters in the late second century, is known from the tombstone of his young daughter, Fabia Honorata, as is the name of his wife, Aurelia Eglectiane (Collingwood and Wright (1965) No. 1482; see Allason-Jones (1999) 42).

Our best evidence for the relatively permanent presence of senior officers' families in the farthest parts of the empire is found among the inscribed wooden tablets excavated from the fort at Vindolanda. These tablets included letters between Sulpicia Lepidina, wife of Flavius Cerialis (commanding officer at Vindolanda, ca. 100–104 CE) and Claudia Severa, the wife of Aelius Brocchus (commander of a nearby fort). One letter, in which the former was invited by the latter to a birthday party (Bowman and Thomas (1994) No. 291), provides glimpses of the social lives of elite women in remote military spheres.

Thus, there is no doubt that the families of commanding and senior officers existed and spent much of their time in distant parts of the empire.

6　Centurions and *Principales*

Evidence for families of junior officers, such as centurions, or of *principales*, who were non-commissioned officers or high-grade specialists recruited from ordinary soldiers and on double pay (see Campbell (1994) 28–29), is less obvious. Phang noted ((2001) 129) that there is no direct textual evidence to indicate exactly which ranks the Augustan marriage ban affected. She argued that centurions, although being "a cut above the common soldier in terms of ability and sometimes birth," would have come under the ban, only being "permitted legal marriage upon reaching the same length of service as that at which the common soldiers were discharged" (Phang (2001) 130–32). At the same time, she noted that many epitaphs referred to the families of centurions and *principales*. Allason-Jones also observed that centurions' families were acknowledged in tombstones ((1989) 57–59). An example, probably dating to the second century, was Flavius Verecundus, a Pannonian centurion of the VIth Legion Victrix posted on the Antonine Wall, who had an African wife, Vibia Pacata (Wright (1964) 178; see Allason-Jones (1999) 44).

Thus, these minor officers did indeed "marry" prior to the end of the second century, whether or not these marriages were legal, and their families were members of military communities. As Phang noted ((2001) 131), these officers were wealthier than ordinary soldiers and so had the means not only to support a family but also to create the tombstones that record their existence. Phang suggested that commanders may have tolerated such "marriages" because centurions were fewer in number than ordinary soldiers and would have been able to maintain a family on their higher wages. Such "marriages" would not have been a drain on the public purse, as would have legal marriages.

7　*Immunes* and Ordinary Soldiers

The scant attention paid by ancient authors to families of soldiers and *immunes* (specialist soldier craftsmen) who were not among the elite (see Phang (2001) 16) has, in large part, contributed to modern scholars' assumptions that such families did not exist. However, more critical reading of the texts often indicates that these families were indeed members of military communities from the late Republic. As mentioned above, Livy (43.3) noted that when an envoy was sent to Spain in 171 BCE he reported some 4,000 children of Roman soldiers and Spanish women, between whom legal marriage could not exist. This implies that these were not senior officers and probably not centurions, but ordinary soldiers who had children with Spanish women. Caesar's "camp-followers" and the women and children who followed Varus' legions could also have included the families of ordinary soldiers.

Tombstones have been found that were set up by ordinary soldiers' families to commemorate the death of their soldier father or husband, or vice versa, by a soldier to commemorate a family member. For example, on a reused tombstone at Cawfields on Hadrian's Wall (Figure 10.1), an auxiliary soldier, Dagvalda, was mourned by his wife,

Figure 10.1   Tombstone of Dagvalda, mourned by his wife, Pusinna, from Cawfields on Hadrian's Wall. Courtesy of the Trustees of the Clayton Collection, Chesters Museum, Hadrian's Wall.

Pusinna (Collingwood and Wright (1965) No. 1667; see Allason-Jones (1999) 46). Another soldier, Aurelius Marcus in the century of Obsequens, set up a tombstone to his wife at Carvoran (Collingwood and Wright (1965) No. 1828; see Allason-Jones (1999) 46). Some scholars have argued that such tombstones could only have been erected after the lifting of the marriage ban (for example, Collingwood and Wright (1965) 567). However, Allason-Jones noted ((1989) 59; (1999) 46) that there is no precise evidence to date these epitaphs. Indeed, Varon's survey of inscriptional evidence dating to the second century (1994) indicates that ordinary soldiers could buy female slaves and, while still in service, could then free them for the purpose of marriage and produce children with them. Varon noted ((1994) 191) that many inscriptions indicate "warm kind relationships between the serving soldier and his freedwomen."

   Phang's analyses (2001) of epitaphs, papyri and bronze military diplomas, dating to the period 13 BCE to 235 CE, demonstrate the existence of a marriage ban for serving soldiers during the early Empire, but also show that ordinary soldiers indeed "married" in the *de facto* sense while on active service. For example, early second-century Greek papyri from Roman Egypt, the *Cattaoui Papyrus* and *BGU* 140 (Hadrian's edict of 4 August 119 CE), provide evidence for the illegitimacy of such "marriages" but, at the same time, demonstrate that they took place and that children resulted from them (Phang (2001) 22–55). These papyri indicate concern for the acceptance of the

children as legal heirs of their soldier fathers by discussing the dowries of such "wives" and the status of the children born of such unions. A military diploma, dated 30 June 107 CE (*CIL* 16.55), records that Trajan granted to the cavalry and infantry who had served 25 years or more in Raetia "citizenship to their children and the right to marry their "wives," the women whom they had when citizenship was granted them" (translated in Phang (2001) 55). This particular diploma is that of a common soldier, Coelenus, of the cavalry wing (*ala*) of I Hispanorum Auriana, and mentions his wife Verecunda and his daughter Matrulla. In other words, Coelenus already had an acknowledged "wife" and daughter before he was granted the right to a legitimate marriage. As Phang noted ((2001) 50), the authorities were unable to prevent soldiers from forming such unions and did not punish them, nor confiscate the dowries. Essentially, while the Roman administration did not permit the legal marriage of soldiers during the early Empire, these unions did exist and were sanctioned by the authorities. The "wives" and children were emotionally and financially bonded to their soldier husbands and fathers and were heirs to their possessions.

Women who married ordinary soldiers are widely assumed to be *peregrine*, but the evidence from epitaphs show that only about 10 percent were neither Roman nor Greek (Phang (2001) 191). As Phang noted, though, this figure may have been masked in the second century when Roman citizenship and the use of the *duo nomina* (i.e. a Latin family name (the *gentilice*) followed by a Greek or Latin *cognomen*) was spread more widely. A more significant number of soldiers' "wives" appear to have been freedwomen, as noted by Varon. Sometimes they are identified as both the *liberta* and *coniux* of an individual soldier, but many may have been freedwomen of other soldiers.

8   Late Marriages of Soldiers

If soldiers had to wait until their discharge – some 25 years for legionaries and auxiliaries – to marry and have families, they would have then been in their 40s or even older. As Phang noted, it seems unreasonable to expect them to wait this long, which would explain, in part, why soldiers had families while they were still on active service. Even so, many soldiers probably had these families later than elite Roman males, who usually married in their early 20s (Phang (2001) 164). Phang suggested that soldier "marriages" probably took place around the age of 30, a pattern that is found among non-elite males (Phang (2001) 164–90). By surveying the epitaphs from North Africa, the Danubian provinces and the Praetorian Guard, she found that, prior to the age of about 37, soldiers were more likely to be commemorated in epitaphs set up by their parents than by their spouses and children, although not exclusively, and that this pattern was reversed after that age. This suggests that even though soldiers were forming unions while in active service they probably did this later rather than earlier. These late "marriages" would have meant fewer legal difficulties for the families of active soldiers, but also that the soldiers did not have to wait until their discharge to marry legally. Possibly more important factors influencing these late marriages centered around the economics of having a family. In the first century ordinary soldiers were more poorly paid than in the second century. In the first century the

purchase price of a slave woman would cost some two years' pay for a legionary and eight years' pay for a fleet soldier. Phang observed ((2001) 3) that, although these unofficial "marriages" existed throughout the imperial period, they appear to have been less frequent in the first century and more prevalent in the second and the third centuries. Promotion, such as to a centurion, a *principalis* or an *immunis*, would also have meant higher pay and so would have made it easier to support a family (Phang (2001) 185–86). Legionary soldiers had to serve some ten to 15 years before they could be promoted to a centurion. Cavalry soldiers in the auxiliary had to serve 12 to 20 years. The administration may well have discouraged "*de facto*" marriages among younger soldiers but encouraged them for older, promoted, ones who could afford them (Phang (2001) 176).

Thus, all ranks could have families during their military service, with women of all social statuses and levels of dependency. Acknowledgment that soldiers' families were an integral part of a Roman military community, before the lifting of the marriage ban, is taking root.

9   Housing for Military Families

What is not apparent from the evidence discussed above, however, is where such families, or any other women who accompanied the military, would have lived. The documentary evidence gives no information on the spatial arrangements for the accommodation of these families. Phang stressed that the question of where soldiers' families resided is not relevant to the legal status of soldier "marriages" but is a question for the archeological evidence ((2001) 18). Essentially, historians have been unconcerned about the spatial accommodation of soldier families, whether legal or illegal. Phang commented ((2001) 18) that it is unclear whether Septimius Severus' reforms in 197 CE granted ordinary soldiers legal marriage or permitted them to live with their concubine "wives" outside the fort walls. She felt that the latter was unlikely as they had already been doing this for two centuries. Like many other military scholars, she argued that such "wives" and families would not have resided inside the fort walls before the Severan reforms ((2001) 18, 124–29).

Roman marching camps, legionary fortresses and auxiliary forts were reportedly laid out in an organized fashion, details of which are provided by Polybius (6.27–42), writing in the second century BCE, and Pseudo Hyginus who probably wrote in the third century CE. It has been widely assumed that this prescribed, formulaic layout provided little or no space for non-military personnel and no facilities for women and families, particularly for ordinary soldiers' families.

The archeological evidence gives us good information on the layouts of individual forts and these layouts have been used to identify the type of fort and what sector of the army it housed. For example, the layout of the fortress at Inchtuthil, in Scotland, has been used to conclude that it housed a whole legion (Webster (1985) 114, fig. 34), while that at Vetera I on the lower Rhine has been used to argue that it housed two legions (Hanel (1995) 5–7). Smaller forts have been identified as cohort or auxiliary forts, such as that at Ellingen in the Danube region which, Zanier argued

((1992) 166–70), probably held some 200 men. However, the actual occupancy of each fort was not static and troops could be moved between military bases if necessary. There is no reason to assume that all forts operated to full capacity at all times, and therefore could not have accommodated non-military personnel, not least because soldiers died in battle and new recruits may not always have been readily available.

For the interpretation of the use of space and the functioning of the various buildings inside Roman military bases, von Petrikovits (1975) has been most influential. His detailed study of fort components is derived from combining Polybius' and Pseudo Hyginus' descriptions of fort layouts with the evidence from excavated structural remains. He used this combination to extrapolate the functions of the various fort components and, notably, who was accommodated within each of these components. Consequently, the traditional view is that the residential accommodation inside the fort walls consisted of: the commanding officer's house (*praetorium*), which was usually near the center of the fort, next to the administrative headquarters (*principia*), and accommodated his household; senior officers' houses, which were nearby and accommodated their households; and the barracks buildings, which were found around the outer parts of the fort and which comprised the quarters of ordinary soldiers and, at one end, the houses of centurions. Scholars have generally accepted that all other non-military personnel lived in settlements outside the forts (for example, Maxfield (1995) 5; Eck and Wolff (1987) 5).

10   Senior Officers' Residences

The ancient authors indicate that commanding and senior officers' families very probably lived inside the fort walls (see Allason-Jones (1989) 50–56; Debrunner Hall (1996) 213–19). For example, during a mutiny on the lower Rhine in 14 CE, according to Tacitus (*Annals* 1.41), Germanicus persuaded the pregnant Agrippina, together with their son Caligula, to leave camp, accompanied by the tearful wives of Germanicus' staff officers, who were also forced to leave their husbands.

It is widely accepted that senior officers' residences are easily recognizable in the archeological remains. According to von Petrikovits (1975), during the early Empire the commander of a legion lived in a *praetorium*, near the camp forum, which was a richly furnished Mediterranean-type peristyled house. Within excavations of both auxiliary forts and legionary fortresses, a centrally located courtyard building is often found that is laid out and fitted in a manner seemingly appropriate for accommodation for the household of a commanding officer that consisted of a wife, family, servants, and slaves (Birley (1977) 90). In established legionary fortresses these could be substantial buildings, sometimes even palaces, with many of the amenities found in elite civilian houses in the Roman period. For example, at the double legionary fortress of Vetera I, in the lower Rhine, there were two extensive legates' palaces, each with a hippodrome-like garden (Hanel (1995) 54–59, pl. 169). In many excavated forts the appointments of such residences included colonnaded courtyards, hypocaust flooring for heating, wall-painting, sculpture, and private bath suites.

At Chesters on Hadrian's Wall, where Fabius Honoratus probably lived with his wife, Aurelia Eglectiane, and daughter, Fabia Honorata, the *praetorium* was a large multi-roomed house, with hypocaust under-floor heating in many of the rooms and a private bath suite (see also the *praetorium* at Housesteads: Allason-Jones (1989) 56; Building I at Weissenburg: Grönke (1997) 74–75). Inside legionary fortresses, other courtyard houses have also been found, which were probably the residences of senior officers and would have provided appropriate accommodation for their families. Three such courtyard houses at Vetera I, houses K, J and M, have been identified as those of the tribunes (Hanel (1995) 61–65). Thus, structural remains within excavated forts and fortresses appear to bear witness to the living standards of officers' families and households.

11   Centurions' Quarters

According to von Petrikovits ((1975) 62) centurions lived in their own houses at the street end of the barracks buildings. He observed that these were mostly rectangular houses with an entrance in the long side and were seldom courtyard houses. These centurions' houses sometimes also had hypocaust under-floor heating, kitchens and baths, painted walls and mosaic floors, and were larger than the accommodation of ordinary soldiers. Von Petrokovits observed the increasing luxury of these houses, not only in the internal furnishings, but also in the size.

Allason-Jones suggested that, while it is not clear where centurions' families lived, these barracks houses were of a suitable size to accommodate a family ((1989) 58). Hoffmann (1995) has since stressed that the elaboration of these centurions' dwellings during the Principate was often comparable to that of senior officers' houses. She argued that their form and decoration document a standard of living that would have made a petty officer's family feel "at home" and, therefore, indicates that such families were probably accommodated inside the fort. Hassall ((1999) 35) also included the "functional "bungalows" of centurions … situated at the end of the barracks blocks" among the married officers' quarters within legionary fortresses. More recently, the skeletal remains of at least three infants have been excavated in association with a centurion's house inside the legionary fortress of Vindonissa, at modern Windisch/Brugg in Switzerland (Trumm and Fellman Brogi (2008); see also Pauli-Gabi and Trumm (2004)). Trumm and Pauli-Gabi identified these remains as the children of the centurion who lived in this house with his "wife" and family at the end of the first century CE.

Thus, there is increasing evidence, both implicit and explicit, that centurions very probably lived inside military bases with their families who, in many cases, might include mothers and sisters. Even during the early Empire, space was taken up inside these forts not only by senior officers' households but also by those of more junior officers. This could mean that there could have been at least ten families for whom the military authorities provided accommodation. If space within the fort was taken up by such non-military personnel then this would have had major implications, not only for the capacity of fighting personnel which each fort could house, but also for the concept of a strict military life often attributed to the Roman army.

12 Housing for Other Camp Followers and Non-Military Personnel

As discussed above, it is evident that ordinary soldiers' families undoubtedly accompanied their husbands and fathers into combat zones but it is unclear where they were domiciled. The widely held perception is that most, if not all, of non-military personnel, such as tradespersons, concubines and illegitimate families, and other support personnel, were housed in settlements outside these forts and fortresses – in the so-called *vici* (for auxiliary forts) and the *canabae* (for legionary fortresses) – as no allowance for their accommodation is evident in the fort layout.

Evidence for accompanying settlements outside the fort walls has been noted (for example, Vindolanda: Birley (1977) 31–72; Housesteads: Crow (2004) 73–82; see also Sommer (1997)). These settlements, for the most part, grew up at the same time as the camp. They were often laid out by the army as an integral part of its surroundings (Sommer (1999a) 176). Buildings which would have been constructed in these settlements as part of the fort included bath complexes and possibly housing for army veterans (for example, at Vindolanda: see Birley (1977) 34–37, 46–48). The traditional belief that the fort was a segregated male space (for example, von Petrikovits (1975) 62) has led to assumptions that these settlements housed all of the camp followers and also members of the local population who found economic advantage in living in close proximity to these Roman centers, where up to 12,000 men would be on regular pay. It is assumed by most military scholars that, after the lifting of the marriage ban, soldiers' families would also have been housed in these settlements (for example, Watson (1969) 140; Smith (1972) 497). Phang argued that before the end of the second century any "*de facto*" families of ordinary soldiers would also have lived there.

In 134 BCE Scipio Aemilianus had expelled "*hetairai*," traders and soothsayers from a camp in Numantia (Appian, *The Wars in Spain* 85). This reference led to an assumption that, during the Republic and early Empire, the only women in the military sphere, other than members of senior officers' households, would have been tradeswomen and prostitutes (for discussion, see Debrunner Hall (1996) especially 208–209; Rudán and Brandl (2008) 4, 6). However, the word "*hetairai*" may have been deliberately chosen by Appian as it refers to women of unknown status but who, for whatever reason, were not able to marry the man they may have been living with. This reference can be taken to refer to the *de facto* "wives" and illegitimate families of ordinary soldiers residing inside the fort walls. However, the general perception has long been that it implies the opposite – that military forts were no-go zones for such individuals. For example, Liebenam presumed ((1909) 1676) that, even although soldiers would have had families in the early Empire, these families would not have been allowed to come into the camp, as they would have been a hindrance there.

Excavations of the rubbish dump belonging to the legionary fortress of Vindonissa produced a number of wooden tablets that probably originated from the fortress and refer to life inside it. On some tablets Speidel (1996) found numbers of houses associated with individuals' names. These demonstrated that, opposite the main baths inside

this fortress, there had been a tavern or inn where a female barmaid or innkeeper called Belica worked (Speidel (1996) 55, 80). Next door there had been another inn, run by a female landlady. Speidel reported ((1996) 186–87) that gaming stones, dice and kitchen utensils were found in the area, documenting entertainment and perhaps public eating and drinking here. It seems improbable that such women were members of officers' families. It is perhaps more likely that they were associated with ordinary soldiers, although this cannot be verified. Also, this evidence does not verify the residency of these women within this fortress, but it suggests that they were employed in, or perhaps even owned, establishments within the fort walls that would have provided accommodation for their staff.

13   Soldiers' Barracks

According to von Petrikovits ((1975) 36), the barrack buildings that housed ordinary soldiers were systematically laid out, usually with 10–14 pairs of rooms. Each pair had a front room (ca. 3m by 3m) and a back room (ca. 3m by 1.5m), forming a dormitory, or *contubernium*, in which six to eight men would have lived together and shared domestic duties, including, von Petrikovits argued ((1975) 97), preparing their own food. No elaborate furnishings or structural variations have been reported in such barracks.

Von Petrikovits also argued ((1975) 35) that special quarters, found near the *principia* or the workshop buildings, would have housed the *immunes*. Barracks buildings found in the remains of excavated forts that are less regular in plan than infantry barracks, but still composed of rows or series of small rooms, have often been identified as *immunes*' barracks.

Von Petrikovits ((1975) 62) felt that it was self-understood that the slaves of ordinary soldiers, *immunes* and *principales* had no space in these barracks and that any women would certainly not have been allowed to live here.

14   Artifacts and Soldiers' Families

The archeological evidence discussed so far has mainly been structural. Artifacts found within Roman forts can play a more important role in identifying the presence and activities of soldiers' families inside Roman military bases and probably their residence there.

Van Driel Murray ((1995), (1997)) has shown how artifacts found within barracks buildings indicate that they held more than just the eight serving soldiers who made up a *contubernium*. She investigated leather shoes found in a number of first- and second-century military sites in the Netherlands and Britain (van Driel Murray (1994), (1995), (1997)), analyzing their size ranges and comparing these with the size distribution patterns for modern male and female shoes (for example, van Driel Murray (1995) fig. 1.1). In Augustan forts she identified predominantly male footwear, while

she found that the second-century forts, with mixed fort and *vicus* material, showed a more mixed population (van Driel Murray (1994) 345–47). She also found that, like the graphs of modern shoe-size ranges, those from the various periods at Vindolanda showed a double-peak either side of size 34 ((1995) figs 1.3–1.4), which she interpreted as separating the shoes of women and children from those of adult males. At Vindolanda she noted predominantly male footwear from the commanding officer's quarters during Period II (ca. 90 CE) but an increased range in shoe sizes in these quarters in Period III (ending ca. 104 CE), when Flavius Cerealis and his wife Sulpicia Lepidina were in residence (van Driel Murray especially (1995) 8–19; (1997) 56–57). In Period IV (ca. 104–120 CE) van Driel Murray found concentrations of what she identified as women's and children's shoes in the ordinary soldiers' barracks, in what she suggested was rubbish left behind by departing troops. These findings present a strong argument for the existence, and perhaps habitation, of women and children within the ordinary soldiers' barracks at Vindolanda during the early second century. Van Driel Murray acknowledged that the bimodality in these graphs of shoe-size ranges and the small shoes could conceivably point to the presence of boys and youths as male prostitutes ((1995) 19; see also James (2006) 34), although this would not explain their apparent absence in earlier periods.

There has been considerable resistance to van Driel Murray's interpretations. Phang felt ((2001) 128) that archeological evidence, such as van Driel Murray's, is "difficult to interpret and to generalize from" and suggested that this evidence indicates only "occasional presence of women in the barracks." James (2006: 34–35) highlighted van Driel Murray's distaste for the concept of young male prostitutes in the barracks and Reuter has queried ((2008) 94–95) the reliability of the contexts at Vindolanda. Phang called for a "full survey [to be] undertaken with careful attention to the archeological context and dating" (Phang (2001) 128). My recent study of the distribution of gendered artifacts has attempted this (for example, Allison (2006), (2007), (2008), (n.d.); Allison et al. (2004), (2008)).

15 Artifact Distribution Studies

The distribution patterns of gendered artifacts found inside five early imperial forts in the German provinces (Figure 10.2) – Vetera I (Hanel (1995)), Rottweil (Franke (2003)), Oberstimm (Schönberger (1978)), Hesselbach (Baatz (1973)) and Ellingen (Zanier (1992)) – have been studied to investigate for the presence and activities of women and children inside these forts, particularly in areas frequented by ordinary soldiers. Vetera I, in the lower Rhine region, was a double legionary fortress, abandoned ca. 70 CE. The forts studied at Rottweil, on the Neckar near the upper Rhine, consisted of a legionary fortress that was replaced in 85 CE by a smaller double cohort fort, abandoned ca. 110–120 CE. The other three forts were all auxiliary forts. That at Oberstimm, in the upper Danube, was occupied between 40 CE and 120 CE. That at Hesselbach, between the Neckar and Main and dating to the second century, was included in this study as a control. The auxiliary fort at Ellingen, also in the upper Danube region, was occupied from ca. 120 CE until probably the end of the second

Figure 10.2 Map of Germany showing locations of forts in this study. Adapted by Patrick Faulkner.
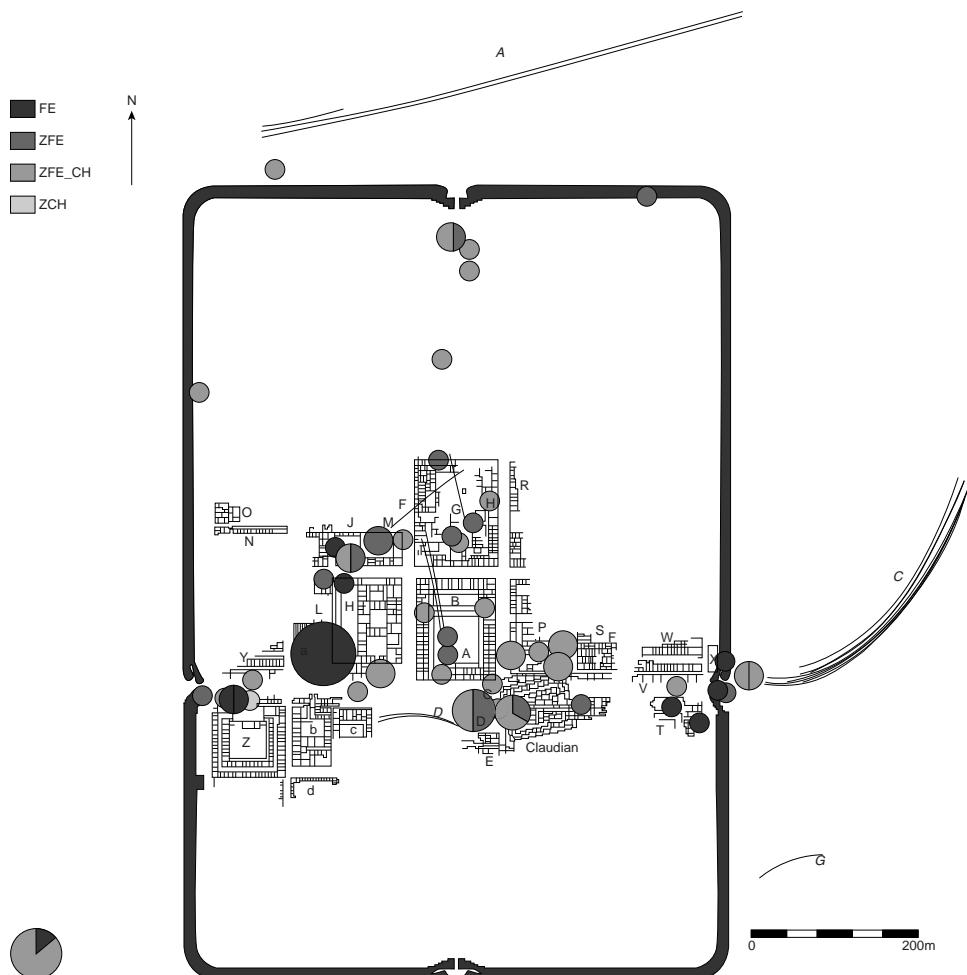
Figure 10.3 GIS plot showing distribution of women's and children's items inside the first-century legionary fortress of Vetera I (FE = women's items; ZFE = possibly women's items; ZFE_CH = possibly women's or children's items; ZCH = possibly children's items).

century. Thus, these forts form a sample of types of military forts in the Roman provinces during the early Empire.

Inside the fortress at Vetera I the artifacts most likely to have been associated with women and children (for example, particular types of brooches, jewelry, hair pins and toilet items) tend to cluster in the main gateways and cross street, and in the commanding officer's palace and senior officers' houses (Figure 10.3). This distribution pattern conforms to the view that women and children within this first-century legionary fortress were most probably members of officers' households. The clustering in the main streets may indicate female traders from outside the camp frequenting the main market areas. However, the finds from a building with a large number of small rooms just off the main street, Building a (between Buildings Y and H), consisted of the remains of
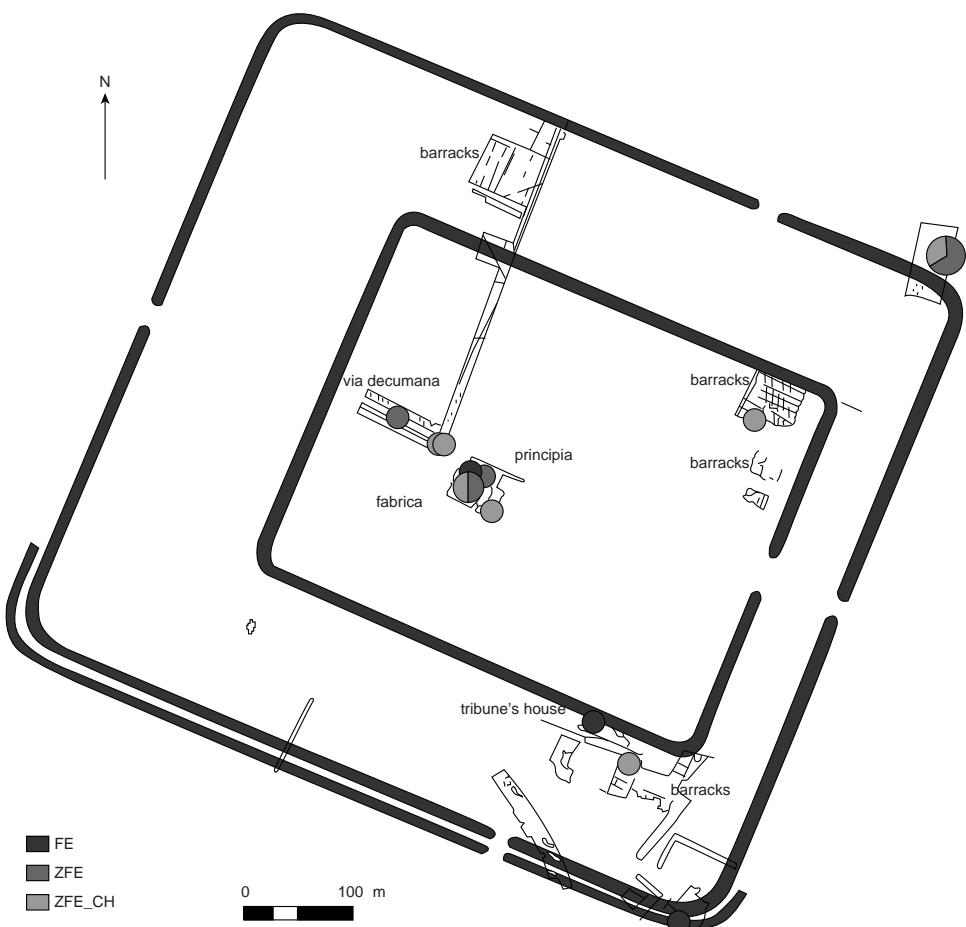
Figure 10.4 GIS plot showing distribution of women's and children's items inside the legionary fortress and cohort fort at Rottweil (Forts I–II).

a number of dress-related items, including 21 beads of a woman's necklace, a number of coins and a quantity of tableware and food preparation items (see Allison et al. (2004) section 8.7.3d; Allison (2005) figs 5, 6). It is tempting to see this building as an inn or guest house like those documented on the wooden tablets from Vindonissa. The women identifiable through these finds could conceivably have worked here. It is conceivable that they were members of soldiers' families.

Rottweil was even less comprehensively excavated than Vetera I and probably less dramatically abandoned, so the forts here have much less material remains to analyze. That said, artifacts associated with women and children were relatively prolific in the central area, which could have been the location for a commanding officer's residence (Figure 10.4). They were also associated with a building in the southeast corner of the fort, identified as a tribune's residence through its position and layout (Franke (2003) 44). Most notable here were the remains of a silver mirror casing decorated with a

cupid in relief (Franke (2003) pl. 16, No. 225). As at Vetera I, artifacts associated with women and children were also found in the main street of the Rottweil forts.

Thus, the first-century military bases at Vetera I and Rottweil conform to the traditional view that senior officers' families resided inside these forts in relatively extensive, mostly courtyard, houses, no doubt with household staff as they had in civilian life. Other women who frequented these forts may have been traders who lived outside, although it is not inconceivable that they could have lived inside the fort, perhaps as members of soldiers' families. There is insufficient evidence for the ordinary soldiers' barracks at either of these sites to reach any conclusions about the presence or otherwise of families in such areas.

At Oberstimm there is a more extensive distribution of artifacts associated with women and children (Figure 10.5). As at Vetera I and Rottweil, there is a high concentration of such material in a courtyard building identified as the commander's residence, the *praetorium* (Schönberger (1978) 80–90). This suggests that the commander's family and household were accommodated here. There was also a concentration of female-related material near the main gate to the west, together with a number of coins. This may have been a commercial area just inside the main gate and may reflect the presence of women traders, as in the previous two forts. Artifacts associated with women and children were also concentrated in the area of Building 3, in the northwest part of the fort, which Schönberger argued ((1978) 68) was used for accommodation for craftsmen (*immunes*) and for soldiers who served in the nearby hospital (*valitudinarium*). In addition, they were found between Buildings 12 and 14, identified respectively as taverns and soldiers' barracks (Schönberger (1978) 118, 120). Some that were possibly associated with women and children were found scattered across the barracks, Building 6. If Schönberger's identifications of the various buildings and areas are correct, then the craftsmen in Building 3 and the troops in the barracks, Building 6, and possibly in the barracks, Building 14, may have resided with their families inside this fort. Either these women or possibly other women were involved in commercial activities near the gate and in Building 12. Given that this fort is identified as a supply station (Schönberger (1978) 148) and was unlikely to have housed an active garrison, it is perhaps not surprising to find women and children integrated into this community as they would have been in a civilian community. These women may well have been the wives and family members of serving soldiers.

At the later auxiliary fort at Ellingen the most substantial evidence for the presence of soldiers' families consists of the remains of up to 11 infant skeletons (Figure 10.6). Some of these were found beneath Building C (building in northeast corner of fort), which Zanier suggested could have been a soldiers' barracks (Zanier (1992) 64–65), but in what was thought to have been redeposited material from outside the fort (Zanier (1992) 69–70, 72, 93). However, half of the skeletal remains inside the fort were not from this building and some were found in burial pits. From the state of preservation of these skeletal remains it is not possible that they could have been redeposited (Allison (2007) 410). The infant remains therefore present very strong evidence for the presence of mothers and their children, probably residing in Building C. It was common practice for newborn infants to be buried under their house floors (see Watts (1989) 372–73; Scott (1999) especially 1, 4, 90–108; for
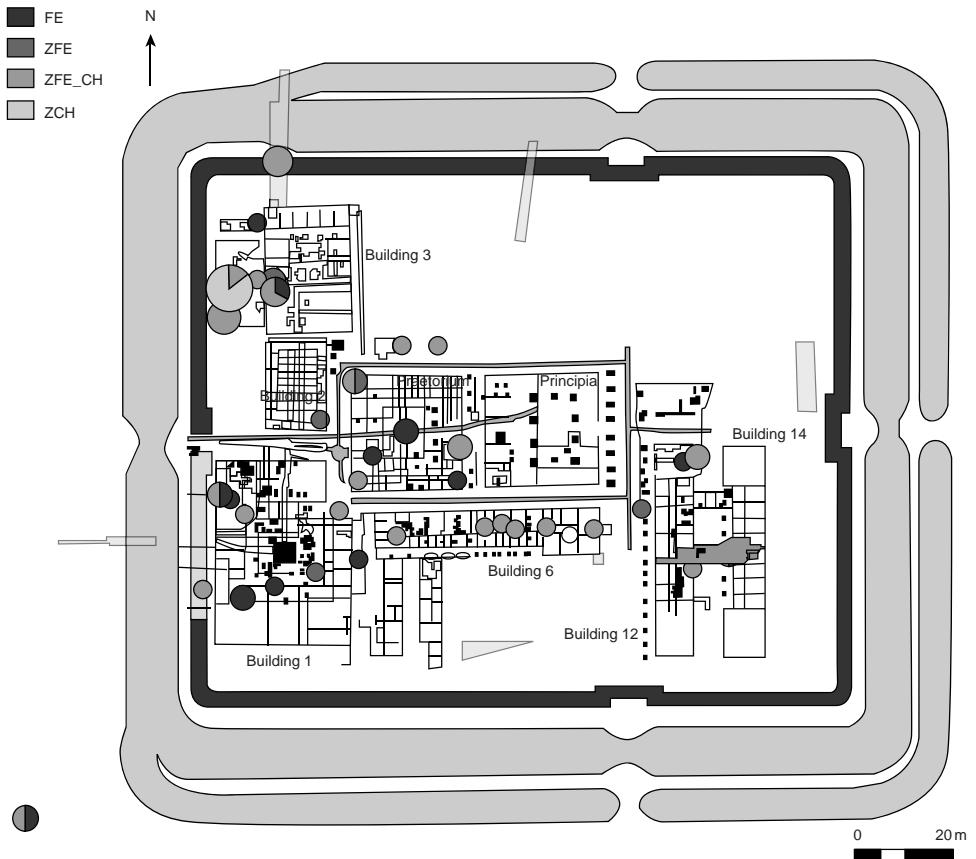
Figure 10.5 GIS plot showing distribution of women's and children's items inside the second-century auxiliary fort at Oberstimm.

further references, see Allison (2007) 411). Female- and child-related artifacts, including spindle whorls, were excavated from various areas inside this fort, but these finds were concentrated in the two buildings identified as soldiers' barracks – Buildings C and B. They were virtually absent from the building identified as a workshop, Building D (Zanier (1992) 76–77), and relatively rare in the commander's house, Building F. Zanier argued ((1992) 165–66) that the troop stationed here may have been a service troop, involved in the construction of the *Limes*. There is much evidence that metal-working was carried out inside this fort (Allison (2007) 418, fig. 24). The artifact distribution implies that, while a commander's family could conceivably have been resident here, a number of the ordinary soldiers stationed here also had wives and families living with them inside their barracks. From spindle whorls found under the porticoes around the barracks buildings, some of those women can be visualized spinning here. They were probably not involved in the heavier industrial activities carried out in workshops, but finds related to women and children in the streets and open areas indicate that their movements around this fort were probably unrestricted.
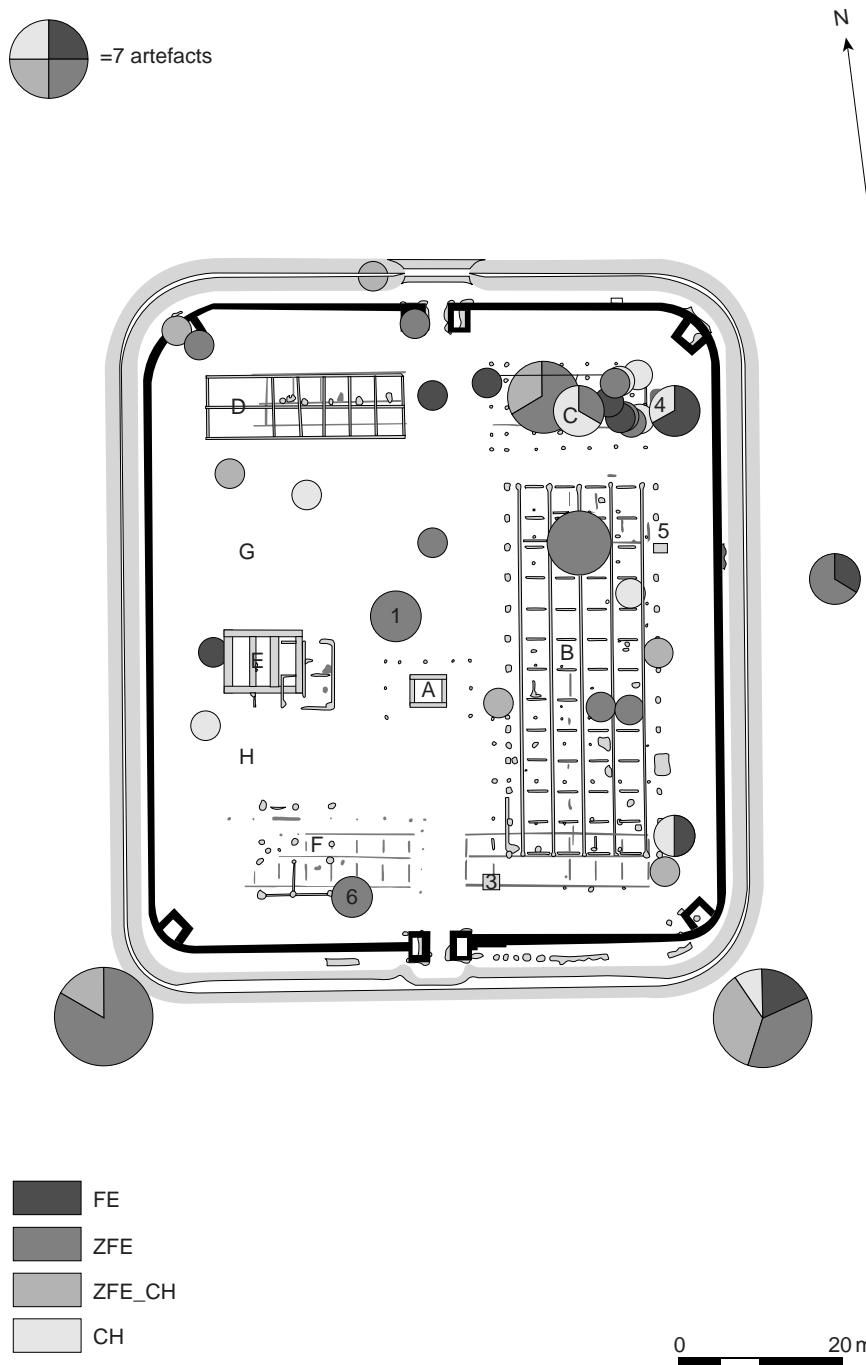
Figure 10.6 GIS plot showing distribution of women's and children's items inside the second-century auxiliary fort at Ellingen (CH = infant skeletal remains).

Thus, while the structural remains of barracks buildings have been used as evidence that soldiers' families could not have lived inside the fort walls, the artifactual evidence, including infant skeletons at Ellingen and leather shoes at Vindolanda, paints a different picture. While soldiers' quarters may have been more cramped than those of centurions' families, this should not preclude the concept of a soldier family residing as a unit and providing support for each other. As van Driel Murray has noted ((1995) 12–15), despite an official ban, the Dutch soldiers in Indonesia in the nineteenth century had families who were acknowledged by the authorities and who lived with them in their barracks.

16   The Women and Families inside the Fort

The documentary evidence points to the existence of families of soldiers of all ranks during the early Empire. As Phang noted, the evidence for the families of ordinary soldiers seems to increase during the second century. The archeological evidence indicates that these families could be housed inside these military bases and tolerated by the authorities. In cases like Oberstimm they may well have contributed to the main military enterprises of these non-combatant forts.

For women and families of senior officers in large legionary fortresses on the Roman frontier appear to have lived in considerable comfort, even luxury. Despite these home comforts, however, the women may have suffered some hardship and boredom not least because of the social and family connections they may have left behind to follow their husbands, fathers, sons, or brothers, in their line of duty (Allason-Jones (1999) 42). Nevertheless, this hardship would only have been short-lived, given that a commanding officer's tour of duty usually only lasted three years.

For women and families further down the social scale this life would have been harsher. The families of centurions would have lived in reasonable comfort, but may well have lived in these barracks houses for some 10 years before their husbands and fathers received their discharge or promotion. The families of ordinary soldiers, those who had followed their husbands, sons and fathers, or local women who had entered into a liaison with a soldier, would have had to live on lower pay and in very cramped barrack conditions. However, it may be that "married" soldiers did not live with seven comrades but had more space for their own families. Van Driel Murray found that the small-sized shoes from the Period IV barracks building at Vindolanda were concentrated in and around only four of these 14-roomed barracks (van Driel Murray (1997) fig. 4). If indeed some of these barracks rooms were given over to soldiers' families this could radically change ideas about the fighting strength of these military bases. The work of van Driel Murray ((1995), (1997)) on artifacts from Roman military sites, the finds such as the wooden tablets from the forts of Vindolanda (Bowman and Thomas (1994)) and the legionary fortress of Vindonissa (Speidel (1996)), and the study of artifact distribution at German military bases indicates that we need to take a much more critical look at how Roman military bases were run and the roles that soldiers' families would have played. These families should not be viewed as merely a burden on their father's or husband's pay packet but may well have been productive members of these communities, from within these military bases.

17   Those Who Were Left at Home

So far, this chapter has dealt with soldiers' families who accompanied them on campaign. However there were also families who were left behind while their husbands, fathers, and other male family members left to join the military. This applies not only to the families left behind in Italy (see Evans (1991) especially 106) but also to many families throughout the empire.

Van Driel Murray noted (2008) that many of the men from provincial communities also joined the army and would have left their wives and families at home. The three local tribes in the lower Rhine region, the *Cananefates*, the Batavians and the *Cugerni/ Sugambri*, were heavily recruited for the Roman army. These were self-sufficient agricultural societies whose families would have had to continue to produce food and clothing while their able-bodied men were in the army. Van Driel Murray argued that these, mainly women and children, developed agricultural strategies to cope with these absences. She identified archeological evidence, particularly the ecological remains, that agriculture was refocused on a horticultural mode of production with small, intensively fertilized and cultivated plots of land. This type of production was more suitable for women and children. Van Driel Murray therefore posited that the production and marketing strategies, and maintenance of land, had been left in the hands of women, their subsistence supplemented by their soldier husband's pay packet. During the early Empire this pattern was no doubt repeated across much of the empire, including in Italy.

18   Conclusions

While evidence for senior officers' families is not disputed, much scholarly concern for the evidence for the families of junior officers and ordinary soldiers in the military sphere has centered on the meaning of the marriage ban and its relationship to the actuality of Roman military life. Phang's study, in particular, showed that this ban did not result in the absence of soldiers' families from the military arena. Epigraphical evidence has helped us identify these families and has enriched our understanding of them. While Phang argued that there is inadequate evidence for the domicile of such families within the fort proper, van Driel Murray found hints of their presence inside soldiers' barracks and other buildings. The excavations at Vindonissa have also provided evidence of centurions' families and other women inside the fortress, and further material traces of women and children inside early imperial forts in Germany provide a strong argument for the residency of soldiers' families within these forts.

FURTHER READING

The main evidence for soldiers' families in the early Empire is found in Phang (2001), which is a study of mainly epigraphical evidence for the unions of Roman soldiers during the early Empire and particularly prior to the lifting of the ban on marriage in 197 CE; van Driel Murray

(1995), which is a good source for her study on leather shoes; and Speidel (1996), which includes epigraphical evidence for women in the legionary fortress at Vindonissa. James (2002) takes a critical view of studies of the Roman military; and further studies of the complexities of Roman military communities are found in Goldsworthy and Haynes (1999). Brandl (2008) includes a number of papers on the evidence for the presence and roles of women in the Roman military sphere, although not specifically during the early Empire. Allison (n.d.), *Frontier Communities in the Early Roman Empire* (working title), will give a more detailed account of artifactual evidence for Roman families in Germany during the early Empire.

The Household as a Venue for Religious Conversion: The Case of Christianity

Kate Cooper

13. On the Sabbath we went outside the city gate to the river, where we expected to find a place of prayer. We sat down and began to speak to the women who had gathered there. 14. One of those listening was a woman named Lydia, a dealer in purple cloth from the city of Thyatira, who was a worshiper of God. The Lord opened her heart to respond to Paul's message. 15. When she and the members of her household were baptised, she invited us to her home. "If you consider me a believer in the Lord," she said, "come and stay at my house." And she persuaded us. (Acts 16:13–15, New International Version)

1 Introduction

According to the early Christian Acts of the Apostles, the encounter between Paul, a traveling Jewish tent-maker from Tarsus on the south coast of Asia Minor, and Lydia, a woman of independent means from Thyatira, the major center for weaving and dyeing of fabric on Asia Minor's west coast, was decisive to the future of Christianity. Acts records that Paul's visit to Philippi was his first arrival in Europe, and thus Lydia and her household were the first converts to Christianity on European soil.

Our source tells us very little about Lydia or her household, yet we will see below that, from unpromising fragments such as the story above, we can build a picture of how ideas traveled around the Mediterranean in the first centuries CE, and the extraordinary importance of households and family networks – and of unexpected protagonists: women, particularly but not only female heads of household, and children – in the process of Christianization.

Scanning the surviving early Christian texts it is clear that the domestic establishments of prosperous merchants such as Lydia of Philippi served as an important platform for early Christian missionaries. Although the Book of Acts remembers Paul as preaching in the synagogues of the communities to which he traveled, recent scholarship has placed ever-increasing emphasis on informal encounters outside an institutional setting. Early Christian missionaries constantly found themselves as guests in the houses of the benevolent rich – or of the more prosperous members of more modest communities. These houses serve as the background for many scenes of preaching and healing, a point reflected in the narratives remembering Jesus, his disciples and Paul in the late first-century sources such as the Gospels and Book of Acts (Arlandson 2004).

We will see that in the early Christian imagination there is a tension between competing visions of the household. Early Christian writers clearly saw the family and business relationships of the ancient household as the primary network of influence through which the new movement could spread, but it made a difference whether the missionary within the home was the head of household or not. Already in Paul's First Letter to the Corinthians (ca. 54–55 CE) we see the idea that a Christian wife could save an unbelieving husband and vice versa (1 Corinthians 7:10–16), and later in the first century the Gospels remember Jesus as bringing a message which would lead to conflict within families (for example, Matthew 10:34–36). By the second century, an alternative tradition of Christian paternalism had emerged, however: the *Pastoral Epistles* of the New Testament (1 and 2 Timothy and Titus) see the visibly orderly Christian governance of the household as one of the most important ways for the Church to become known to the wider Roman society (Macdonald (1996) Cooper (2007b)).

The emphasis here is on the moral authority of the Christian *paterfamilias* and on the potential of the household as a stage for the display of appealing Christian values. At the same time, a second strand of thought, reflected in the Apocryphal Acts of the Apostles, sees the household as a stage for religious conflict, where more senior family members would attempt to quash the enthusiasm of new converts to the movement. We will see below that these texts frequently emphasize the decision of a wife or child to defy the religious authority of the Roman *paterfamilias*. Both views contained a grain of truth about the progress of Christian ideas as they became embedded in Roman society. By the end of antiquity, Christian writers would make considerable efforts to reconcile the two visions, but the Christian legacy regarding moral authority in the household remained ambiguous.

In an era where there was no strict division between households and businesses, Christian ideas seem to have expanded initially through the social and business networks of Greek-speaking Jewish communities of the diaspora. Synagogues were important not only as a place to find Jews, but because they served as nodes of communication within Jewish mercantile networks. It is no accident that Paul, the most influential of the early missionaries, was a tent-maker. If his clients were prosperous merchants, the kind who needed tents to house an entourage traveling with their wares rather than the smaller-scale business travelers who were dependent on taverns for accommodation, this gave him access to people of influence, whose relationships reached to other cities around the Mediterranean.

Paul himself began to recruit members to the new movement from beyond the Jewish community, and, as it grew, the movement acquired a profile of ethnic and linguistic diversity. By the second century, an important Latin-speaking community was established in Carthage; by the third century we have evidence for Christian texts being produced at the eastern end of the Mediterranean in a variety of Semitic languages as well. A number of the western churches, such as those of Rome and Lugdunum in Gaul (modern Lyons), continued until the third century to be Greek speaking, which probably reflects their continuing embeddedness in Greek-speaking merchant communities.

This linguistic and ethnic diversity means that there is no single story of Christianity in the ancient household, since Roman law allowed the different ethnic groups to maintain their own laws and traditions where this did not compromise the interest of the state. This said, a surprising proportion of our sources (even those written in languages other than Latin) come from writers who are Roman citizens and see the world through the lens of citizenship under Roman law. A wonderful case of this hybridity is Paul of Tarsus, a Greek-speaking Jew, yet self-conscious of his own privilege as a citizen of Rome. Another interesting case is the author of the Acts of the Apostles, who passes without comment over the legal status of an independently wealthy Greek-speaking woman such as Lydia, but who must, it seems, be a Roman citizen – a Greek female from a non-citizen family would not have enjoyed the same rights as an independent woman of property. Some years later in 212, the *Constitutio Antoniniana* granted Roman citizenship to all free inhabitants of the empire, simplifying but also adding a further layer of complexity to the status of families under the law, since traditional practice could sometimes prevail despite the letter of the law. Considerations of citizenship and ethnic tradition did not make a great difference where the power balance of the parent–child relationship was concerned, but we will see below that marriage was another story. The status and independence of wives differed greatly, with Roman citizen women for the most part far more independent of their husbands than women under other laws.

2 The Gender of Authority Within the Household

Under the Empire the citizen household was one in which members of two discrete families, that of the husband and that of the wife's father, conducted parallel, if interdependent, lives. The standard form of citizen marriage bound husband and wife to one another for reproductive purposes, but it prohibited the assimilation of the wife to the husband's *familia*, which would violate her father's right to govern his children. Although a Roman wife's children joined the *familia* of her husband, she herself remained bound to the *familia* of her father and siblings. Her husband was expected to provide for her daily needs, notionally out of the income from a dowry which he held on her behalf, but he could not transfer his property to her and – perhaps even more importantly – she could not transfer her property to him. (Even her dowry remained legally distinct from his own property, though he enjoyed usufruct for the duration of the marriage.) In a wealthy citizen household, the wife

would have substantial business interests held independently of her husband – these might include farms, factories, trading concerns or urban apartment blocks. In a less wealthy household, she might run her own tavern or her own bakery out of premises which she owned or rented. Returning to Lydia, we may imagine that she was a widow or an unmarried heiress heading a household of her own, but it is conceivable that she was married, in which case "her household" would mean the individuals, properties and business interests directly dependent on her own individually held estate as distinct to that of her husband.

A long-accepted truism, recorded by Plutarch, held that households were happiest when the wife followed the husband in his choice of gods, and we will see below that a husband could denounce a Christian wife if he wished, but he had no legal right to control her religious affiliation or her finances. The financial independence of proper-tied women under Roman law meant that a patroness of the Church had resources of her own whether or not she had a husband and, if she did, whether or not the husband agreed with her. Crucially, her husband had no legal control over her property. Although in practice married couples probably coordinated economic activity wherever possible, the frequency of divorce and the right of a wife's senior male relatives to meddle in her affairs meant that legal protections against a husband's predatory instincts with respect to her property were taken seriously. If there was someone a Roman wife had to obey, it was her father – if he was living – or, at some periods and under some circumstances, a male relative who acted as her *tutor*. This liminal position – living in her husband's house but accountable not to him but to her own kin – put the married woman in a position that was both vulnerable and powerful.

The early Christian sources thus explore two visions of the Christian as an agent of conversion within the household. On one hand, we have the female householder, such as Lydia, who expects her dependents to conform to her authority as a property owner; on the other, the sources are deeply interested in the defiant faith of wives (and adolescent children) who choose to challenge the moral authority of a male head of household, in some cases a husband, whose authority is moral rather than legal, and in other cases a father, obedience to whom is required not only by law but also by Roman *pietas*.

In considering the ability of women to act as patrons of the movement in its formative period, there are a number of things we need to remember about the early Church. The key point to bear in mind is that there *was* no Church in antiquity, in the properly institutional sense: the early Christian movement was a bricolage of independent communities joined by ad-hoc communication networks. Property owners and charismatic teachers each had an important role to play in fostering the movement through networks of informal influence. There is quite a bit of evidence that women were well represented among the associates of both Jesus and Paul, from Mary Magdalene and the other women of the Gospels, to Junia, the "fellow-apostle" whom Paul praised in his Epistle to the Romans.[1]

The arrangements for leadership and participation in the earliest churches were largely informal, and reflected the pre-existing relational structures of the communi-ties where Christian ideas were introduced. (The term "presbyter," for example, sim-ply means "elder.") The ordained offices of bishop, presbyter, and deacon did not

acquire a stable profile until the second century, and it is clear that throughout antiquity both men and women frequently acquired authority, both as missionaries and as leaders of established communities, from the simple fact that they were held in esteem by others, rather than through an institutional imprimatur. During the long centuries when the churches had no legal status, relatively prosperous householders who made meeting space and other resources available to the Christian communities from their own private means played a critical role. In all likelihood they were among the most important of the "elders" because of the assistance they could give to the group and to its individual members.

If the earliest churches were essentially informal networks meeting in the homes of more prosperous members, the religious legislation of the emperor Constantine in the early fourth century began a phase of intensive institution building. It has been argued that the early fourth century represents a decisive moment, in which the household loses its status as the principal venue for Christian liturgy, and that the authority of women diminished as the household gave way to ordained office as the primary medium for the exercise of Christian authority (Clark (1990); Burrus and Torjesen (1993)). There is certainly some truth to this view, but we will see below that there is copious evidence that the household continued as a crucial space for the exercise of both public and private authority to the end of antiquity, so the increased emphasis on ordained office did not lead to an immediate disappearance of the older model of the Christian householder, whether male or female, as a figure of moral and practical authority (Cooper (2007c)).

Let us return to Lydia the purple-seller. Lydia was an important personage in Philippi. Her business was in murex, the rare purple dye which colored the toga of the emperor. It is important to remember that in the Roman period, the household was still the principal venue for both production and trade. Under modern capitalism production and exchange have moved out of the household, businesses have evolved non-familial structures of ownership and profit, and the household has become a space of leisure and consumption rather than remunerative work, but all this was far in the future for Lydia and her contemporaries.[2] Whether a family earned its keep from a modest craft, from agricultural estates or from owning a factory which sent amphorae to all corners of the Mediterranean, the business and domestic expenses were kept in the same account-book. The hybrid nature of the household as a space for both production and consumption meant that the *dominus* or *domina* who ran it was a powerful person in his or her wider social setting. A rich merchant's establishment could involve dozens or even hundreds of people, so the conversion of Lydia would have offered a valuable foothold in her city.

With property ownership came power, but to use one's power one also needed networks of personal influence. Because both men and women controlled businesses and cultivated the trade relationships that went with them, one cannot distinguish neatly between male and female ways of getting things done through personal networks. But the far greater access of men to public office must have given them many advantages, and women perhaps often chose to work through male relatives or allies where this did not compromise their own interests. So a married woman who wished to defy her husband would have had to gauge how her relatives and business associates would

react, before taking the step of defying her husband openly. The willingness of the Christian community to justify her if she challenged social expectations of marital harmony may have been attractive to women in certain circumstances, yet it was almost always to a woman's advantage to cultivate a successful partnership with her husband. Indeed, we often hear in early Christian sources of husbands and wives working together on behalf of the Church. Recent studies of early Christian family relationships[3] and the gender dynamics of the emerging Christian polity have made it possible to capture some, if not all, of the nuances (MacDonald (1988), (1996)).

Finally, we should not forget that other networks were simultaneously at work among the lower echelons of households, as evidenced by second-century writers such as the philosopher Celsus or the anonymous Christian author of 1 Timothy, who complain about "old wives' tales" being told within the early Christian communities (MacDonald 1983). It is fairly certain that the process of Christianization worked simultaneously through networks at different levels of society. The sources are more interested in the struggle of elite women and children to gain acceptance for the movement than they are in the efforts of those beneath them in the social hierarchy, but it is likely that this is a matter of catering to the presumed sympathies of Roman readers. We turn now to consider how the early Christian sources handle the movement's arrival in Roman households.

3   Christianity and the Household: Contrasting Visions

Two second-century sources illustrate the arrival of Christianity as an unwelcome guest in the household. The first is the *Second Apology* of Justin Martyr, written at Rome in the 150s. Justin tells the story of a woman who divorced her dissolute husband after she had encountered Christian teachings and found him unwilling to conform to the stricter morals proposed by the Christian fellowship. Far from supporting her choice, the husband denounced her as a Christian to the authorities (*Second Apology* 2). Justin finds irony in the fact that a husband, who should above all others be happy that his wife had become a paragon of modest virtue, was instead incensed by her new-found moral purity. Justin's *Apology* shows that even if Christian communities hoped to win pagan husbands through the persuasive virtue of Christian wives, interfaith marriages were not a foolproof way of gaining converts.

Equally unsympathetic to the views of authority figures within the household is the second-century *Acts of Paul*, which portray the apostle as the mentor of a magnetic young female preacher known as Thecla. This source remembered Paul as teaching that, because the end of the world was coming, the younger men and women should give up any chance of a good marriage and remain virgins instead. Thecla, a teenaged virgin from the town of Iconium (modern Konya), became his disciple after overhearing the sound of his preaching during an informal house-church meeting, which she did not attend, but heard through an open window in her own house.

> And while Paul was thus speaking in the midst of the assembly in the house of Onesiphoros, a virgin [named] Thecla – her mother was Theocleia – who was betrothed to a man [named] Thamyris, sat at a nearby window and listened night and day to the word of the virgin life as it was spoken by Paul; and she did not turn away from the window, but pressed on in the faith … when she saw many women and virgins going in to Paul she desired to be counted worthy herself to stand in Paul's presence and hear the word of Christ; for she had not yet seen Paul in person. (*Acts of Paul and Thecla* 7; tr. Hennecke and Schneemelcher (1992) 240)

This image of the girl sitting at the window and listening to the words that will change her life begins the story of Thecla's adventures, one of the great tales of Christian antiquity.

After hearing the apostle's preaching, Thecla rushes to her mother – interestingly, the father does not figure in the story – to announce that she refuses to marry her fiancé. This leads first to a family argument and on to a series of scenes in which the fiancé and the mother commiserate about how independent Thecla has become, and try, unsuccessfully, to undermine her in her resolve. The girl then leaves home and follows Paul as he travels from town to town. Eventually, she strikes out on her own, departing with Paul's blessing to preach and baptize in her own right.

The *Acts of Andrew*, another text from the group of second-century romances known collectively as the *Apocryphal Acts of the Apostles*, offers another variation on the theme. Here, the heroine is already married, so she must defy her husband rather than her mother. In this text, Maximilla the wife of Aegeates, the Roman proconsul of Achaea at Patras, witnesses a miraculous healing performed by Andrew in the city. Having returned home, she herself falls ill and sends for the apostle. At first, relations between the pagan husband and Christian apostle are friendly – Aegeates is grateful, after all, to the apostle for healing his wife – but turns sour when it becomes clear that Maximilla means to give up sexual relations with her husband:

> I am in love, Aegeates. I am in love, and the object of my love is not of this world and therefore is imperceptible to you. Night and day it kindles and enflames me with love for it. You cannot see it for it is difficult to see, and you cannot separate me from it, for that is impossible. Let me have intercourse and take my rest with it alone. (*The Passion of Andrew* 23; tr. MacDonald (1990) 353–55)

In reply, Aegeates has Andrew sent to prison. Here, the apostle's challenge to the husband's moral authority is dramatized through what amounts to sexual rivalry between the husband and the apostle (Cooper (1996) chapter 3: "The bride that is no bride"). The reader is meant to see that in order to join the Christian movement, he or she must be ready to give up everything familiar and begin a new life on a new basis.

Through the trials of convert-heroines such as Thecla and Maximilla we can catch a glimpse of how ancient people thought conversion happened. The authors of the *Apocryphal Acts of the Apostles* were very strongly influenced by the fiction of their day, so we are dealing with an author's idea of what would be plausible in representing human relationships, rather than with historical fact. Still, in writing

even the more fantastic tales, the early Christian writers held a mirror to the readers of antiquity. The defiant wives and daughters of the *Apocryphal Acts* represented an awareness that heads of household could not always control their subordinates (Cooper (2007b)).

A similar point of view is reflected in a precious and far more reliable source from the first decade of the third century, the prison diary of the 22-year-old Vibia Perpetua, martyred at Carthage in 203. Perpetua was married and had at least one son, but because she was a Roman citizen, it was her father – not her husband – who was held accountable for her conduct and who accompanied her for her hearing before the proconsul. Before the hearing, she reports a painful exchange with her father:

> A few days later, there was a rumour that we were going to be given a hearing. My father also arrived from the city, worn with worry, and he came to see me with the idea of persuading me. "Daughter," he said, "have pity on my grey head – have pity on me your father, if I deserve to be called your father; if I have favoured you above all your brothers, if I have raised you to reach this prime of your life. Do not abandon me to the reproach of men. Think of your brothers; think of your mother and your aunt, think of your child, who will not be able to live after you are gone. Give up your pride! You will destroy all of us! None of us will ever be able to speak freely again if anything happens to you."

This was the way my father spoke out of love for me, kissing my hands and throwing himself down before me. With tears in his eyes, he no longer addressed me as a daughter but as a woman (*domina*). I was sorry for my father's sake, because he alone of all my kin would be unhappy to see me suffer. I tried to comfort him, saying, "It will all happen in the prisoner's dock as God wills, for you may be sure that we are not left to ourselves but are all in his power." And he left me in great sorrow. (*Martyrdom of Perpetua and Felicitas* 5; tr. Musurillo (1972) 113)

This is the most vivid instance of a wider theme that runs through the pre-Constantinian martyr literature, whose writers – and audience – were deeply interested in the moral and personal cost of breaking the bonds of obedience within the family (Cooper (1998), (2007b)).

Freed from the constraints of historical reality, the *Apocryphal Acts* developed this theme of conflict within the household, and cast the convert's biological family as obstacles to the faith, who could not see why a person would volunteer for a heroic death when the Roman authorities only asked that a bit of incense be burned in order to send everyone home in peace. In narrative terms, the repudiation of the parent's or husband's moral authority carried the important message that the pieties of civic life were no longer binding.

Although they are set in the first century, the *Apocryphal Acts* reflect what seems to have been a second-century crisis about the authority of husbands over their wives and of parents over their children. Joining the Christian group is represented as a break with family loyalty, but the tales show little sympathy for how Roman husbands and parents coped with the wives and children who defied their authority and joined what can only be described as a deviant group from the point of view of a Roman *paterfamilias.* Instead, we are treated, repeatedly, to the point of view of the wife or child who chooses to join the new group in defiance of the wishes of the *dominus* or

domina. This was a view not all Christians found comfortable. Indeed, it has been argued that it was in response to stories like that preserved in the *Acts of Paul and Thecla* that the author of the second-century *Pastoral Epistles* took it upon himself to assert a vision of Christian belonging centered on obedience to the *paterfamilias* (MacDonald (1983); Perkins (2005)).

But a second approach to the problem of family and belonging emerged in the hagiography of the third century, an approach that would become increasingly important after Constantine. The third-century *Clementina* or *Pseudo-Clementine Recognitions* develop an alternate theme of reunion and recognition, in which family members who have been lost to one another through misfortune are united through their Christian faith.[4] This Christian romance intertwines the story of a young pagan – who will become Pope Clement in his adulthood – with the simultaneous adventures of his parents and siblings. In the *Clementina*, Clement's family – a mother, father, and three sons – are all separated through accident, and each travels the Mediterranean in search of the others. Like the *Apocryphal Acts of the Apostles*, the *Clementina* mirror the narrative conceits of Hellenistic romance, but in this case it is not to drive a household apart but to stage a family reunion.

The difference here is in the nature of the apostle's engagement with the household, who have already been driven apart by circumstances beyond their control. A fellow traveler whom Clement's family encounter during their misadventures turns out to be the apostle Peter, who notices the "fit" between their respective tales of woe and stages a family reunion. It is only the Christian holy man who can discern – and reveal – the true relationship among the lost travelers. Naturally, the entire group is persuaded to accept baptism as a result of Peter's discovery of their relationship.

4   Christian Networks and Models of Conversion

The themes which we have seen above bear a striking resemblance to studies of modern religious conversion which place emphasis on the importance of social networks as the medium through which new religions reach new audiences. This is a relatively recent development. For most of the twentieth century, the dominant model in the English-speaking world for understanding religious conversion was the "watershed experience" identified by William James, an idea applied to the conversion of the ancient world to Christianity by Arthur Darby Nock, whose landmark 1933 study *Conversion: The Old and the New in Religion from Alexander the Great to Augustine of Hippo* saw conversion as a private matter between an individual and his conscience. Conversion, Nock proposed, was

> the reorientation of the soul of an individual, his deliberate turning from indifference or from an earlier form of piety to another, a turning which implies a consciousness that a great change is involved, that the old was wrong and the new is right (Nock (1933) 7).[5]

Nock, it seems fair to say, was interested primarily in the elite individual's encounter with Christian philosophy.

In an influential study of 1983, however, Ramsay MacMullen suggested that a pattern of conversion based on "the reorientation of the soul of an individual" could not account for Christianity's dramatic numerical expansion. MacMullen saw at least two distinct types of conversion reflected in the sources for early Christianity. While one type involved the elite man of reason who interested James and Nock, a second, equally important type involved crowds responding to contact with the miraculous and was triggered by performances of divine power. As early as the second century, MacMullen reminded his readers, the pagan Celsus had ridiculed Christianity for the tendency of its practitioners to play to the excessive credulity of the "simple folk" (MacMullen (1983) 187).

MacMullen was certainly right to propose that any model for Christianization had to give a rational account for how Christianity grew as rapidly as it did. By the beginning of the fourth century, Christianity seems to have claimed something like a tenth of the empire's population of roughly 60 million, and by the century's end (if not before) to have reached a "saturation point" of something like 30 million – roughly a half of the empire's population.[6] MacMullen calculated that to reach this level of participation Christianity would have had to attract far greater numbers than could be expected to convert on the basis of a deeply considered response to Christian philosophical arguments. To access repeatedly new recruits in the millions, he argued, the Christians would have had to reach beyond the sliver of the population who made spiritual decisions on the basis of a sophisticated grasp of theological concepts.

For MacMullen, the answer was in crowds and miracles – and in a Christianity that was not so much about philosophy as about a credulous interest in acts of divine power on the part of the illiterate masses. A third, more recent approach to the problem addressed the numerical problem raised by MacMullen from an unexpected angle, seeing not crowds and miracles, but pre-existing social networks as the primary carriers for Christian ideas.

In his 1996 study, *The Rise of Christianity: A Sociologist Reconsiders History*, Rodney Stark called attention to the importance for early Christianity of two elements emerging from demographic and fieldwork-based study of nineteenth- and twentieth-century American groups that achieved explosive religious growth. The first is a matter of arithmetic: seemingly modest gains begin, over time, to multiply, through a process similar to the compounding of interest. A growth rate of circa 40 percent per decade – the rate achieved, for example, by the Mormons – could be achieved if each member of the faith attracted even one convert every 20 years, for a total of two or three across a lifetime. If the early Christians were able consistently to sustain this kind of growth, Stark argued, by the third century the numbers involved would tip dramatically into the millions (Stark (1996) 5–11). For Stark, the venue in which high-growth religions achieve their best results turns out to be the "quiet chat," rather than the gathering of awe-struck dozens or hundreds.

This network model of Christianization accords well with the empirical evidence for a pre-Constantinian phase of Christian development based in the "household churches" of the first to third century, reflecting the centrality of family networks to the Christian communities as to the wider Roman society. It also has implications for

our understanding of gender roles in the process of Christianization. The network model helps to make sense of how women's central role in the household – whether as female heads of household like Lydia or as the ubiquitous "old maids and old wives" who were on hand in nearly every home – put them in a pivotal position for engineering social change.

5   Archeology and the Early Christian Household

Since there is every reason to suspect that the vision of the household in early Christian literature was at best stylized, it is worth asking whether material culture tells a different story. One can certainly not look to archeology for answers – in fact it is not until after the Constantinian revolution of the fourth century that an identifiably Christian material culture emerges. Still, some of the most interesting practical thinking about how early Christians lived and organized themselves has been done by archeologists and historians working with archeology, and the seminal discussions of early Christian house-churches by Richard Krautheimer and Floyd Filson in the 1930s are still worth reading (Krautheimer (1939); Floyd Filson (1939)).[7]

It seems safe to imagine the rituals of Christian communities in the first two centuries as taking place in the courtyards and common-rooms of Christian households, whether those of the elders of the community or of propertied members of the community who simply had enough space. It was not until the third century that the earliest identifiably Christian liturgical space to survive from antiquity, that of the house-church at Dura Europus on the Euphrates, was established. At Dura, what seems previously to have been the formal reception room of a private dwelling was renovated in the third century to produce a frescoed space for liturgy with an indoor altar, decorated by frescoes of biblical scenes. Clearly, the owner of the space expected that it would be used predominantly as a Christian meeting space, though there is no evidence to suggest that the space was understood as Church property – legally it could have belonged to a private individual who was happy to turn over part of his or her house to the *ekklesia* for regular use (Snyder (2003) 128–34).

But third-century evidence of the kind found at Dura is very rare indeed. The other main third-century house-church known to archeologists has been the "upper room" in a private dwelling in Rome, a building which later became the Church of John and Paul. This site was made famous by Krautheimer in the 1930s, but recent archeological research has shown that the renovation in fact dated to the fifth century (Leyser (2007)). So the archeological evidence for *bespoke* Christian liturgical space before the fourth century can be said to be negligible. Until the great campaign of church building under Constantine, Christians used multi-purpose spaces – which in most cases would have been domestic spaces – for their liturgies.

But if Christian communities relied on householders for meeting space in the period before Constantine, there is no reason to imagine that this dependency ended immediately with the peace of the Church. Krautheimer also suggested that even after the Constantinian revolution Christians tended to meet largely not in churches but in "community centers," spaces – probably rented – which were not customized

for liturgical use. There is no reason to doubt that these spaces existed, but again, they are likely to have been made available through personal networks: either given over without charge by more prosperous members of the group or perhaps rented through personal relationships with potential landlords.

More recently, Kim Bowes has argued that the archeological evidence for private households hosting liturgical services lasts well beyond the fourth century (Bowes (2005), (2008a)). The building of dedicated church spaces by bishops and others in the fourth century did not displace the older, domestic form of Christianity – at least not before the end of antiquity. From the point of view of the increasingly powerful bishops, the continued reliance on private property, even as "the bishop's church" began to be able to hold title to property, brought both advantages and disadvantages.

In both rural and urban contexts Christian bishops made every effort to bring the autonomous Christianity of the *domus* under their control (Bowes (2008a)). In the rural context, the *domini* of the fourth and fifth centuries would not have felt the need to defer to local bishops, often their social inferiors, in matters of estate management, including the arrangements for Christian cult on the estate. The urban *domus* would have offered perhaps somewhat more limited scope for autonomous spiritual authority on the part of the *dominus* or *domina*, and the tensions between bishop and householder would have been greater in the urban context. Proximity and enhanced access gave a different complexion to the anxieties felt by bishops regarding urban establishments (Maier (1994), (1995a), (1995b)).

An anonymous spiritual manual written for a female landowner of the senatorial class in the fifth or sixth century, the *Manual for Gregoria*, shows how the household hierarchy could be re-imagined in terms drawn from the Christian moral lexicon (Cooper (2007a) chapter 3: "Household and empire"). Our writer warns the *domina* that she must anticipate God's judgment by carefully considering the effect of her actions on her subordinates within the *domus*.

> So then be a model for all your slaves: let them see you boldly standing guard over the riches of truth in your mouth, and of the riches of purity with respect to your body, of reverence in your breast, of innocence in your hands, of integrity in your expression. Let them see your eyes continually lifted to the heavens … By this example you will secure your own salvation and that of those over whom you have been worthy to rule. (*Ad Gregoriam* 18; tr. Cooper (2007a) 269)

In the short-term the fourth-century bishops were fighting a losing battle if they wished to restrict the leadership of male and female lay patrons. The long-standing arrangements of householder Christianity were simply too well suited to the needs of Christian families and communities. But by the end of antiquity the balance of power would shift decisively away from the propertied laity and toward the bishop.[8]

As Christianity moved out of the household, its networks of influence continued to overlap with the personal networks of Christian bishops. Of course, bishops continued to have influential wives and daughters to the end of antiquity, and influential sisters and nieces to the end of the middle ages. From the fourth century, however,

a male clerical class began the long process of establishing its own institutional structures and networks, which overlapped with, and yet could be distinguished from, the networks of allegiance based on the Roman household.

6   Remembering the Arrival of Christianity at the End of Antiquity

The family reunion theme came into its own at the end of antiquity. It is central, for example, to the fifth-century *Passion of Sebastian*, one of the *gesta martyrum*, a group of Latin martyr romances that look back at the heroic age of the Church in light of the concerns of the fifth- and sixth-century Roman churches (Cooper (2005)). Like the *Clementina*, Sebastian's story centers on a sequence of conversions, and in each instance the new convert faces a constellation of family relationships which must be reconstituted in light of the conversion. The *Passio* begins with the Roman twins Marcus and Marcellianus, Christian confessors awaiting execution, who are trying to hold firm in their conviction against friends who want to persuade them to recant for the sake of their family responsibilities – the parents, wives and children whom their death will leave bereft. The friends argue quite persuasively that the twins should give up the faith, return to their homes, and fulfill their obligations. The twist here is that, unlike the case of Perpetua and her father, when Marcus and Marcellianus decide to stand firm in the face of persecution, their father Tranquilinus and mother Marcia are so impressed that they decide to convert to Christianity and risk martyrdom along with their sons and Sebastian, the leader of the group.

The *Life of Eugenia*, a martyr-saint whose legend was written in the fifth or sixth century, reflects directly on how a reader's life could be changed by recognizing herself in the figure of Thecla. Just as the *Acts of Paul and Thecla* had pictured Thecla sitting at a window listening to the words of Paul, the *Life of Eugenia* tells us that it was on reading "the history of the virgin Thecla" that Eugenia, the daughter of Philip, governor of Egypt in the reign of Valerian (253–260), decided to convert to Christianity. Immediately upon doing so, she persuades her two chaperones, the eunuch slaves Protus and Hyacinth, that the three of them should run away together "to the Christians." She disguises herself as their brother and the three join a monastery. Much later in the story, she is brought before her father's court on a false charge and reveals herself to her family, who convert to Christianity.

We are in a territory far closer, here, to the vision of Lydia the purple-seller than that of Thecla and Maximilla. But unlike the "top-down" model of household conversion that is seen in the Book of Acts, the Roman legends are specifically interested in what happens when it is a dependent member of the household, a wife or a child, who initiates the process of conversion. I have argued elsewhere that the development of this hagiographical theme reflects an attempt, at the end of antiquity, to smooth the family tensions emerging from the ascetic movement, by encouraging parents and children to celebrate the idea that the younger

generation could espouse a more radical vision of the demands of piety than did their parents (Cooper (forthcoming)).

A final example from the early medieval period shows how a pro-family approach to mission could be fused with the implicit potential of Thecla as a missionary heroine. The *Ecclesiastical History* of Rufinus of Aquileia, written ca. 403, tells the story of a Roman woman taken captive on the eastern frontier of the Roman Empire in the time of Constantine, who during her time as a prisoner of war in the kingdom of Iberia (modern Georgia) preached the gospel and established what would become the Georgian Church. Early medieval Georgian sources remember her as Saint Nino, and record her as teaching and preaching, and training a generation of priests to perform the liturgy (Eisen (2000) 52–55). For our purposes, it is important to notice that the narrative remembers her as having been ordained for her work by her own uncle, the Bishop of Jerusalem. Here is Nino's own account of her ordination as preserved centuries later in *Mokcevay Kartlisay*, the early medieval legend of the conversion of Georgia:

> He placed me on the steps of the altar and laid his hands on my shoulders and sighed to heaven and said: "Lord God of the fathers and the centuries, I commend this orphan, my sister's child, into your hands, and I send her to preach your divinity and that she may proclaim your resurrection wherever it is your pleasure that she may go. Christ, be Thou her way, her companion, her haven, her teacher. (Eisen (2000) 53, citing Pätsch (1975) 308)

We are a long way, here, from any inkling of tension between the biological family and the family of faith. Rather, it seems, the bonds of family loyalty are the sinews that allow the Church to reach into new territory. It is a pragmatic assessment of the realities faced by the missionary churches of the early middle ages.

7   Conclusion

This brief survey has suggested that while the head of household could affect the lives of a dozen or a hundred by his or her conversion, the conversion of subordinate family members could have an equally significant impact, even if the process was more complex and on occasion more difficult. Although no single vision of the household prevails in the early Christian sources, taken as a group they reflect a vivid awareness that changing religious values were a source of sometimes-bitter tension for families and that resolution of these tensions was critical to the future of the movement. While in the early period the willingness to reject the authority of senior members of the household was seen as painfully heroic, as Christianity expanded greater confidence seems to have been felt that the families torn apart by differing religious affiliations could be reconciled. When one member of a household joined the new faith, he or she could be expected to bring the other members of the household into the fold. But this new confidence reflects the fact that the tables had turned: by the fourth century, the conversion of the household was no longer a matter of a subversive group gaining ground. Instead, it was rather that of a now dominant group eradicating pockets of resistance.

FURTHER READING

The seminal studies on the role of women and family in the process of Christianization are Kraemer (1980); MacDonald (1983); Clark (1990); Torjesen (1993); Cooper (1992), (1996); and MacDonald (1996). The network theory of conversion is outlined in Stark (1996). On the house-churches, see White (1996); and Osiek and MacDonald (2006). Cooper (2007a) and Bowes (2008a) survey the Christian household of later antiquity.

NOTES

1 See, for example, Luke 8:1–3: "Afterward [Jesus] was journeying through city and village preaching and proclaiming the kingdom of God, and the twelve were with him, and some women who had been cured of evil spirits and diseases; Mary, called Magdalene, from whom seven demons had gone out, and Joanna wife of Chuza the steward of Herod, and Susanna, and many other women, who used to minister to them from their resources." Discussion in Arlandson (2004).

2 "As production for exchange eclipsed production for use, it changed the nature of the household, the significance of women's work within it, and consequently women's position. Women worked now for their husbands and families instead of for society" (Sacks (1974) 211). See also the essays in Sayers 1987. See Saller, this volume, Section 1, "Women's and Men's Labour."

3 Crucial here is Osiek (1996), along with three edited collections: Moxnes (1997); Osiek and Balch (1997); Balch and Osiek (2003).

4 The dating of the *Clementina* is not entirely stable. See Cooper (2000) for discussion of the relevant literature.

5 This view of conversion as "the reorientation of the soul" owed much to the influential idea of conversion as a "watershed experience" described a generation earlier by William James, whose Gifford Lectures of 1901–1902 became the influential *The Varieties of Religious Experience*. Indeed, Nock wrote the introduction to the 1960 reprint of James' volume; the relationship between the two is discussed by Parente ((1987) 7–8).

6 The numbers 6 million and 30 million respectively, against an estimated population of 60 million in "the Mediterranean world," are MacMullen's ((2001) 98). Their shape aligns fairly well with those cited in Stark (1996) 5–11, although Stark believes the 50 percent mark was reached earlier, by around 350, and, as we will see below, has a very different idea of how the numbers were achieved.

7 See also, more recently Snyder (1985); White (1996); Lampe (2003); Osiek and MacDonald (2006); and the very useful survey article by Bowes (2008b).

8 A fascinating study by Pietri (2002) charts the efforts of popes from Gelasius (492–496) to Pelagius (556–561) to contain the autonomy of *domini* in founding and managing churches on their own lands.

What We Do and Don't Know About Early Christian Families

Carolyn Osiek

1   Introduction

Christian Families of the very first generations were not something totally distinct from their Roman, Greek or Judean[1] neighbors, or whatever other less well-known ethnic groups of which they were part, in spite of the usual academic conventions that would place them in an entirely separate field of inquiry. With few exceptions in social behavior, as noted by contemporary writers, they lived like everyone else in the Roman urban context. Even the idealizing claims of the probably late second-century anonymous author of the *Letter to Diognetus*, that Christians are to the world what the soul is to the body (*Diognetus* 6.1), are based on the argument that Christians are everywhere, living alongside others in the same clothing, frequenting the market and theater, eating the same food, keeping the same local customs. They continued to use theophoric names like Apollos, Epaphroditus and Dionysius. In Christian communities in Roman colonies such as Philippi or Corinth, large numbers of Christians, perhaps the majority, may have been Roman citizens, sharing the same kinds of lives that other citizens did in the colonies. Yet the people from these groups, even those whose writings have survived, were ordinary people, quite a bit more ordinary than is the case with most of the surviving literature of the Empire. Until the late second century, there is little to suggest that any members of this group belonged to the elite classes upon whose writings most of our non-archeological knowledge of the Roman world is based. The infrequent and usually localized outbreaks of hostility against them were, until the persecution of Decius in 249, not unlike outbreaks against other "foreign" religions that had permeated the empire. Thus it is worth paying attention to these groups not only from the perspective of religious history, but from that of the social life of ordinary non-elites as well.

2   Ideals vs. Reality

From earliest years of Christian life, there were traditions about sayings and deeds of Jesus that were communicated orally. By the last decades of the first century CE, many were committed to writing in what came to be called Gospels. About the same time, traditions about Paul, the greatest theologian of the first generation, were stabilizing, some 20 or more years after his death that occurred no later than 68 CE. While most of the letters attributed to Paul are thought to have been written by him, the majority of Pauline scholars today would attribute the letters to the Colossians and Ephesians to another writer in the Pauline tradition from this later period, and the letters to Timothy and Titus to perhaps an even later period. In this later Pauline literature and in 1 Peter and the non-canonical 1 Clement 1.3, a particular literary genre appears, based on Hellenistic treatises of household management but modified in form to describe mutual relationships.

Consisting of brief descriptions of responsibilities between wife and husband, children and parents, and slaves and masters (in that order), it is usually called a Household Code (after the German *Haustafel*). These descriptions are firmly entrenched in the patriarchal values of Greco-Roman philosophy of household management, but at the same time describe an active role for subordinate members as well, who are in fact addressed first in each dyad. The most complete forms of the Household Code are found at Colossians 3:18–4:1 and Ephesians 5:22–6:9. Both occur in contexts of wider mutual relationships of love and respect. That in Ephesians broadens out in the first dyad of wife and husband to theologize the relationship by analogy to Christ and the Church, so that the wife is the type of the Church and the husband the type of Christ – an analogy that, with all its beauty, has created untold problems in Christian interpretation. Similarly, an incomplete Household Code in 1 Peter 2:18–3:7 speaks only to slaves, wives and husbands, in that order, and makes of abused slaves a type of the suffering Christ. Later writings portray church life as a mirror of domestic harmony. Thus, all are to reverence one another as fathers, mothers, sisters and brothers (1 Timothy 5:1; 1 Peter 5:5), and ecclesial authority is to be exercised in paternal style, as one would rule one big, happy household. It is expressly said that the *episkopos* or manager must know how to rule his own household well; if not, how can he rule the Church? (1 Timothy 3:2–7).

It is obvious then that these literary compositions are meant to function as ideals both for internal consumption in the Christian community and probably also for external use, to demonstrate, in case there is any doubt, that Christians respect and observe the traditional hierarchical values of the Roman family.

At the same time, however, a different message was being communicated to church members by other new pieces of Christian literature, what have come to be called the Synoptic Gospels, Matthew, Mark and Luke. Particularly in Mark and Matthew, somewhat toned down in Luke, are sayings attributed to Jesus that defy patriarchal authority and set the disciple of Jesus against family loyalties. Jesus himself is depicted as turning his back on his own family (Mark 3:31–35; Matthew 12:46–50). He advises a son not to bury his father (Matthew 8:21–22; Luke 9:59–60),

tells his disciples that devotion to him must take priority over that to parents and children, and says that his mission is not peace but division within the family itself (Matthew 10:34–37; Luke 12:51–53, 14:26). One Synoptic passage encourages the disciples in their renunciation of "houses, brothers, sisters, father, mother, children, and fields" (Matthew), "house, wife, brothers, parents, and children" (Luke) for the sake of Jesus and the gospel, with the promise of an abundance in return (Matthew 19:27–29; Mark 10:28–30; Luke 14:26, 18:28–30). To be a disciple includes imitation of this pattern of Jesus to separate from family. Even in the Gospel of John, where Jesus and his mother seem to remain faithful to each other (John 2:1–12, 19:25–27), still Jesus' "brothers" (any kind of relatives) did not believe in him (John 7:3–5).

This message of deep suspicion and radical rejection of family that is attributed to Jesus in the Gospels runs quite contrary to the images of domestic harmony in the other passages cited. Far from being a support for "family values," the teaching of Jesus himself as preserved in the tradition questions the value of birth or marital family, transferring that loyalty to the circle of disciples. Acts of the Apostles even attributes to the first group of Jesus' followers in Jerusalem a practice of community of goods, whereby those who had landed property sold it and donated the proceeds to the common fund, a practice that would have wreaked havoc with patterns of inheritance in families involved if it was ever actually tried (Acts 2:44–45, 4:32–5:11).

If scholars are correct about the dating of all of these Christian compositions, they were all written at approximately the same time. How were the two images reconciled? Of course, both messages, that of domestic tranquility and that of uprooting from family loyalty and authority, have parallels in Hellenistic philosophical traditions, so they were, in a sense, nothing new.

Perhaps they were intended for two entirely different audiences: those whose complete families were members of the faith and those who felt called to become Christians in spite of their families' objections. Yet the passage cited in 1 Peter crosses over between the two categories, for it urges a believing wife of an unbelieving husband to endure in obedience and submission, because in this way, she may win him over to the faith (1 Peter 3:1). It would seem, therefore, that the two different images of family life stand not only in tension, but in competition with each other.

The only way of attempting to resolve this dilemma is to assume that there are two very different ideals presented here, and that, like all ideals, neither pattern reflected what was really happening. Neither the radical rejection of family nor the ideal of paternalistic domesticity was an accurate description of how Christians of the first generations were actually living in their family units. Like most other people in cities of the Roman Empire, they dealt with laws and also knew how to get around them. They lived in families that were by law and tradition extraordinarily patriarchal, yet as we see in other aspects of Roman life, reality seldom conformed to that ideal.

What we would like to know, as with all ancient life, is how much attention was paid to the ideals. How important were they to real people? Let us look at some of the realities we know and at the missing pieces that would help us fill in the blanks.

3   *Domus* vs. *Insula*

In spite of its beginnings in rural Galilee, Christianity was from its earliest years after the death of Jesus an urban phenomenon, moving from Jerusalem to other cities of first the eastern then later the western empire. That, at least, is the documented history, but we also assume that some kind of following of Jesus remained in Galilee; this has been the subject of much speculation and little evidence. We must also remember that led by mostly unknown missionaries, perhaps traders and merchants, the movement also expanded eastward within a short time, as shown by later evidence. The movement into east Syria and beyond the reach of the Roman Empire may have been more rural than urban, but the specific information is lacking for the earliest centuries.

Not a great deal is known in the early imperial period about housing and living situations outside of Italy, especially in the East, where the Christian movement originated. Occasional finds of preserved houses in places like Ephesus, Priene, Delos or Jerusalem are usually of a level of wealth and luxury that was not the situation of ordinary persons. Only in Italy, with Pompeii, Herculaneum and to a lesser extent Ostia, is there any extensive preservation of houses of much more modest level. We do not know what kinds of living situations were common for the first generations of Christians, but they were certainly the same as for the rest of the general population of the cities of the empire. This probably means considerable population in *insulae* and rooms and modest apartments behind and above shops. To the extent that Christians met in houses, the artistic decoration on the walls of the rooms in which they met must have been the same as that of everyone else. There is no evidence that Christians created distinctive art until the late second century, at the earliest, as it begins to emerge in funerary art. Before that, they were looking at the same images, but may have found new ways to interpret them. The frequency of portrayals of suffering and death on the walls of Pompeiian houses, for example, if this is typical of domestic painting elsewhere, lent itself to verbal portrayal of the suffering Christ. When Paul in exasperation at the recalcitrant Galatians exclaims that Christ crucified has been portrayed before their eyes, this may well be what he meant (Galatians 3:1; Balch (2008) 86).

In cities like Ephesus, Corinth, and Rome, there is sometimes specific allusion to individuals who host the *ekklesia*, the assembly of believers. They would have met regularly at least once a week in smaller groups, like those in the house (*oikos*) of Prisca and Aquila at Rome (Romans 16:5) and Corinth (1 Corinthians 16:19) or Nympha in Laodicea (Colossians 4:15), and occasionally gathered all of the "house-church" groups together in one large place, like the house of Gaius in Corinth (Romans 16:23). We do not know the exact social or economic level of persons with houses large enough to host such groups, which may have been composed of a small number, perhaps 15 to 20, or a larger number. The majority of the members probably did not have houses so large. What then was done when no one had the space? It is not unlikely that some of these groups met in rented halls, common courtyards of apartment buildings or even in warehouses, such as the one that existed in the first century under the later church of San Clemente in Rome, where an ancient tradition posits the site of an early Christian place of worship.

However, the close connection of houses with gatherings of Christians from the earliest documented information suggests that, like many other unofficial religious groups, the most common place for their gatherings was in private houses. This conclusion has an important consequence: that the study of early Christian families cannot be separated from the activities of their religious gatherings. The domestic context is of its very nature constitutive. In turn, this fact has its implications for the lives of families and individuals involved in the Christian movement.

We would certainly like to know more about how these gatherings functioned, with what kind of leadership and in what kinds of settings. We attempt to fill in the blanks with what we know about other similar types of groups such as *collegia* or professional associations.

4   The Lives of Women

Enough is known about Roman women of the early Empire to know that, in spite of the general rhetoric of submission in treatises on marriage and household management, they had acquired many social freedoms not had by their ancestors. This conviction is supported by property records where they survive, as for example at Pompeii, by remarks by Roman satirists and by epigraphical evidence. The decline of *manus* marriage and of *tutela* for various reasons and the level of moderate economic prosperity that reached many beyond the elite enabled for many urban women an independence of movement and property ownership. There is no reason to think that Christian women were any different in this regard.

Besides the Household Codes, discussed above, there are other famous Pauline passages that are often invoked as indicative of the subordination of women in early Christianity, especially 1 Corinthians 11:2–16, 14:34–35 and 1 Timothy 2:11–15. In the first, Paul presumably tells Corinthian women prophets that they must continue to observe the social custom of veiling in public even though they have a newfound freedom in Christ. To argue his point, he uses language of subordination and of shame: "The head of a woman is the man"; "Every woman who prays or prophesies with head uncovered shames her head; it is the same as if she were shaved" (1 Corinthians 11:3, 5). In the second passage, Paul directs that women should keep silent in the assemblies, for it is not permitted them to speak, but if they have anything to ask, they should ask their husbands at home. Again, "it is shameful for a woman to speak in the assembly" (1 Corinthians 14:35). Because of some manuscript uncertainty, it is often argued that this passage is an interpolation in the chapter that comes from the mentality of 1 Timothy 2:11–15. Here an undoubtedly later writer in the name of Paul forbids women to teach or exercise authority over men, in favor of remaining in silence, with appeal to Genesis 2–3 to support the argument.

Together, these three passages have stoked the fire of many an argument against leadership of women based on "biblical authority." As descriptions of a traditional ideal of feminine propriety common to the Greco-Roman world, they fall nicely into place. We also need to remember that in reading these passages from Pauline letters, we are reading one side of an ongoing conversation. We do not know what were the

real situations toward which these comments were directed, nor do we know how they were received. Paul's objection to unveiled women prophets sounds like the reaction of someone coming from a more traditional or conservative context, perhaps in the East, encountering a group of people in Corinth, perhaps many Roman citizens, who were more open in their social customs. We do not know the rest of the immediate story, but what we have is a glimpse into the way in which a non-elite Judean such as Paul could echo the more traditional voices of the literary and philosophical culture at large.

As is often pointed out, that is not the whole story that we get from the Pauline correspondence in its echo of social life at large in Paul's world, or from other New Testament texts. Luke, writing probably in one of the major urban areas of the eastern Mediterranean, portrays a group of independent women disciples very early in Jesus' ministry in Galilee, far earlier than their placement at his later death in Jerusalem as the other Gospel writers do (Luke 8:2–3). There is explicit mention several times in Acts of the Apostles of the inclusion of both men and women among converts to the new movement begun by Jesus and therefore subject to harassment and arrest by Judean religious authorities (Acts 5:14, 8:12, 9:2, 22:4). At Thessalonica, leading women of the city were persuaded by the preaching of Paul and Silas (Acts 17:4). Several couples were involved in itinerant missionary work in the Pauline circle: Prisca and Aquila (the woman's name sometimes put first, and appearing as Priscilla in Acts: Acts 18:2, 18:18, 26; Romans 16:3; 1 Corinthians 16:19; 2 Timothy 4:19) and Andronicus and Junia (Romans 16:7).[2] Other women are singled out by Paul for greetings and gratitude, especially in Romans 16: Maria, Tryphaena and Tryphosa, Persis, Julia and two unnamed women, the mother of Rufus and the sister of Nereus (Romans 16:6–15). In addition, the solemn entreaty to the two women Euodia and Syntyche at Philippi to reconcile – either with each other or with Paul, it is not clear which – leads to the conclusion that they are key players in the Philippian community, probably heads of households where the church meets (Philippians 4:2–3).

The most impressive female historical character in Paul's letters is Phoebe (Romans 16:1–2). The brief introduction of her to the intended recipients of the letter reveals that she is a *diakonos*, a church leader at Cenchrae, one of the seaports of Corinth, and *prostatis* (patron) to Paul. To do that, she was certainly head of a household who provided hospitality and was probably hostess to a church assembly in her house. There is sufficient evidence of women heads of households at all social levels that we should not doubt the reality (Osiek and MacDonald (2006) 144–63). Of course, this is never discussed in the theoretical writings because it is not the ideal patriarchal norm for the family, whether in general or in Christian circles. Besides those mentioned above, Mary mother of John Mark in the narrative in Acts of the Apostles has a group gathered at her home in Jerusalem and Lydia provides both hospitality and a gathering place at Philippi (Acts 12:12, 16:13–15, 40). Most ironically and perhaps indicative of the real social function of the Household Codes as idealist literature with not much base in reality, Nympha of Laodicea is said to host a church in her house, one chapter after wives are told to be subject to their husbands (Colossians 4:15)!

Among things we would like to know more about in regard to women in the first Christian generations: how did they navigate between their family role and the obligations of discipleship when the two were in conflict; and when they were hostesses of house-churches, how were they accepted as leaders?

5   Children and the Elderly

Where are the children? As in many contexts in ancient literature, they are seldom mentioned and mostly taken for granted. There are a surprising number of appearances of the word in the Gospels, but they are mostly references to descendants in general or to adults. There are, however, references to young children as part of family units (Matthew 7:11, 14:21, 15:38, 27:25; Luke 11:7, 13), even of slave families (Matthew 18:25), and as family members who must be left behind for the sake of discipleship (Mark 10:29–30; Matthew 19:29). Some of the most touching moments depicted in the Gospels are the scenes of Jesus taking little children into his arms (Matthew 19:13–14; Mark 10:13–14; Luke 18:16) and instructing disciples that they must become like children (Matthew 18:3).

Yet outside the Gospels there are few references to actual children, but many to Christians at large as adoptive members of God's household. Paul shows some consciousness of the situation of children in a "mixed marriage" between a believer and an unbeliever: he makes the rather astonishing statement that the presence of a baptized person in the marriage makes the children holy. It is not clear whether that means they are baptized or not, and we do not even know if baptism of children was practiced (1 Corinthians 7:14). At one point in the narrative of Acts, wives and children are specifically included in a group of disciples (Acts 21:5) and a manuscript variation includes children in the Pentecost scene (Acts 1:14).

It must be recalled that the Household Codes exhort children to be obedient to their parents and parents not to provoke their children, but to bring them up properly (Ephesians 6:1–4; Colossians 3:20–21). The text of Ephesians supplements these simple instructions with the quotation of the command to honor father and mother from the Decalogue, "the first commandment that has a promise" (Exodus 20:12; Deuteronomy 5:16), "so that things will go well with you and that you may have a long life on the earth."

The elderly do not appear in any particular way. There are elderly characters, like the parents of the miraculously born John the Baptist, Zachary and Elizabeth, and the prophets Simeon and Anna in the Temple (Luke 1:6–7, 2:25–38). There are admonitions for older men and women (Titus 2:1–5). The fathers to whom the author of the First Letter of John addresses himself along with children and young men would be elder members, but they are not called by that title (1 John 2:12–14). The title *presbyteros* (elder) became increasingly common as leadership structures developed, but as a title for a leader, it need not necessarily carry actual connotations of age (for example, Acts 14:23, 15:22, 20:17; 1 Timothy 5:17; James 5:14). Like the elderly of the empire in general, if they are not characters with the social power of a *paterfamilias*, they do not receive much additional attention.

Among the many things we would like to know about children and the elderly: whether children were baptized along with adults when whole families were accepted into the movement. There are stories of whole-household baptisms: the household of Cornelius (Acts 10:44–48), of Lydia and an anonymous jailer in Philippi (Acts 16:15, 33) and Paul says that he baptized the household of Stephanas (1 Corinthians 1:16). Were the children included, and if so, with any difference of treatment? In a Christian household, were the children educated any differently? Surprisingly, there is no such evidence of any attempt to put together a Christian curriculum until the ascetic movement of the fourth century and the monastic schools a century and more later.

6   Slaves

The language of slavery is used figuratively as metaphor for service of others and of God in the Gospels (for example, Matthew 10:27; Mark 10:44) and by Paul and others (for example, 1 Corinthians 9:19; Colossians 1:17, 4:7; Revelation 6:11, 19:10; Ignatius, Philadelphians 4; Ephesians 2:1; Magnesians 2) under the influence of biblical custom (for example, 2 Samuel 15:34; 2 Kings 5:17; Psalm 109:28, 118:23; Isaiah 39:3). In the *Shepherd of Hermas*, the most common name for Christians is "slaves of God." In biblical prayers, words used of slave masters (*kyrios*, *dominus*) are commonly used for God. In the late first-century *First Letter of Clement*, *despotes* (master) is one of the frequent titles for God (1 Clement 9.4, 20.8, 20.11, 24.1, 24.5, 33.1–2, 36.2, 36.4, 40.1, 40.4, etc.).

Though many readers and hearers of the Gospels in translation are not aware of it, there are frequent slave characters in the Gospel stories. Jesus seems to understand the household dynamics of slaves who are both debtors and creditors in the story of the unmerciful steward (Matthew 18:23–35), of slaves who make wise and foolish choices when their master is away (Matthew 24:45–51; Luke 12:41–46), of the responsibility of slaves in a household (Luke 12:43–47) and of domestic slaves entrusted with a *peculium*, a sum of money to manage, in the parable of the talents or pounds (Matthew 25:14–30; Luke 19:11–27). He takes for granted the authority of slave owners (Matthew 8:9, 10:24–25; Luke 7:8) and knows the sadness of the illness and death of favorite household slaves (Luke 7:2–3).

The most famous New Testament slave is Onesimus in Paul's Letter to Philemon. Whether he is a fugitive as traditionally thought or is seeking Paul as an agent of reconciliation, he is from a household of Christians who host a house-church and, at the time of the writing of the letter, he is not in good standing with the members of that household. While Paul probably expects his master Philemon to manumit him (Philemon 16), it is clear that the ownership and use of slaves by Christians continued. Elsewhere Paul invokes Stoic indifference to social status by telling the freeborn that they are Christ's slaves and slaves that they are Christ's freedmen/women, though they may gain their freedom if they are able (1 Corinthians 7:21–24).[3]

Again the Household Codes must be recalled, slaves being an integral part of the household and family. The treatment of slaves and masters exhorts slaves to obey wholeheartedly as if to Christ, not out of fear but out of devotion, while masters

are to treat their slaves fairly, remembering that they too have a master in heaven (Ephesians 6:5–9; Colossians 3:22–24:1; Titus 2:9–10). But what is a slave to do who is being treated unfairly? 1 Peter answers that question: endure, remembering that Christ also suffered unjustly (1 Peter 2:18–25). What is a slave to do who is commanded to do something against the Christian code of behavior? On this the texts are silent.

At the same time, however, those who heard exhortations coming from a worldview such as this must also have heard another idea somewhat in tension with the wholehearted acceptance of the role of the slave. A formula was circulating that appears in three different sources in the New Testament with slight variations; most scholars today assume that some original form of the saying was used at the baptismal rite, since all three are in contexts allusive of baptism. In all three, there is a statement to the effect that in Christ there is neither Judean nor Greek, slave nor free (1 Corinthians 12:13; Galatians 3:28; Colossians 3:11). Only in the text in Galatians does "no male and female" appear, while the text in Colossians adds several other alternatives that say more or less the same thing as the initial statements. The two constants in all three texts are the ethnic division between Judean and Greek (i.e., non-Judean) and between slave and free.

Scholars have pondered the import of these words for baptismal significance and for everyday life. For baptism, it would seem that this is a declaration of common access to salvation in Christ, without regard for social distinctions. It is unknown whether the original formula contained "no male and female," which was then omitted in 1 Corinthians and Colossians, or whether it was added in Galatians. The different conjunction connecting the two there ("and" rather than "or") suggests allusion to the first creation story in Genesis 1:28, and thus to a primal human being sexually undifferentiated.

What impact might this formula have had on everyday life? It seems to declare that this equal access to salvation in Christ overcomes social differences. Did its interpreters sharply distinguish between the realm of eternal salvation and the realm of mortal life? When slaves were baptized, did they expect this new commitment to bring change to their lives? When they came to the assembly and heard these texts read, perhaps there was some kind of equalizing shape to the worship, so that everyone was treated with some sort of evenness with regard to quality of food and drink – though Paul's complaint that some who come to the Lord's Supper in Corinth eat ahead of others, some get drunk and others go hungry does not sound promising (1 Corinthians 11:21–22). Even if at the common meal at the assembly, there was some measure of commonality, someone had to serve. There is no record of a Saturnalia-like upsetting of social roles here, and when they went home, back to life as usual, did it make any difference? Again, we are reminded that the Household Codes enjoin masters to be fair, but slaves to serve all the more willingly. Did some have expectations of something more? Perhaps we have an answer in a somewhat later document. Sometime in the early second century, Ignatius' *Letter to Polycarp*, in the midst of a variety of moral directives, says that slaves should not be mistreated or treated with contempt, but neither should they expect to be manumitted at community expense; apparently the question had arisen and was perhaps enacted as policy in some churches (Ignatius, *Letter to Polycarp* 4.3). Clearly, there is no vision here of a world without slavery.

7 Marriage, Divorce, Abortion, Abandonment, Spectacles

Disparity of social status in marriage was always a thorny issue in Roman law and practice. The will of two persons to live together as married constituted an unofficial marriage, even without any documents. It could not have been otherwise among Christians; Church control of marriage was centuries away. From early on, there was some pressure to marry other believers (1 Corinthians 7:39) but clear recognition that this was often not the case (1 Corinthians 7:12–16; 1 Peter 3:1). Nothing is said in these early texts about disparity of status, but the problem of finding suitable marriage partners who are also believers comes out by the early third century. It is voiced by Tertullian (*Ad uxorem* 2.8.4) and the practice of Callistus as portrayed in Hippolytus' *Refutations* (9.12.24–25), both in defiance of social disapproval of a woman "marrying down." Tertullian notes that poverty and lowliness are not so bad for a wife to consider in her husband, in view of Christ's love of poverty. Hippolytus maintains "family values" by excoriating his rival Callistus for allowing higher status women to marry beneath themselves in order to find Christian husbands. Both situations reflect what we know from other sources. Christian communities, like Judean synagogues and some of the other unofficial cults, were very appealing to women, who often joined such groups independently of their husbands and families, with consequent difficulties for marriage.

Divorce and remarriage were common practice among all the ethnic groups of which we have evidence in the period of the Empire, including Judeans, though there is already some hesitancy about it in Malachi 2:16. It is therefore surprising that there are persistent and very old traces of objection to divorce attributed to Jesus. There are multiple attestations from at least three separate sources, Paul and two different traditions in the Synoptic Gospels. Because Paul is such an early witness and one directly connected to the Jesus tradition, the only conclusion to draw is that they come from the personal opinion of Jesus himself.

Paul, writing no more than 30 years after the death of Jesus, attributes to "the Lord" that husbands and wives should not separate (1 Corinthians 7:10–11), then goes on to give his own opinion, and he is clear that it is now his own thinking ("Now I say, not the Lord"), about situations in which membership in the Church is causing problems in a marriage. In keeping with the priority on discipleship typical of the Gospels, he judges that faith comes first, and if a marriage must be dissolved because of it, so be it, though only as a last resort. He is going beyond what he has received as the teaching of Jesus, and he knows it.

The most likely source of his knowledge about the teachings of Jesus is the two weeks that he says elsewhere he spent in Jerusalem with Cephas/Peter (Galatians 1:18). This means that Peter thought it important enough to include in his instructions about the teachings of Jesus. The Synoptic Gospels also include sayings of Jesus against divorce and remarriage, in two independent forms, represented by the appeal to Genesis 2:24 (Matthew 5:31–32; Mark 10:7–8) and again in legislative form (Matthew 5:31–32; Luke 16:18; Hermas, *Mandate* 4.1.6). Needless to say, these

sayings on divorce attributed to Jesus have been among the most troublesome to the Christian community (Vawter (1977); Kloppenborg (1990)).

This defense of the unity of marriage on the part of Jesus is sometimes claimed by those who want to present a view of Jesus' attitudes toward family different from those very negative stances discussed above in section 2, in which he challenges disciples to put first priority on discipleship, at the expense of family members. At least, it is argued, he stood for the stability of the marriage bond. Perhaps, but the "leaving all behind" sayings of Luke 14:26 and 18:29 include wives among those who must be left behind.

The prohibition of divorce and remarriage is characteristic of the moral teaching of Christianity as it developed. How much impact did it have on actual practice? Already we know from 1 Corinthians 7:12–16 that Paul allowed exceptions under certain conditions of a marriage disturbed by disparity of belief and worship. Another exception is Matthew's clause "except for *porneia*" (only in Matthew 5:32, 19:9), the meaning of which has been much disputed: unchastity or marriage within relationships forbidden by Mosaic law (Fitzmyer (1976))? In any event, it is an exception known in Matthew's community, attributed to Jesus but undoubtedly developed later. How many more, undocumented, exceptions arose in practice? We lack the evidence for marriage statistics among Christians from the early centuries. There is one documented example of an anonymous woman who took the way allowed by Paul and divorced an abusive pagan husband (Justin, *2 Apology* 2). A better profile emerges in the fourth century in now predominantly Christian populations that there was no lack of divorce occurring, with legal support until Christian teaching gradually began to exercise an influence on legislation late in the century. Marriage was still a legal, not a religious arrangement until the early Middle Ages (Cooper (2007a) xii, 145, 158–60). It is therefore reasonable to assume that in the pre-Constantinian period an ideal against divorce was taught and that the reality was often quite different.

It is well known that both abortion and exposure of newborns were established ways of family planning in the Roman world. If not quite as old as the sayings on divorce, there is early and frequent attestation that Christians neither abort nor expose. Already the *Didache*, usually dated to the late first century or early second, directs not to kill the child in the womb or the newborn (*Didache* 2.2). Many second-century texts say that Christians do not practice abortion or exposure, often in the context of refuting beliefs that seem to have been widespread against them: that they engaged in secret rites of cannibalism after sacrificial killing of an infant. The argument runs: how could we do something like that when we don't even believe in killing, especially of unborn and newborn children? (*Letter to Diognetus* 5.6; Athenagoras, *Apology* 35; Octavian, *Minucius Felix* 30.1; Tertullian, *Apology* 7, 9). Tertullian (*On the Soul* 25) gives a vivid description of a partial birth abortion as something regularly done by others, but not Christians. Again, there is no evidence of practice, only of statements of the ideal, and we would like to know to what extent the ideal was practiced in daily family life. If the circumstantial evidence about the effectiveness of the prohibition of divorce is any measure, it can probably be assumed that the choice of abortion or exposure was a vivid reality for Christian families as well as their neighbors, and that such decisions may perhaps

have been more anguished than for many others, but that they were nevertheless sometimes settled in a direction contrary to official teaching of the group in which they worshipped.

Another issue is participation of Christians at the races in the stadium and games in the amphitheater. The apologist Athenagoras is against attendance because Christians do not approve of killing (*Apology* 35). The most extended argument *contra* is mounted by Tertullian, *On Spectacles*. In his treatment we can see the arguments in favor that others have put forward. The very fact that he thinks it necessary to compose a long treatise on the subject reveals that there was no clear policy in this case, and, in fact, Tertullian is arguing on one side of what was an open question. Carthage (Tertullian's hometown) and North Africa in general were known as places where the games were especially popular. No other area of the Roman world has as many preserved mosaic floors that feature racehorses, gladiators, and animals in competition and killing each other.

Tertullian states that "some of our own" argue that attendance at the games is not forbidden in Scripture, so he tries rather ineffectively to find biblical statements that can be interpreted against (*On Spectacles* 3). He argues that attendance necessarily involves idolatry, which they renounced at baptism. They rejected the devil and his works, but the devil is very much at work here (4–13). Besides, watching such things stirs up unholy passions and lust for pleasure (14). Others object that there is mention of the racecourse in Scripture (for example, 1 Corinthians 9:24; 2 Timothy 4:7; Hebrews 12:1) and he readily agrees that races alone are innocent, but they necessarily get involved with abuses already mentioned. The games are also cruel (19). This is the context in which, in other circumstances, the crowd are crying for Christians to be sent to the lions! You may attend anonymously, for no one knows you are a Christian – but God sees (27)! Finally, the real spectacle will be the last judgment, in which evildoers will be punished (30).

The terse statements of Christian writers against divorce, abortion, and exposure reveal recognized policies that needed no extended defense, even if they were not universally observed. The question of attendance at the spectacles was still an open question as late as the early third century. This suggests that in earlier years, it was no less widely assumed to be acceptable for Christians. Equally disputed by this time was the possibility of Christians serving in the army, not only because of the disapproval of killing, but also because of the idolatry involved in military practices (Tertullian, *The Chaplet*). By the third century, other policies were developing with regard to certain occupations forbidden to Christians: artisan of images of the gods, pimp, prostitute, actor (because of both the religious and obscene content of plays) and the like. It was to be several centuries, however, before such policies were clearly formed. In the meantime, we can assume that life went on as usual.

8   A Real Christian Family

We have some information about life in one particular Christian family in early second-century Rome: that of Hermas as revealed in the details of his narrative known as the *Shepherd*. Some have doubted the historicity of these family details; whether historical or not, the story of the family is typical of its social location. Hermas was

raised as a *threptos*, an abandoned baby picked up and raised by someone else in slavery. Having then been sold at least once, he was later manumitted. How and when he came into the Christian community is not known. At the time of writing, he is a freedman householder with an *oikos*, that is, a familial establishment, probably a modest *domus* of the kind to be seen at Pompeii or Herculaneum. Besides wife and children, there are probably slaves present in the household, but no reference is made to them.

Hermas is engaged in various financial ventures, and his household seems to be a rather typical Roman family of humble status but comfortable means. His unnamed wife is criticized for having too loose a tongue, a typical misogynist complaint. His children may in fact be adult children, still under his *potestas*, who have been behaving irresponsibly, disrespectful of his parental authority. Details are not given, except to say that they have acted lawlessly and that Hermas, because of his affection for them, has not exercised proper discipline. He was expected to act with authority to control them. If his children were indeed adults, it would determine Hermas' age to be rather advanced as rates of life expectancy went. Hermas is the one upon whom the blame falls for the misbehavior of both wife and children; as paternal authority, he is legally and socially responsible for the conduct of everyone under his power. Hermas is not a leader, but a member of a Christian community (*Vision* 1.2–3) When, however, he receives his special revelation, he is instructed to read it "with the presbyters (or elders) who preside over the church" (*Vision* 2.4.3).

These details about the family life of Hermas are woven into the revelatory narrative of the text in such a way that it is difficult to extract them. All is not well in either the household or church of Hermas. This is perhaps a mirror of what family life in the early church was like, caught, as it always is, between ideal and reality.

9   Parental and Sibling Language and Interaction between Family and House-Church

From the earliest years of the Christian movement, the language of family, both parental and sibling, was commonly used. This is not surprising, considering the use of similar language both in the synagogue and in some *collegia* and other kinds of associations in Greek and Roman cities.

Language of fatherhood for God is ubiquitous in the New Testament and other early Christian literature, a practice already begun in the Hebrew Scriptures and Intertestamental Literature (for example, Isaiah 9:6, 63:16, 64:8; Jeremiah 3:4, 3:19; Malachi 1:6, 2:10; Psalms 68:5, 89:26; Wisdom 2:16, 14:3; Sirach 23:1, 23:4, 51:10; 3 Maccabees 2:21, 5:7; 4 Esdras 1:28–29). It seems to have been characteristic of Jesus himself, as his practice of calling God "father" is present across the Gospel traditions. Parental language for members of the community begins at least metaphorically already with Paul, who sometimes casts himself as authority in the image of father to the communities he founded (Philippians 2:22; 1 Thessalonians 2:11; Philemon 10) and at least once as nursing mother (1 Thessalonians 2:7, on the majority reading). Mutual relationships in which older members are to

be revered like parents also appear: older men are to be treated as fathers, older women as mothers (1 Timothy 5:1–2). The author of the First Letter of John acknowledges familial relationships in the community to whom he writes: children, fathers, and young men, that is, men in three different generations of age and experience (1 John 2:12–14).

Sibling language is just as common, though not ascribed to Jesus himself. The practice for Judeans to address fellow Judeans with sibling language is witnessed frequently in Acts of the Apostles (for example, Acts 2:29, 2:37, 3:17, 13:15, 23:6), as well as within the group of believers (Acts 6:3, 9:30, 11:1, 15:7). Both Stephen and Paul in hostile situations hedge their bets by calling their audience both "fathers" and "brothers" to appeal to both elders and contemporaries (Acts 7:2, 22:1). Paul frequently addresses communities he founded with the generic masculine plural "brothers" (for example, Romans 1:13; 1 Corinthians 1:10, 1:26; 2 Corinthians 1:8, 8:1; Galatians 1:11; Philippians 1:12; 1 Thessalonians 1:4; 2 Thessalonians 1:3). Sibling address is not limited to Paul (James 1:2; 2 Peter 1:10; 1 John 3:13). Those who treat older men and women as fathers and mothers in the community of 1 Timothy should also treat younger men and women as brothers and sisters, with an additional concern added towards young women: "in perfect purity" (1 Timothy 5:1–2).

Figurative use of the imagery of slavery should also be included as household language, since slaves were an integral part of the household. As discussed above in section 6, the self-description of leaders as slaves and co-slaves (*syndouloi*) implies the household context in which God is the master of the household.

While these patterns of household language are perhaps typical of small, closely knit groups, there is more going on here. The expectation is that all members of the Church will see each other as members of a larger family and will treat each other accordingly – another ideal that no doubt was not always realized in experience. When combined with the seemingly anti-family rhetoric of the Synoptic Gospels, a subtle change is being urged. While Roman society was heavily based on the household as basis for the state, that ideal was being gradually undermined by replacing the family and household of origin with another: the Church community, at first a small local gathering, then a city-wide association of house-churches and eventually an inter-urban network of churches. We see these networks being formed already in the New Testament: the seven cities of Revelation, Colossae and Laodicea in the Letter to the Colossians, the liaison of the churches of Corinth and Rome in 1 Clement. With this gradual change comes an adjustment in loyalties. One's first duty is no longer to immediate family but to that larger family in which relationships are to be modeled on the family and household. Discipleship takes priority over family.

In the developing leadership structures of the churches, management language is usually used and eventually becomes normative: *episkopos*, *presbyteros*, *diakonos*, terms that will eventually become "bishops," "presbyters/priests" and "deacons," but should not be so translated in their first appearances (see already, for example, the *episkopoi* and *diakonoi* of Philippians 1:1, who are hardly to be understood as bishops and deacons as these offices develop later). Parental and sibling language was not abandoned, however, and familial models were still in play as, for example, when Ignatius of Antioch, one of the first true "bishops" in the monarchical model of

government that he is promoting in the early second century, likens his authority to that of God the Father (*Magnesians* 13.2; *Smyrnaeans* 8.1).

One of the major questions that remains is: what effect did this gradual transition have on actual families? What effect did it have on adult parent–child relations that other important persons in their lives were addressed with parental language? What effect did it have on sibling relationships that a much wider circle of persons were called and thought of as brothers and sisters? During the first years and even during the first centuries, these changes were not yet in full swing. It was not until the third and especially the fourth century that their effects began to be felt. By that time, the struggle for patronage was well underway. Private patronage, one of the supporting pillars of the Roman social system, continued to be practiced by Christians, but it was in competition with the centralizing tendencies of Church leadership. The bishop was becoming the most powerful patron in their social world (Bobertz (1993); Osiek (2008)). By the fourth century, a certain yielding can be seen of household authority to episcopal authority, even though control of marriage remained a family matter until the Middle Ages. By this time, however, the family is besieged from two different directions that are yet in alliance with one another: episcopal power and the ascetic movement that threatens to disrupt succession and inheritance patterns at the highest social levels.

This transformation took a long time. By the fourth century, its effects can be seen, but should not be read into the first, second and most of the third century, when the life of Christians was not so different from their neighbors.

FURTHER READING

The context for studying the early Christian family is the very wide field of study of the Roman family and, to a lesser extent, the Greek and Judean family (Cohen (1993)), about which there is much less material in the relevant period and much less written. Therefore, a solid foundation in study of the Roman family is essential to avoid reading later data of the Christian family from the fourth century and beyond into earlier years. The books most central to the interest are Moxnes (1997); Osiek and Balch (1997); Balch and Osiek (2003); and Osiek and MacDonald (2006). Because the study of the Christian family is inseparable from study of the house-church, Gehring (2004) is also useful. The volume edited by Moxnes (1997) contains short essays by a variety of mostly European scholars on a variety of aspects, including the metaphorical use of family language. The collection of essays in Balch and Osiek (2003) is widely interdisciplinary and attempts to recreate the historical, social, and archeological environment for early Christian life. The basic (and first) attempt to present the whole field in a monograph is Osiek and Balch (1997), while Osiek and MacDonald (2006) assumes all of what has gone before and pushes further on implications for women in Christian households.

NOTES

1   There is a growing consensus to refer in the Hellenistic and Roman periods not to 'Jews' but to 'Judaeans' (or Judeans) to distance from later connotations of a distinctive category and

religion that did not exist in the early Empire, and to reflect social and cultural derivation from Judea, comparable to other ethnic groups from their region of origin. See Mason (2007).

2   Older translations will read 'Junias' (a male name) based on erroneous medieval exegesis. See Epp (2005).

3   The meaning of the second half of verse 7:21 is ambiguous. Some translators take it to mean 'even if you could obtain freedom, stay as you are.' It is more likely to mean 'take advantage of the opportunity.'

PART II

Kinship, Marriage, Parents, and Children

Consubstantiality, Incest, and Kinship in Ancient Greece[1]

Jérôme Wilgaux

1 "What is Kinship all About?" David Schneider's Cultural Approach

In the nineteenth century, kinship studies, whether conducted under the banner of history, anthropology or sociology, became central to the social sciences by focusing on descent and alliance with an approach based on the study of norms and practices. Nevertheless, the so-called "nature of kinship" debate initiated by Ernest Gellner ((1957), (1960)) showed how difficult it was to come to a consensual definition and to establish clear-cut distinctions between biological facts and socio-cultural processes. With David Schneider's works ((1980), (1984)), kinship studies have taken a cultural and symbolical turn and are now careful to account for the way in which different cultures define intergenerational relationships, ensure a diffuse and enduring solidarity and make sense of gender differences, sexuality and reproduction mechanisms.

According to Schneider (1980), the culturally formulated symbols that are used to define and differentiate American kinship combine two orders, the "order of nature" and the "order of law." People who are related "in nature" share the same substance, the same "blood": these relationships are formulated in biogenetic terms because they are created by sexual intercourse, and as such they are defined as objective, permanent, and unalterable. People who are related according to the law, by marriage for example, follow a particular code for conduct, a particular pattern for behavior. However, these relationships, which are temporary and a matter of volition, do not have the same strength as the biogenetic: a mother is always a mother, whatever her attitude or feelings towards her child. In this definition of

kinship, sexual intercourse and reproduction play a central role since conjugal love is embodied in the newborn, who is made up of the biogenetic substances of both parents and irrevocably linked to them by a powerful relationship, cognatic love.

Such a definition of kinship should not, however, be considered as universal. In many non-European societies, birth and biological relationships are not essential to the definition of kinship. On the contrary, kinship may be established on the basis of performance and conduct, in which case what one does outweighs what one is by birth. While we are well aware that representations of reproduction may vary greatly from one culture to another, we must also take into account the fact that such representations do not always play the same role in establishing kinship as they do in contemporary Western cultures. In order to avoid ethnocentric biases, researchers must therefore pay attention to the particular categories and definitions developed by each different culture.

That being said, we cannot but observe strong similarities between the evidence found in Classical Greek sources and David Schneider's accounts of contemporary American representations, which rest on the "state of being" and are rooted in the biological facts of procreation. The terminology used for immediate lineal kinship offers a good example of this point of view.

2 *Nothos*, *Gnêsios*, and *Poiêtos*

David Schneider noted that American culture combines the two orders of nature and law to account for three different categories of relatives: relatives in nature; relatives in law; and blood-relatives, who are relatives in both law and nature.

Those categories can easily be found in Classical Athenian sources, where three different terms are used to describe a citizen's children: *gnêsios*, *nothos*, and *poiêtos*.

Lexicographers usually define the first two as opposites: *gnêsioi* are born of a lawful marriage (*ek nomimôn gamôn*) whereas *nothoi* are conceived outside marriage (in cohabitation – *ek pallakidos* – or adultery; see, for example, *Etymologicum Gudianum*, s.v. *nothos*) and, as such, they are denied any rights to inheritance and do not belong to the *anchisteia hierôn kai hosiôn*, the religious community that unites the closest kin (see Isaeus 6.57; Demosthenes 43.51; Ogden (1996); Ebbott (2003)). *Poiêtoi* are as legitimate as *gnêsioi* but their legitimacy is based on adoption (*kata poiêsin*, *thesei*) as opposed to natural relationships (*kata genos*, *phusei*). In order for the legal recognition to be effective, the adoptive father needs to register the adopted child with his own *phratry* and *demos*. However, *gnêsioi* are defined as *homaimoi*, "sharing the same blood," which is not the case for *poiêtoi*, thus ensuring that those two categories remain distinct. Most sources, moreover, clearly speak in favor of birth relationships over adoptive or friendly relationships. In one of his speeches (*On the Estate of Cleonymus* 41–43; see also *On the Estate of Nicostratus* 15–17), Isaeus indicates that in matters of inheritance Athenian jury members could choose to oblige those linked to the deceased by birth rather than those chosen by deed. The same information can be found in the *Problêmata* (29.3, 950b) attributed to Aristotle. More generally, Lycurgus (*Against Leocrates* 47) also expresses the same preference for "natural"

relationships: "Men do not hold their foster parents so dear as their own fathers (*tous phusei gennêsantas kai tous poiêtous tôn paterón*), and so towards countries which are not their own (*phusei*) but which have been adopted (*epiktêtous*) during their lifetime they feel a weaker loyalty."

Lycurgus' parallel between adoption and naturalization is all the more justified as the procedures are both linked to the same semantic field of *poiêsis* ("creation," "making") and as the new member, in either procedure, is not given the same rights as the *gnêsioi*.

If we choose to focus on Athenian adoption only (cf. Rubinstein (1993)), without listing all the possible restrictions that depend on the chosen legal procedures, the main limits to the rights of adoptive parents and adopted children are the following:

1 Adoption is forbidden when there is a legitimate son by birth, a *gnêsios* whose natural rights are thus protected.
2 An adopted son is not allowed to hand down the *oikos* he has inherited to an adopted child of his. His duty is therefore to engender a legitimate son. It also looks as though a *poiêtos* does not benefit from the same rights as a *gnêsios* when confronted with the rights of the ascendants or collaterals of his adoptive father.
3 According to Desmosthenes' *Against Spoudias*, adoptions may be broken in the case of a dispute between the two parties and all relations severed between the adoptive parent and child, whereas some obligations remain in the case of a "natural" relationship.

Finally, it is worth noticing that in our fourth-century sources, the degree of kinship between the adoptive parent and child can be ascertained in 25 out of 36 known cases: in all of these cases, there is always a female link (four affines and 21 uterine blood-relations), as though the adoptive relationship could only be built upon a pre-existing blood-relation or, in the case of affines, as though adoptions were meant to replace alliances. Isocrates (*Aegineticus* 19.46) offers a good example: "And from what family would he have more gladly seen a son adopted according to law than that from which he sought to beget children of his own body?"

As far as the following generation is concerned, on the other hand, the legitimate son by birth of a *poiêtos* may claim the very same rights as the legitimate son by birth of a *gnêsios*.

Several differentiating criteria have been used in this short presentation: birth, law, belonging to the same religious communities (for example, the same *phratry*). A certain hierarchy has appeared between the different categories, the *gnêsioi* being advantaged over the *poiêtoi*, who in turn have more rights than the *nothoi*. In brief, it can be said that the "diffuse and enduring solidarity" – to use David Schneider's terms – that unites the members of a kin group is based on the recognition of a small number of elements:

1 natural birth links defined by the sharing of the same blood;
2 abiding by the same conventions, divine and civic norms (see notably Rudhardt (1962) and Dasen (2009a));
3 sharing the same gods and rituals (see Brulé (2007) especially chapter 19).

Links between two individuals tend to be stronger, more permanent, and unalterable when all three elements are associated. Strongest solidarity ties, inside or outside the same city, are expressed in the idiom of kinship.

My aim, in this chapter, is to discuss the first element, the importance of birth and of shared bodily substances in the Greek definition of kinship, principally from Classical Athenian sources.

3   Kinship as an Objective Fact of Nature

Let us begin with a tragedy by Euripides, *Alexandros*, which is now lost but which has been sufficiently quoted and glossed upon for us to reconstruct the plot easily (cf. Hyginus, *Fabulae* 91).

Hecuba, Priam's wife, is pregnant with Paris-Alexander and learns from a dream that the child she is bearing will cause the fall of Troy. He is therefore exposed upon being born but a shepherd rescues him and raises him. Twenty years later, Hecuba, who has never ceased to mourn her lost child, asks for funeral games to be held in his honor. Paris takes part in the games and outshines his natural brothers who, in their anger, seek to kill him. The tragedy ends with a recognition scene around the altar of Zeus *Herkeios*, protector of family relationships, in which Paris is admitted back into his family and recovers his full rank, even though he still represents a threat for the whole city.

It must first be noted that according to the law, Paris-Alexander has not been recognized since he was exposed, which means that all links with his next of kin have been severed; Hecuba's affection for him does not subside, however (Jouan and van Looy (1998) f.5, see "Euripides"), and even goes so far as to justify the organization of games in his honor! Affective and religious bonds are therefore dependent on birth alone rather than on legal recognition.

What is more, the *Hypothesis* and the preserved fragments show that the young man's nature (*phusis*), his appearance, his physical qualities are superior to those of a shepherd and bear strong resemblances to Priam's sons (*Hypothesis*; Jouan and van Looy (1998) f.7): kinship is mainly revealed by a corporal continuity between parents and children. Let us develop these points.

In the course of his definition of the type of love, *philia*, that members share within different communities, Aristotle mentions kinship:

> Parents (*goneis*) then love their children as themselves (one's offspring being as it were another self – other because separate); children love their parents as the source of their being; brothers love each other as being from the same source, since the identity of their relations to that source identifies them with one another, which is why we speak of "being of the same blood" or "of the same stock" or the like (*tauton haima kai rhizan kai ta toiauta*); brothers are therefore in a manner the same being, though embodied in separate persons … Cousins and other relatives derive their attachment from the fraternal relationship, since it is due to their descent from the same ancestor; and their sense of attachment is greater or less, according as the common ancestor (*ton archégon*) is nearer or more remote. (Aristotle, *Nicomachean Ethics* 1161b28–1162a2)

It could not be more clearly said that kinship is inscribed in the body through reproduction: giving birth to someone and being born of someone are essential in establishing a relation of kinship. For a father and a mother, the newborn child is like a piece of their own flesh which comes apart to form a distinct and yet similar person. Corporal identity and attachment are therefore linked: the closer the genealogical link, the stronger the feeling of love.

Our main sources for the Classical Greek representations of procreation are Aristotle's works and the Hippocratic corpus: though there are marked differences, these authors share the same views on the complementarity of the two genders in the biological process of reproduction (a man and a woman are needed for a child to be conceived) and on their respective significance. According to the Hippocratic representation, which is duogenetic, there are two types of seed, male and female, though the male contribution is predominant; according to the Aristotelian representation, which is monogenetic, the male alone plays the active role, the female being but a kind of protective and nurturing receptacle (see Grmek (1991); Coles (1995); Dean-Jones (1994); King (1998); Bonnard (2004)). Common representations undoubtedly had it that the qualities of both the father and the mother were to be found in the child, which meant, for example, that the union of Thalestris, queen of the Amazons, and Alexander the Great was expected to engender a son whose valor would supersede that of all other human beings (see Diodorus Siculus 17.78.2–3; Justin 2.4.33; Quintus Curtius 6.5.29–32; Plutarch, *Alexander* 46.1).

This definition of kinship is therefore cognatic, meaning that the children are linked to both parents and that the strongest resemblances are to be found between siblings. With each new alliance and each new generation, these bodily links weaken because of the cognatic character of the transmission.

Through the procreative process, the embryo, fetus, and child becomes the material and formal continuity of his genitors. Several bodily substances play a key role in the process, as vectors and metaphors of kinship, especially blood (*haima*) and sperm (*sperma*, *sporos*, *gonê*). As shown by the twelfth-century Byzantine scholar Michael Italikos (*Letters* 35), who draws on classical examples, the word *homaimos*, which some of his contemporaries took to refer to siblings only, can also be used for cousins, grandchildren, nephews and nieces, in short, "the ascendants, the descendants and the collaterals," that is, all the next of kin – the *suggeneis* – in so far, precisely, as they "share the same blood," regardless of whether it comes from the male or the female side.

Blood and sperm are closely related in Greek representations: Aristotle, for example, and many other authors throughout antiquity, considers that sperm is derived from blood and therefore bears the same qualities. In classical literary sources, the same words, *homaimoi* or *homosporoi* ("those who are born of the same sperm") are often used indifferently to designate children and siblings. The second term, *homosporoi*, however, is most often restricted to siblings born of the same father, which enhances patrilinear links.

Words solely related to female bodily substances or to the uterine origin (such as *homogastrios*, *homonèduos*, "born of the same womb," for example) are seldom used.

Homogalaktes, which means "those who have been fed the same milk," is attested in very few classical sources and is often used for a "fictitious" kind of kinship at that, that is, for members of some of the groups that make up a city and who are supposedly related to a common ancestor though they have not, of course, really been fed the same milk (see Aristotle, *Politics* 1.2.1252b18; Philochorus, *FGrH* 328 F35).

Kinship is therefore linked to the body and revealed by physical similarities: a child must inevitably resemble each parent, his father as well as his mother: "It is impossible to look like the mother in every aspect and not at all like the father, or the other way round, as it is impossible to have nothing in common with either of them" (Hippocrates, *On Generation* 8.1, my translation). In some "barbarous" societies, where monogamous marriage was non-existent, the social recognition of filiation was solely based on such physical resemblances, as seen in Herodotus (4.180.5–6) when he writes about the Libyan Auseans:

> The intercourse of men and women there, is promiscuous; they do not cohabit but have intercourse like cattle. When a woman's child is well grown, the men assemble within three months and the child is adjudged to be that man's whom it is most like.

In the first century BCE, Nicolaus Damascenus attributes the same custom to the Liburni (apud Stobaeus, *Eklogai* 44.41 = *FHG* 3.458, Fr. 111 = *FGrH* 90 F103):

> The Liburni have their wives in common and raise their children in common up to the age of five; when the children are six, they are all gathered and physically compared to the men. Each father is given the child which looks most like him and from then on considers him as his son. (my translation)

The transmission of physical traits, which enable men to recognize their children in the two examples above, has given rise to many anecdotes in Greek literature, all emphasizing the role of heredity in the constitution of each individual. Some families are thus characterized by birthmarks which are passed on generation after generation and used to prove one's descent and share of particular qualities. According to several sources, Justin among them (15.4.3–9), Seleucos, the founder of the Seleucid dynasty, was the son of Apollo and an anchor-shaped mark on his thigh, as well as on his children's and grandchildren's, was a reminder of their divine origin, but the most famous example is without doubt that of the Theban Spartoi who were born of the dragon teeth sowed by Cadmus and whose bodies all bore the same spear-shaped birthmark (Dasen (2009a)).

Plutarch (*On the Delays of the Divine Vengeance* 41.563A) shows that the hereditary transmission can be moral as well as physical, can be more or less apparent and sometimes jumps a generation:

> only to those whose nature acquiesced in and espoused the family traits, did punishment, pursuing the vivious resemblance, make its way. For as the warts, birthmarks and moles of the fathers disappear in the children to reappear later in the children of sons and daughters, and as a certain Greek woman, on bearing a black child and being charged with adultery, discovered that she was fourth in descent from a [black person] …

It was also generally believed, in Classical Greece, that acquired characteristics are inherited: parents impart to their children certain physical and psychological qualities which they themselves have inherited but the transmission takes into account the way in which the parents have changed during their lifetime. As Aristotle observes in *Generation of Animals* (1.17.721b29–34):

> Children are born which resemble their parents in respect not only of congenital characteristics but also of acquired ones; for instance, there have been cases of children which have had the outline of the scar in the same places where their parents had scars, and there was a case at Chalcedon of a man who was branded on his arm, and the same letter, though somewhat confused and indistinct, appeared marked on his child.

All these observations allow us to understand the importance of heredity in Greek culture and the way in which an individual's ascent, body, social personality and aptitudes are all closely linked, which explains the hereditary character of many practices such as that of soothsayer or seer (cf. Flower (2008) chapter 2). They also allow us to understand all the references to blood and ancestors in Classical Greek literary sources, which are often deemed sufficient enough to explain a character's behavior. For example, a man who had hit his father was acquitted on the grounds that the latter had also hit his own father; Aristotle explains that the offence was considered as natural (*phusikèn hamartian*) or hereditary, as we would put it, and that the son could not be blamed personally (Aristotle, *Magna Moralia* 2.6.20.1202a).

Based on the recognition of physical and moral resemblances, affective bonds between relatives are considered as natural and spontaneous and no one can dismiss them:

> and affection (*philia*) for oneself resembles the affection of relationship: neither connection is in people's own power to dissolve, but even if the parties quarrel, nevertheless relatives are still relatives and the individual is still one as long as he lives. (Aristotle, *Eudemian Ethics* 7.6.1240b35 *sq*; see also Anonymus Seguerianus, *Politikos logos* 6)

Family quarrels, among brothers for example, can thus engender doubt about the genuine origin of the brother who does not show respect for his close relatives (see, for example, Demosthenes 45.83–84).

In the second book of *Politics* (1262a–b), Aristotle criticizes the apparent conventionalism in Plato's *Republic* on the grounds that kinship is founded on natural relationships: for Aristotle, not only do children naturally look like their parents but they feel a natural respect for their real parents. Names, feelings and behavior cannot be institutionally prescribed by the city; rooted in nature, they can only be taken into account by the city's institutions lest social and religious chaos occur. To behave improperly with one's own father is a crime and causes a pollution (*miasma*), even if the child is ignorant of the relation (see, for example, Diogenes Laertius 6.62). A narrative by Pausanias (4.9, 4.12.5–6) is a perfect example of acknowledgment of natural kinship by the gods. During a war episode between the Messenians and the Lacedaemonians, the Messenians are told by the Delphic oracle that their victory depends on the sacrifice of a daughter of the Aipytides lineage. Lots are drawn and

Lykiscos' daughter is designated, but he flees to Sparta with her to save her. However, she dies shortly after. A soothsayer and a priestess reveal that the young girl is not in fact Lykiscos' natural daughter but was given to his wife, the priestess being her natural mother (the natural father's identity is not disclosed).

Social and natural kinship are repeatedly opposed throughout the narrative, the only valid relation from a religious point of view being the latter. Lykiscos may well have felt a great affection for the young girl he had raised, but from the gods' point of view the accomplishment of the oracle required that Aipytides blood should run in the girl's veins. Lykiscos had therefore no reason to flee. The priestess, however, was obliged to renounce her duty, since parents who had lost a child were barred from priesthood in Messenia. The fact that the priestess had abandoned the child at birth is therefore not taken into account.

Along the same lines, we should also note that in Classical Greece the recruitment of kinship groups and civic subdivisions is patrilinear, whereas religious pollution is bilateral, as can be seen in the famous case of the Alcmaeonids: Pericles is considered as a bearer of the hereditary pollution of this lineage because his mother belongs to it (Thucydides 1.126–27; see also Herodotus 1.61 on Pisistratus' refusal to have sexual intercourse with his Alcmaeonid wife).

Moral and religious obligations and constraints are therefore not restricted to social kinship but also affect relationships by birth. Procreation as such induces a natural kinship, a blood-relationship which entails the same essential duties as legitimate kinship. For example, an adopted child must still attend his "natural" father's funeral and vice versa (Demosthenes 44.32); similarly, a man who was forced into prostitution by his father is freed from certain obligations towards him but still has to bury him and perform the other customary funeral rites (Aeschines, *Against Timarchus* 13). Generally, a child who has not been recognized or who has been adopted by another family must still show respect for his/her natural parents, abstain from any form of violence towards them and from any type of sexual or matrimonial relationship with them.

4   Incest in Ancient Greece

Kinship-related sexual and matrimonial prohibitions, namely "incest," associate the closest kin in the same category ("the unalterable core of any kinship system," to take up Enric Porqueres' expression (2005)) which is more or less extensive depending on the society and culture. These prohibitions have often been interpreted socially by researchers but we should also examine the role played by the body, the prime matter of a symbolical system, in the definition of close kinship and of the pertaining prohibitions. Such an approach was suggested by Françoise Héritier (1994) in her study of the prohibitions that concern not only the "first-type incest," between blood-relatives, but also what she defines as a "second-type incest," between those who are not blood-relatives as such but are nonetheless linked through the intermediary of one of their blood-relatives, as is the case, for example, for two sisters sharing the same lover, or for affines in general (for example, a man is not allowed to marry his father's second wife or his wife's sister).

Defining a "second-type incest" allows Françoise Héritier to complete the theory developed by Lévi-Strauss in *The Elementary Structures of Kinship* (1967) with a "humour theory" which fully accounts for the transmission or contact of physical or psychic substances. Generally speaking, incest can be considered as the coming into contact of bodily substances which are deemed identical:

> Uncovering the existence of a second-type incest results in a definition of incest prohibition as a problem related to the circulation of fluids from one body to another. The fundamental criteria for defining incest is the contact between identical humours. What is at stake there is the very basis of human societies, namely the way in which they build up their categories of difference and identity. Their classification of bodily humours and the prohibition/incitement regime that regulates their circulation is precisely founded on these two categories. (Héritier (1994) 11)

Héritier discusses Classical Greece on several occasions in *The Two Sisters and their Mother* (1994), examining the prohibitions, transgressions and conceptions of reproduction that can be found in various sources and more specifically in Aristotle. Her book, which urged historians to further confront social norms, mythical narratives, and philosophical theories, was highly controversial in that it insisted on extending the concept of prohibition to the affines in the classical world whereas most researchers held a contrary opinion, especially in France (Glotz (1899); Vernier (1996); Vérilhac and Vial (1998); Bonnard (2002); Barry (2005)). More generally, the book also questioned the way in which the body might be taken into account in defining incest in Classical Greece. According to Héritier, for example, Hippolytus, in Euripides' tragedy, is terrified by the love that his stepmother feels for him, because such a relationship would allow for the identical bodily substances of a father and a son to come into contact via Phaedra's body (Héritier (1994) 63).

Let us begin our own analysis of the question with a few definitions. The word "incest" which is now in use has no exact equivalent in ancient Greek (for a general discussion of incest in ancient Greece, see Beauchet (1897); Glotz (1899); Rudhardt (1982); Karabelias (1985); Cox (1989–1990)). When writing about forbidden unions, Greek authors use expressions such as *gamos anosios* (for example, Aristophanes, *Frogs* 850; Sophocles, *Oedipus at Colonus* 945–46; Euripides, *Electra* 600, 926–27) or *gamos asebès* (for example, Aeschylus, *Suppliant Women* 10), which can be translated as "unholy unions" and apply to all sorts of different prohibited unions, such as close kinship, but also adultery (for example, Euripides, *Electra* 600, 926–27), the rape of a female prisoner by her custodian (Xenophon, *Cyropaedia* 6.1.35), any type of sexual union occurring in a sanctuary (for example, Pausanias 7.18–21; Hyginus, *Fabulae* 185), a monstrous love for an animal (Schol. Aristophanes, *Frogs* 850), etc. In short, these expressions stigmatize any union which is deemed contrary to the divine law, to nature, to morality, and is therefore liable to pollute not only its author but also the community to which he/she belongs.

The specific reason why such and such an "unholy union" is condemned in our sources is therefore not easily defined, which accounts for our uncertainty concerning the existence of prohibitions between affines in ancient Greece. One thing that is clear, however, is that the prohibitions concerning blood-relatives were quite

limited and that marriages between close kin were frequent: the three relationships that were actually forbidden and constantly referred to by Classical Greek authors were, for a man, his sisters, mother and daughters, which of course implies any direct ascendant or descendant (see, for example, Euripides, *Andromache* 173–178; Plato, *Republic* 5.9, 461b9–c6; Xenophon, *Cyropaedia* 5.1.10; Sextus Empiricus, *Outlines of Pyrrhonism* 3.246). According to several sources (for example, Demosthenes 57.20; Philo Judaeus, *De Specialibus legibus* 3.22; Plutarch, *Themistocles* 32; Minucius Felix, *Octavius* 31.3), an Athenian could marry his half-sister by the same father but not his half-sister by the same mother; unions with one's half-sister by the same father can also be found elsewhere in ancient Greece (in Sicily or Macedonia for example). According to Philo Judaeus (*De Specialibus legibus* 3.22), the opposite rule prevailed at Sparta, and marriage was allowed in this city with half-sisters by the same mother (and not by the same father), but we have no evidence to verify this assertion. It can therefore be said that whereas social norms generally favor paternal links, sexual and matrimonial prohibitions are more extensive on the maternal side in the Greek world.

The transgression of prohibitions concerning blood-relatives is universally reproved since they are considered as self-evident and imposed by the gods. Comments on these matters therefore tend to be scarce and brief. In Plato, for example (Plato, *Laws* 8.838a–d), a mother, sister and daughter are protected from any unaccomplishable desire by respect for an unwritten law (*agraphos nomos*) and for the will of the gods, by the various examples set in the tragedies and by the power of public opinion. In Xenophon's *Memorabilia* (4.4.19–23), Socrates accounts for the prohibitions concerning mother and daughter by explaining that such unions engender weaker children since their parents are outside the proper age for conception (on the proper age for procreation, see, for example, Aristotle, *Politics* 7.16.1334b *sq*; *Generation of Animals* 4.2.766b29–30); no explanation is given for the prohibition of a union with one's sister. Some explanations can also rest on the recognition of natural links that no one may dismiss, as already shown: for Aristotle in *Politics* (1262a32–40), for example, the bodily continuity between a father and son goes together with a natural affection and paternal love, which is self-sufficient in a way, and is considered as a major obstacle to the development of "erotic" relationships.

For a more detailed study of the way in which natural links and the sharing of bodily substances are used to stigmatize incestuous relationships, the richest source is no doubt Sophocles' well-known tragedy *Oedipus Tyrannus*.

Performed at an unknown date in the second part of the fifth century, this tragedy "is the story of a man's discovery, through persistent inquiry, that he is guilty of unwitting parricide and incest, and his horrified reaction to that discovery" (O'Brien (1968) 7). The plot as such is politically significant since Oedipus, who reigns alone, embodies the potential threats of tyrannic rule for any city. A man who wishes to govern must abide by family conventions as well as civic conventions and, within the Athenian elite system, incest charges can be used to weaken a political rival and to question his loyalty to the values of democracy (Cox (1989–1990)). The play is thus based on ancient Greek representations of kinship and the city and

the way in which the Greeks deal with major religious transgressions. The different themes we have just outlined can easily be found in the play: at the beginning, Creon tells Oedipus that the cause of this *loimos* that is plaguing Thebes is the unpunished murder of the former king (Laius); neither of them know at this stage that the murder is a parricide and was committed by Oedipus. From the legal point of view, Laius cannot be considered as Oedipus' father since he exposed him at birth thereby proving that he refused to recognize him as his own. The murder, however, is undeniably a pollution and we are again made to note that the natural kinship linking Laius and Oedipus cannot be undone and that the gods sanction any offence that is committed amongst blood-relatives, whether it is voluntary or not, whether the protagonists themselves are actually aware of it or not (see Konstan (1994)).

The role played by the body in defining kinship, which we have already seen numerous examples of, can also be found in the tragedy: before the truth is unveiled, Oedipus learns from Jocasta that his *morphê*, his physical aspect, is very much alike that of Laius (740–43); as Oedipus' identity is revealed, little by little, the horror of his acts is particularly underscored by the evocation of bodily substances: Laius and his son have the "same sperm" (*tauton sperma*, 1405) and the same blood (*toumon haima*, 1400; *haim'emphulion*, "the blood of the kin,"1406). As Anne-Marie Vérilhac and Claude Vial ((1998) 96) have shown, this particular insistence of the similarities between the two men tends to blur the difference between first-type and second-type incest, "Jocasta being but the meeting point of Laius' and Oedipus' sperms." To take up and pursue their analysis, we should focus on two occurrences of the word *homosporos* (260 and 460) since the word always denotes the identity between blood-relatives except in this tragedy where it is used to transfer this identity into affinity:

> But now, since I hold the powers which he once held, possessing his bed and the wife who bore his children (*echôn de lektra kai gunaich' homosporon*), and since, had his hope of offspring not been unsuccessful, children born of one mother would have tied us with a common bond. (Sophocles, *Oedipus Tyrannus* 258–62)

> And he will be discovered to be at once brother and father of the children with whom he consorts; son and husband of the woman who bore him; heir to his father's bed; shedder of his father's blood (*kai tou patros homosporos te kai phoneus*). (Sophocles, *Oedipus Tyrannus* 457–60)

Without going into the details of the translation problems inherent to these extracts, we can see that in the first one, Oedipus himself uses the word *homosporos* to define his relationship with Laius, though he is still unaware, as opposed to the audience, that he is in fact Laius' son, his actual blood-relative; the use of the same term, *homosporos*, first in the passive sense and then in the active sense, which stresses Oedipus' culpability, allows Sophocles to stigmatize the sexual relations that two blood-relatives, Oedipus and his father Laius, have with the same woman, Jocasta.

According to the scholiasts, the term *homosporos* is not only applied to Oedipus and Laius in the common sense of father and son or siblings but also means that they have inseminated the same woman; birth is not the only way of becoming a *homosporos*: two

men sharing the same woman are also *homosporoi* and become brothers in a way (see Bollack (1990) 2.172–74). These extracts underline the close bonds between children of the same mother and different fathers, and, through the children, between the fathers themselves, the successive husbands of the same woman. When several men have relationships with the same woman, their children can be considered as common and the husbands themselves as *homosporoi*. This identity between parents and children is extended to spouses, and even to successive spouses. Vital principles such as blood and sperm play the role of identity principles, not only between ascendants and descendants but also between spouses: the confusions resulting from incestuous relations are thus even greater and are expressed in terms of bodily substances.

In Classical Greece, parents and children share the same bodily identity, but so do spouses; the different meanings of the word *sumphusis* are yet another example since it defines both the natural birth-related identity or the identity that is developed through common growth (see, for example, Aristotle, *Generation of Animals* 2.3.737b17; *Metaphysics* 5.4.1014b22, 7.16.1040b15; *History of Animals* 3.19.521b17) and the natural identity that stems from a union and fusion (see, for example, Plato, *Laws* 708d5–6; *Statesman* 308c6; Aristotle, *Physics* 4.5.213a9). According to the first sense, it is clear that a mother and her child are related by *sumphusis*, since the latter proceeds from the former and since they possess the same nature. In the second sense, *sumphusis* denotes the coming together of two individuals into one entity, and according to Aristophanes, in a famous passage of Plato's *Symposium*, marriage entails such a fusion (Plato, *Symposium* 189d *sq*, especially 192e1) (see also Ogden (1996) 229).

We can see that although a kinship system is an organized structure of social and cultural categories, which, as such, does not follow a purely biological logic, it is nonetheless evident that bodily identity, the transmission, sharing and mixing of bodily substances play a key role in Greek representations and bring to the fore the idea of "natural" kinship. Moreover, converging sources allow us to suppose that a "bodily community" is not limited to relationships between ascendants and descendants but is also created by marriage and by bodily union, which implies a kind of assimilation or identification process quite similar to the procreative process.

The community of women is a frequent theme in ancient Greek sources and must be understood above all as a way of sharing women that strengthens the cohesion of the community (as in Plato's *Republic*, for example; see Dawson (1992)). When several men have relationships with the same woman, their children can be considered as common and the husbands themselves as siblings, that is, blood-relations. Women, in the Greek representations, are considered as the place where male bodily substances meet, and mix and take effect. The female womb, which is transformed and impregnated by these successive relationships, becomes able to create identity, to turn a plurality of people into one single entity. Consequently, children born of the same mother could be considered as closer than children born of the same father, not because of a privileged maternal bond but because the maternal womb is the place where the fusion occurs. The main point is not that she gives her own blood but that she blends the different bloods. This conception allows us to understand better why it was possible in Athens to marry one's half-sister by the same father, but not one's half-sister by

the same mother, in spite of the social and civic predominance of patrilinear relations: incest is above all linked to the way in which a culture understands the body, its composition, sexuality and reproduction; in Classical Greece, prohibitions are more closely related to natural kinship, such as we have presented it, than to legal kinship.

5   Conclusion

Kinship (*sungeneia*) in Classical Greece can be defined first and foremost as a common origin, resting on the recognition of links that the Greeks themselves consider as natural, on the transmission and sharing of bodily substances. As in the current Western representations studied by Schneider, kinship is closely related to the body, which can help us understand certain obligations or prohibitions, especially where sexuality and matrimony are concerned. Matrimonial prohibitions in European countries nowadays are generally explained by the genetic risks incurred in case of close blood relationships. Much in the same way, ancient Greek representations of reproduction and heredity help us understand why the half-sister by the same mother was prohibited. One of the main differences is that the transmission and sharing of identifying substances are not limited to the relations between ascendants and descendants but also occur in the context of marriage and sexual union, which implies a kind of assimilation of the spouses. This emphasis on natural relationships can also help us understand, for example, why a legitimate son had more rights than an adopted son and why men with no sons tended to adopt blood relationships.

It must nevertheless be understood that the "nature" in question here is in fact a cultural reality, a symbolic system of representations. When studying "natural" relationships, one must therefore also look at the religious and social norms and practices that legitimize and corroborate them. What the Greek themselves considered as determined both by nature and by convention is now studied by contemporary researchers as a system of social and cultural constructs.

FURTHER READING

A good introduction to the works of David Schneider and his cultural approach is offered by Feinberg and Ottenheimer (2001). Several books provide an overview of post-Schneider kinship studies: see, for example, Yanagisako and Delaney (1995); Carsten (2000); Franklin and McKinnon (2001); Stone (2001); Carsten (2004); Edwards and Salazar (2009).

Among recent articles that use or criticize the theory of incest proposed by Françoise Héritier, one can quote Edwards (2004); Parkes (2005). On "second-type incest" in ancient Rome, see Moreau (2002).

Among the vast literature on ancient Greek conceptions about nature, see, for example, Adkins (1970); Aristotle's naturalism has been more particularly studied by Miller (1995);

Lloyd (1996); Miller (2000). A very interesting overview of ancient conceptions about the human body is to be found in Martin (1995); see also Montserrat (1998); Wyke (1998); Porter (1999).

NOTE

1   Translated by Hélène Perrin and Jérôme Wilgaux.

CHAPTER 14

Marriage in Ancient Athens[1]

Cheryl A. Cox

1   Introduction

This chapter will be concerned with fifth- and fourth-century BCE Athens. In any study of Classical Athens, the historian must depend on inscriptions, political biographies and the orations. The inscriptions, particularly grave monuments, lack narrative for the most part and the political biographies are late in date, dating to the Roman era. The orations are contemporary with the events they describe and give us abundant information on motivation and behavior. The private orators, Andocides, Antiphon, Demosthenes, Lysias, Isaeus and the minor orators, flourished from the last third of the fifth century to the end of the fourth. The emphasis of the private orations on matters involving the succession to property makes them essential for the historian studying the property interests of the elite.

No discussion of marriage in ancient Athens would be complete without first stating that ancient Athens was a shame culture, that is, one in which there was a tendency to evaluate oneself according to the way one was seen by others. Shame was caused by the fear of external sanctions. Shame and honor were closely linked as honor was fundamental to one's reputation and social worth. For men honor was caught up in public display in the political institutions of the city. A man's honor was also linked to the public behavior of his family members. For the woman public behavior meant sexual modesty. Whether married or unmarried she was expected to show reserve in her dealings with the opposite sex. Her movements, dress and behavior must fit a standard of modesty.[2]

First and foremost the emphasis in the texts is on the role of the father as the daughter's *kyrios*. As the defender of his daughter's virtue (Aeschines 1.182–83;

[Demosthenes] 40.57, 59.65; Pomeroy (1975) 86), the father gave his daughter away in marriage by the act of *engye*, the handing over of one man's daughter to another man's son ([Demosthenes] 44.49, 46.18; Harrison (1968) 3–9; Lacey (1968) 105–106; MacDowell (1978) 86–87; C.B. Patterson (1991) 48–72). By Classical times, the rite was integrally connected with the notion of legitimacy and citizenship. The father ensured that his daughter married a trustworthy man of her own status and of good repute ([Demosthenes] 47.9; Isaeus 7.11). An integral part to the marriage negotiations was the dowry. In Athens, the dowry was given to a daughter so that she could marry a fitting husband (see on brothers and sisters, below), but little is stated in the orations about discussions between father and daughter concerning her dowry. Rather, we hear more about husband and wife in the negotiations in a household.

2   Husband and Wife

Social historians and anthropologists studying European societies are now acknowledging that women could and do have a great deal of informal power at the private level of the household. Women's interests are reflected and expressed in succession practices and in the successful management of the household economy. Particularly important to the status of women is the dowry, because of its place in the conjugal household and the negotiations over its use and transmission. A large dowry ensured the woman an important role in the decisions of the marital household, it helped to stabilize the marriage and to encourage marital intimacy. Because the dowry, as the property of the woman's natal kin, would ideally be transmitted to a man's children, the man could become involved in the property interests of his wife's family of origin (Cox (1998) 70, note 5).

In Classical Athens, the male sphere of activity was predominantly the public one – the fields, the law courts, the council, and the assembly. The woman was relegated to the indoors – her chief function was the managing of the *oikia*, the house, and as such her role was acknowledged as indispensable (Pomeroy (1975) 71–73; Just (1989) 13–25; Cohen (1991) 70). Marriages in Athens were arranged: the selection of a prospective husband for a woman was a matter of great concern for her parents as she was supposed to marry a man of good status (Demosthenes 20.57; Lacey (1968) 107; Just (1989) 43; Garland (1990) 217; Sealey (1990) 25). Generally the young girl was married at about 14 years of age, whereas her husband tended to be in his 30s (Just (1989) 152–52) – this age difference can be attributed, first, to the attention devoted to the dowry and, second, to delayed transmission of property from father to son.

Divorce itself was an easy procedure: the husband merely dismissed his wife, while the woman, if initiating the divorce, had to present herself to the archon (Harrison (1968) 38–44; Lacey (1968) 108–109; Pomeroy (1975) 64–65; MacDowell (1978) 88). The orations, however, give little indication that divorce was indeed common. For instance, from the corpus of Isaeus there are recorded approximately 50 marriages, but only two divorces are mentioned (Isaeus 2.6–8, 6; Davies (1971) 563).[3] This probably does not reflect the divorce rate of ancient Athens; because a woman's

divorce could lead to gossip about her behavior and, therefore, bring shame to her (Scafuro (1990) 163), the reluctance of the orators to discuss divorce may represent the normative view, the social ideal. In Isaeus 6 the speaker, the alleged adopted son of Euctemon's son by a first wife strengthens his claim by hiding the fact that Euctemon had divorced his first wife (Davies (1971) 563); the obfuscation was meant to weaken the claims of legitimacy of Euctemon's sons by a second marriage.

Indeed, a look at the divorces recorded in Isaeus and outside this corpus reveals that although the husband could merely dismiss his wife, the woman was not necessarily passive or mute. Isaeus, for one, was quite careful to couch a divorce in acceptable terms.[4] Isaeus 2.6, which describes a divorce initiated by an older man from his young wife, details how the husband, concerned that his wife should produce children, approaches her brother with the suggestion that she should be divorced and remarried to someone who could sire children. The husband is not only careful to praise the woman's virtue and character, but also, with the brother, approaches his wife to obtain her consent. The woman at first refuses but, reluctantly, with the prodding of both her brother and her husband, agrees to the divorce.[5] In another oration, the young wife does not leave her older husband although their two young sons have died and there is little chance, given her husband's age, that they could have any other children (Isaeus 8.36).

The general view of the orations, no doubt idealized, is that husband and wife tried to make a marriage work. There may be some distrust of the wife at first, but when she begins to bear children for the *oikos* a deep respect and trust develops between spouses (Lysias 1.6, 1.14), which is based on open communication (Lycurgus Fr. C 11–12), and husbands and wives were supposed to settle their differences for the sake of the children ([Demosthenes] 40.29). Certainly in myth and drama this ideal prevails – the domestication of women allows for their incorporation into society as the wives of men (Just (1989) 232). On the other hand, although some of the ancient sources do admit that a husband could be romantically and sexually intimate with his wife (Cohen (1990) 163), other sources considered it in poor taste to display too much affection for one's wife, indeed such behavior could lead to gossip that the woman was not the man's wife but an *hetaera* (prostitute) (Isaeus 3.13–14; see also, Plutarch, *Cimon* 4.8–9). Spouses did show genuine concern when the other was ill (Demosthenes 30.34, 50.61, 59.56) and, in one case, a husband instructs his wife to have their yet unborn son avenge the husband's upcoming execution at the hands of political foes (Lysias 13.42).[6]

Men were allowed extra-marital sexual activity, but they should not bring the concubine or *hetaera* into the household out of respect for their wives ([Demosthenes] 40.9–10, 59.21–22). For the wife, however, absolute fidelity was the rule, as men had to be certain that their heirs were their own children. Furthermore, the children had to be true Athenians in order to participate in the *polis*, their citizenship defined by the Athenian citizenship of both parents and the formality of the parents' union. Consequently, the husband was obliged to divorce his adulterous wife (Lysias 1), and she could suffer public humiliation and be barred from the religious rituals of the *polis* (Harrison (1968) 35–36; Pomeroy (1975) 181–83; MacDowell (1978) 124–25; Just (1989) 68–70; Sealey (1990) 28–29).[7] Women were strongly discouraged from

displaying improper behavior (Isaeus 3.13–14) and the ideal was for the husband to keep his wife in the house away from the eyes of other men (Cole (1984) 97). Although the woman's duty not to shame her husband is a recurring theme in the orations, men as well should not shame their wives' honor in the public sphere by supporting measures or approving of actions detrimental to their wives' physical safety (Lycurgus 1.1–2, 1.141; Lysias 12.69–70; Deinarchus 3.1) or by supporting measures that would jeopardize their modesty ([Demosthenes] 59.110, 59.114). To do so, it was feared, would encourage women to abandon their modesty ([Demosthenes] 59.111–12). Also, so as not to be shameful to his wife, a man should be responsible in his financial affairs (Demosthenes 22.53).

Close cooperation and respect between spouses are reflected in the active interest a husband and wife took in each other's property. The wife could not inherit from her husband except for any additions to her dowry he might make in the event of his early death and her subsequent remarriage. Nevertheless, the wife knew the financial details of her husband's *oikos* to the point, particularly after his death, of having managerial control of the estate (Demosthenes 27.40, 29.46–48, 36.14, 55.24–25; Cox (1989–1990) 45; Hunter (1989a) 39–48), even though sons legally acquired control in their majority and guardians were assigned control of the estate during the sons' minority. The orations frequently attest to the widow's strenuous efforts to keep her husband's estate intact against encroachment by kinsmen or neighbors (Hunter (1989b) 103). Such concern in one case led to a woman's feud with her own father (Lysias 32.10) and in two other cases with her own son (Aeschines 1.98–99; Demosthenes 36.17–18). Besides the widow, a wife could try to guard her husband's property from creditors (Demosthenes 30.4, 31.10, 47.57–58) and was cognizant of her husband's attempts to pay off debts (Demosthenes 47.57–58).

Informally, therefore, a woman actively pursued the preservation of her marital *oikos* because, as is stated frequently in the sources, marriage was a kind of fusion of two estates, that of her husband and that of her *oikos* of origin (for example, Isaeus 2.4–5; Demosthenes 27.5, 30.12, 59.2–3). This was not merely rhetoric; the husband could be a vociferous defender of his wife's claims to her father's estate, should she be an heiress, or to her brother's estate, should he die without heirs (Demosthenes 43.3, 63; Isaeus 3.22, 5.9, 7.3, 8.41–42, 10.18–20, 11.41–42; Hunter (1993) 103). Furthermore, a wife could influence her husband either to adopt one of her kinsmen (Demosthenes 41.3; Isaeus 2.7) or to send one of their sons or daughters into her brother's estate as its heir (Isaeus 11.41–42, 49). The law acknowledged a wife's influence on the use of her husband's wealth by trying to limit her power: a man, when drawing up a will, could not be influenced by a woman (Isaeus 2.1; Demosthenes 48.56; Hyperides, *Against Athenogenes* 5.17; *Athenaion Politeia* 35.2). In the orations (Demosthenes and Hyperides) the emphasis is on the influence specifically of the wife and the *hetaera*, that is the type of woman who had sexual relations with the man.

In a material sense, the wife's dowry allowed for the unification of two *oikoi*. In legal terms, the dowry belonged to the woman's natal *oikos*, as it had to be returned to her original family either on divorce or on the death of her husband and her

remarriage. To judge from the orations and dotal tablets (*horoi*) the wealth of the dowry for elite families on average was valued around 30 to 40 *minae*, though there are instances of dowries given to the woman which were well above this range and below it as well (Casson (1976) 54–55; Wyse (1979) 243; Finley (1985) 79). Because the wife's dowry could be inherited by the children, it was worth fighting for, especially if she had not received her full share (Demosthenes 41). Therefore, the potential loss of a substantial amount of dotal wealth would inhibit divorce (Isaeus 3.28), and the fear of this loss was a recurring theme in the drama of the day (Euripides, *Andromache* 864–79; Schaps (1979) 76, 142–43, notes 26–27). Certainly the dying husband realized the power of the dowry when he gave his widow a dowry whose value was far above the value of most dowries given to the young bride of an elite family (Finley (1985) 266–67, note 29; Hunter (1989a) 307, note 7).

Although the dowry was valued in cash, it frequently consisted not just of cash, but also of movable items, furniture, jewels, plated ware and, perhaps, land (Cox (1998) 117, note 44), and therefore could be amalgamated into the husband's estate. Thus, in his list of his father's property Demosthenes included his mother's jewelry and gold-plated objects (27.9–11). Although this was not productive wealth, the prestige associated with these items allowed Demosthenes' mother a good deal of influence in discussions on their use (Hunter (1989b) 41). Another oration tells of a wife making loans to family members from, possibly, her dowry, though this is not explicitly stated (Demosthenes 41.9). In some cases, dotal wealth was so integrated in the marital *oikos* that a wife's dowry was confiscated to pay off her husband's debts (Isaeus 8.8–9; Lysias 19.32; Demosthenes 47.57–58), although whether this practice was legally permitted is subject to debate (Schaps (1979) 75–76; Just (1989) 82; Hunter (1994) 19). In Isaeus 8 Ciron gave his daughter in marriage to Nausimenes, but on the latter's death did not receive his daughter's dowry back, presumably because it had been expended to meet some debts incurred by Nausimenes (8–9). In Demosthenes 47.57–58 the speaker's wife tried to plead with her husband's creditors not to confiscate furniture that was part of her dowry. That the creditors ignored her may indicate their rapaciousness, but there is the possibility, and this is strictly conjectural, that they suspected that the woman was deliberately lying in an attempt to save some of her husband's property. In Isaeus 10, the speaker's mother, according to the speaker, did not inherit her father's estate as was her due as an heiress, but was given in marriage to a non-kinsman with a dowry. When the woman's husband protested to his wife's kinsmen about their disregard for his wife's rights, they then threatened to initiate a divorce between the two and have her marry a close kinsman of her father, in accordance with the laws governing heiresses. Although the speaker states that his father could not bear the emotional loss, the repercussion to the divorce would have been the forced return of the dowry to the woman's patriline, not an attractive prospect for the husband who may well have been experiencing financial difficulties.[8]

So far we have seen married life in action, but what were the concerns leading up to marriage? For this we must turn to a discussion of brothers and sisters to see the machinations behind the transaction of marriage.

3   Brothers and Sisters and Marriage

A major concern for the brother was the material welfare of his sister. The orator Demosthenes states that the chief aim in contracting a marriage for a sister or daughter is to give her the greatest amount of security (Demosthenes 30.21). Therefore, when Demosthenes' own sister was defrauded of her dowry by her guardians, Demosthenes in his lawsuit against the guardians lamented that his sister would not be able to marry well (Demosthenes 27.61, 28.21). Also, a brother could be concerned for his sister's childlessness after marriage and, at the instigation of the husband and with the consent of the sister, agree to his sister's divorce from her husband. The latter might make sure to return the dowry so that the woman could remarry (Isaeus 2.4). Another source reveals a brother's concern for the confiscation of a widowed sister's dowry along with her late husband's property: the dowry was needed to care for his sister and her children (Lysias 19.32–33). Theomnestus was eager to prosecute the political rival of his sister's husband after that rival had imposed a 15-*talent* fine on the sister's husband. In his speech Theomnestus declares his concern for his sister's welfare and for that of one of her daughters who allegedly may not be able to be dowered ([Demosthenes] 59.7–8, 59.12). The brother therefore aided his brother-in-law in prosecuting the rival. Another oration informs us that a woman was divorced by her husband because she could not provide a dowry from her father's impoverished estate: she and her sons were cared for by her brothers (Demosthenes 39.24–25; Davies (1971) 366). Other orations reveal that the married woman returned with her children to her brother's house on the termination of a marriage, and in one case was given in a second marriage by her brother (Lysias 3.29; Hyperides, *For Lycophron* 1, 2). In another case, a brother avoided contracting a marriage for his sister to a family enemy (Lysias Fr. 8 (Thalheim 1901)).

Emotional embellishments aside, the sources reveal a brother's concern for his sister's welfare at and after marriage, concern for her children, and concern particularly for the dowry which originally belonged to the woman's paternal estate. Although uterine half-siblings could not marry, homopatric half-siblings, offspring of the same patriline, could legally marry (Harrison (1968) 22). This marital strategy reflects concern for immediate sibling control over the paternal property.

4   Paternal Property: The Dowry

When discussing the dowry in the orations, we must emphasize that these dowries were given by the elite families; although smaller amounts for dowries appear on Attic inscriptions indicating property mortgaged for dowries, the amounts cited there may not reflect the entire dowry (Schaps (1979) appendix 1). Therefore, it is unsafe to assume that the inscriptions (*horoi*) reflect the practices of poorer people. In any case, the Athenian *oikos*, which was always concerned with the devolution of property, practiced an extreme form of inheritance by excluding the daughter from any inheritance besides the dowry. Brothers shared equally in the paternal estate, while a daughter was given a dowry as a *pre-mortem* inheritance. The dowry, consisting of cash or real estate

and movable items valued in cash, was meant to take care of the woman's needs in the marital household and to consolidate the ties between her children and her natal *oikos.* The woman could otherwise have no further material claim to the paternal estate, if she had brothers who themselves had sons (Wolff (1944) 62; Levy (1963) 141; Harrison (1968) 45–60, 130–32; Lacey (1968) 109–10; Schaps (1979) 20, 74–84). Furthermore, the daughter's dotal wealth never seems to have been equal to the wealth inherited by her brothers: Isaeus 11.39 states that a father should endow his daughters well and ensure that the son was not less wealthy from what remains. The largest percentage of wealth devoted to the dowry comes from one of the smallest estates in the orations (Isaeus 8.7–8): from an estate of approximately one and a half *talents* Ciron dowered his daughter with 25 *minae* or about 28 percent of the estate's wealth. He then gave her in a second marriage with a smaller dowry of 10 *minae* or 11 percent of the estate. Because a one and a half *talent* estate was well below the income of wealthier families (three to four *talents* minimum) who were required to perform state services (Davies (1971) xxiv), Ciron in Isaeus 8 gave a large dowry relative to his means to secure a proper marriage for his daughter.[9]

A larger number of the elite families had estates ranging from 13 to 15 *talents* with each daughter or sister receiving anywhere from 5 percent to 14 percent of the estate's wealth.

Even though a woman did not inherit equally with her brothers, a great deal of attention was directed towards the dowry. Brothers were concerned about the recovery of the dowry after termination of the sister's marriage (Lysias 19.32–33) or ensured that she was remarried with a dowry equal in value to the one initially set aside by the father for her first marriage (Demosthenes 29.41, 30.7, 31.6–9, 40.6–7). In most cases of dowering, the father set aside the dowry, or attempted to, before his death (Lysias 19.14–15, 32.6; Isaeus 8.7–8; 11.39; Demosthenes 27.5, 28.15–16, 29.43, 40.6–7, 40.20–22, 40.56–57, 41.3, 41.6, 41.26, 41.29, 45.66, 59.7–8; Plutarch, *Alcibiades* 8.1–5 + [Andocides] 4.13 + Isocrates 16.31), and in one case well before his daughter's marriage (Demosthenes 27.5). In the latter instance, the father of Demosthenes the orator in his will bequeathed two *talents* of his 14 *talent* estate to his five-year-old daughter and specifically stated whom she was to marry (Demosthenes 27.5, 28.15–16, 28.19, 29.43–45).

Historians have known for years that the dowry, which was always the property of the woman's original *oikos*, served to prevent the woman from being separated from the paternal estate. This can certainly be seen in Athenian laws which mandated the return of the dowry to the woman's natal family on the dissolution of her marriage by death or divorce (Wolff (1944) 50, 53; Levy (1963) 141; Harrison (1968) 55–60; Schaps (1979) 81–83; Just (1989) 72–73).The dowry could, however, be estimated as part of the husband's wealth (Demosthenes 27.4, 27.9–11, 42.27) and could be included in the confiscation of his property by private creditors or by the state.

Although the dowry was never legally required, it was a social obligation (Harrison (1968) 48–49; Karabelias (1982) 54; MacDowell (1978) 87; Finley (1985) 79): not only could a marriage be suspect without it, but also the prestige of the family depended on a good match acquired through a substantial dowry (Lacey (1968) 109–10). The orations reveal that dowries were needed to attract

prestigious husbands (Lysias 15–16; [Demosthenes] 40.6), while the wealthy dowry was an indication of a family's good standing and that of its affines (Demosthenes 39.32–33, 40.20–22).

5   Ties between Brothers-in-Law

Attention to the dowry, the outlays devoted to it and the prestige accompanying it, all contributed to a family's interest in a marriage for a daughter or a sister. This concern went hand in hand with another marriage strategy: in many cases, the daughter married before – in some cases well before – her brother of an equal age. In Davies' register of propertied families alone, there are 18 instances in which the brother married after his sister, or sisters, as opposed to six in which roughly contemporaneous marriages occurred.[10] Of the families in the orations not considered in the register, there are six more instances of later marriages for brothers (Lycurgus 1.17; Isaeus 2.3; Lysias 3.29; Demosthenes 41.3, 48.53; Lysias Fr. 43 (Thalheim 1901)) and there is only one explicit reference to a brother marrying before his sister (Isaeus 10.5–6). Significantly, in this latter case, that of Cyronides, the paternal estate was probably insolvent (15).

Earlier age of marriage for women and later age of marriage for men was the norm for ancient Athens. This pattern of marriage is generally known as the Mediterranean type and is evident not just in Athens but in the later society of the Roman Empire (Saller (1987) 21–34). Property transfer occurred ideally at the death of a man's father, and a man's marriage could be postponed until a man had control, if not actual ownership, of his paternal estate. The consequences of this pattern of marriage are that there was a large gap in age between father and son and between husband and wife (Strauss (1993) 67–70).

Given this Mediterranean type of marriage, sisters married before their brothers. As stated previously, the earlier marriage of a sister indicates an interest in gathering together a substantial dowry so as to secure a beneficial alliance for the woman's natal family. Among the political families, for instance, before Epilycus the Philaid married, he and his father gave Epilycus' sisters in marriage to some of the most powerful politicians of the day: the great *strategos* (general) Glaucon of Cerameis, the son of Pericles and the father of Andocides the orator. These alliances brought the family out of political obscurity (Davies (1971) 296–97).

The strategy of the earlier marriage of sisters was not restricted to these politically powerful, fifth-century families. Although Plato never married, the marriage of his sister allowed Plato to ally to a landed neighbor, thereby consolidating two landed estates in Eiresidae (Davies (1971) 201). Both Deinias and his son Theomnestus married after their sisters, thereby allying with the wealthy banking family of Pasio. The pattern of later marriages for brothers accords with the arrangements of Demosthenes' father in his will; he made detailed provisions regarding the marriage of his daughter, but no terms were laid down for the marriage of his son (Demosthenes 27.4–5).

Sources for other families demonstrate affinal trust: brothers married after their sister, in one case to pursue a military career, and then were adopted as heir into the house of the sister's husband (Isaeus 2; Demosthenes 41.3). The wealthy estate

prompted the speaker in Lysias 32 to defend the property of his wife's unmarried brothers against the alleged misappropriation of the estate by their maternal grandfather (1, 20, 28). The trust between brothers-in-law is clearly evident in Lycurgus 1 where Leocrates, who had a concubine but apparently no wife (17), married his two sisters to Amyntas and Timochares of Acharnae (21–23). After the defeat of the Athenians at Chaeronea, Leocrates went into self-exile to Rhodes and then to Megara (21). While in Megara he sold his estate to one brother-in-law, Amyntas, who in turn sold the slaves to Leocrates' other brother-in-law, Timochares (22–23). Leocrates seems to have owned the same slaves again on his return to Athens (30): he was asked to hand over his slaves for torture so as to give information about his departure from Athens. Logic would dictate that the slaves in question were those who helped him to pack up a boat and leave Athens secretly (17), the very slaves bought by Leocrates' affines. Therefore, the implication here is that Leocrates' property was bought by his brothers-in-law for safekeeping during his sojourn. Finally, in [Demosthenes] 47 Theophemus uses his brother and a *kedestes* (in-law) to help him confiscate property to settle a debt (9). Because Theophemus was not married (38), the *kedestes* may have been the husband of a sister (Humphreys (1986) 77).

Orations reveal the encroachment of a wife's brother on her husband's estate, with, it seems, the testator's approval. Diocles was said to have maintained his hold on Ciron's estate by encouraging his sister, Ciron's second wife, to stay in the house of Ciron even after her sons by him had died. Furthermore, Diocles aided the claims of Ciron's *adelphidous* (brother's son) to Ciron's estate against the claims of the son of Ciron's daughter by a first marriage (Isaeus 8.3; Davies (1971) 314). In Isaeus 9 Euthycrates was killed by his brother Thudippus. As he lay dying, Euthycrates charged his sister's husband to keep Thudippus' descendants from his, Euthycrates', estate (19–20). There are instances of the brother-in-law's protection of the testator's will: in Lysias 13.2 and 13.41, where a woman was married to her first cousin, her brother witnessed her husband's will and was asked to avenge the husband's death at the hands of one of the Thirty. In Isaeus 6.3 a sister's husband was the caretaker of Philoctemon's will (Humphreys (1986) 77), which insisted on the adoption of another sister's son to the exclusion of Philoctemon's homopatric brothers.

Collusion between brothers-in-law could at times break down: Polyeuctus quarreled with his adopted son, who was his wife's brother (Demosthenes 41.3); Cleonymus quarreled with the brother of his sister's husband, and perhaps the husband himself (Isaeus 1; Wyse (1979) 176); and a man was accused of breach of guardianship by his wife's brothers (Lysias Fr. 43 (Thalheim 1901)). Finally, in [Demosthenes] 48 an unmarried brother, Olympiodorus, contracted a marriage for his sister with a certain Callistratus. Both men conspired to share the estate of a deceased relative and to exclude all other relatives from the property (1, 53). A quarrel, however, developed between the two men when Olympiodorus claimed and won the whole estate for himself after a series of court trials with the other relatives (25–31). Olympiodorus' victory led his brother-in-law Callistratus to berate Olympiodorus for abandoning his sister and her daughter and devoting his extra wealth to his concubine (53), thereby equating a quarrel between affines with the abandonment of a sister's needs. In other words, collusion broke down when the two affines became rivals to the same estate.

The sources for both the political and private families reveal, then, a clear tendency for trusting relationships between brothers-in-law. It is difficult to generalize the reasons for a breakdown of this trust, but certainly the possibility that two affines vied for the same estate or threatened each other's property could precipitate a feud. Could the marital alliance endure a feud between affines? The sources are not very informative. In Demosthenes 41.3 the oration does not state why Polyeuctus feuded with his wife's brother but only that the feud resulted in a divorce between Polyeuctus' daughter and the brother-in-law, not between Polyeuctus and his wife. On the other hand, in the case of Alcibiades, his wife's attempt to divorce him on the grounds of sexual promiscuity was contemporaneous with his feud with her brother Callias ([Andocides] 4.14; Plutarch, *Alcibiades* 8.1–5).

The discussion above has shown how marriages were carefully planned, the interest in the dowry is especially apparent. Marriages, however, were not just planned for the current generation but were alliances that kept in mind what had been happening over generations.

6   Marriage Strategies

We now turn to marriage strategies, that is how families and kin groups contracted marriages to consolidate property. In this discussion the word "endogamy" will be prominent. Endogamy means literally "marriage within," either marriage within the kinship group, kinship endogamy, or marriage within a locale, local endogamy. We will look at kinship endogamy first among the families of the private orations. Despite the difficulties inherent in the orations, the chronological gaps, the telescoping of events and the falsification of fact, they are valuable sources for the study of how individuals, families and extended kin manipulated blood and marriage ties and wealth. Within this manipulation, patterns emerge which suggest how interests in property could be sustained for several generations. The focus of this present study will be on how such patterns or strategies can reflect an individual's interests in his or her patriline. By patriline, I mean the line of descent through males from a male ancestor. We will then assess the role and importance of locale in the formation of marital alliances; locale here refers to marriages within the *deme* and the local interests motivating these unions, which have been studied by Osborne in his work on the *deme* (Osborne (1985) 127). Locale can also refer to the location of property holdings and of residence, and a study of these must consider how they motivated families to ally. To what extent, then, did families and kinship groups focus on a particular *deme* or region when forming marital alliances? A few examples will suffice.

The Bouselidae, a clan descended from Bouselus I, were notorious for their in-marrying. The Bouselidae married first cousins and second cousins and alternated endogamy with exogamy, or out-marriage, over the generations. These marriage patterns were then secured by adoption as a daughter's son, for instance, would be adopted into her father's estate. All of these marriages were devised to lay claim to the property of the Bouselid Hagnias II (Davies (1971) 77).

Dicaeogenes I and his affines, known to us from Isaeus 5, also alternated exogamy with endogamy. Cleon, for instance, married out to Dicaeogenes' daughter but then his son married a first cousin once removed (Davies (1971) 145). Deinias married out but his son Theomnestus married his sister's daughter, whose father, Apollodorus, was the son of the wealthy banker Pasio ([Demosthenes] 59.2–3). The out-marriage of Deinias' daughter to the wealthy banking family of Pasio was balanced with endogamy, a union that allowed Theomnestus to share in Apollodorus' wealth ([Demosthenes] 59.2). Theomnestus then prosecuted Apollodorus' enemy Stephanus, who threatened Apollodorus with a large fine (15 *talents*).

In all of this, locale played a large role. Sosias married into the Bouselidae possibly because one Bouselid Hagnias II held land in Araphen, the *deme* to which Sosias belonged. Sositheus, his son, then tried through marriage and adoption to encroach on the estate of Hagnias II (Demosthenes 43.70; Cox (1998) 9).Cleon's son Cleomedon married his first cousin once removed but she was also of the same *deme* (Cox (1998) 12).

In [Demosthenes] 44 Archiades' sister had married out to Leostratus of Eleusis and their daughter married a fellow demesman. A son from this union was adopted into Archiades' estate ([Demosthenes] 44.13, 44.17, 44.21.). For the Bouselids again, Stratocles married a woman whose brother owned property at Eleusis, the *deme* in which one of Stratocles' houses was established and close to his field in Thria (Davies (1971) 87–88). Stratocles then had his daughter adopted into his brother-in-law's estate (Isaeus 11.41–42.).

7   Marrying In and Adopting Out

The marriage strategies discussed above in the case studies attest to the frequent use of kinship endogamy after the expansion of ties through marriages with non-kinsmen. In several of these cases marriage alliances were re-enforced by adoption. What emerges with great regularity is the use of the neighbor, whether a fellow demesman or someone from a *deme* nearby or even a distant one. Let us summarize here those adoptions which followed marriages to the neighbor. How did a kin group react when one of its own was adopted out? In Themistocles' case, after the adoption of his son into his father-in-law's, Lysander's, *oikos*, his two children by two different wives married, while another daughter married her father's brother's son. These endogamous unions occurred at the time of Themistocles' disgrace and, therefore, could have been prompted by it as well (Davies (1971) 212; Cox (1998) 216–19). In the case of Sositheus, however, political disgrace did not prompt endogamy which then followed adoption out: after Sositheus had his youngest son adopted into the estate of his wife's father, Sositheus' daughter married Sositheus' brother's son. A patriline, then, will practice endogamy as a response to the adoption out of one of its members.

In other cases, however, the adoptee, although adopted out of the patriline, either himself (herself) married back into the patriline or a direct descendant did. In Isaeus 10 Aristarchus of Sypalettus had married out of his *deme* and kin group by marrying the daughter of Xenaenetus of Acharnae, who was from a *deme* nearby. Aristarchus

secured the fortune of his father-in-law, Xenaenetus, by having his son Cyronides adopted into Xenaenetus' estate (4–7). When Aristarchus' own estate became insolvent (15–16; Wyse (1979) 662), it fell under the guardianship of his brother, Aristomenes. Moreover, the speaker stated (17) that some families with insolvent estates would try to have their children adopted into other *oikoi* so that the children could avoid the loss of civic rights which necessarily accompanied insolvency. There is the possibility that Cyronides may have been adopted so as to avoid disfranchisement (Wyse (1979) 655). In any case, Xenaenetus' estate was worth around four *talents* (10.23), and Cyronides may well have used some of this wealth to pay off his natural father's debts. Cyronides, however, although adopted out, still retained control of his natural father's estate by marrying within his agnatic kin group: he married his father's brother's daughter, Aristomenes' daughter, who took with her as a type of dowry title to the estate of Aristarchus (5). The title to the property was then re-enforced by the posthumous adoption of Cyronides' sons into his natural father's estate (6).

Although scholars have maintained that the law severed the adoptee from his (her) *oikos* of origin and, therefore, from the patriline (Harrison (1968) 93; MacDowell (1978) 99–100; Rubinstein (1993) 57–60), endogamy nevertheless, within or back into the patriline, could compensate for the adoptee's absence from the patriline. In most cases, these euvresmaneuvers were facilitated by the proximity of both kin groups.

Not all Athenian families resorted to kinship endogamy: a rough estimate from the known or inferred marriages in Davies' register, for instance, would yield a percentage of endogamous unions at 19 percent – not a terribly high figure compared to other agrarian societies which practice kinship in-marriage (Flandrin (1976) 39; Rosenfeld (1968) 253–59). However, there may well lie hidden more instances of endogamy in the register; we are at the mercy of texts which do not always detail relationships among members of a kin group. In any case, of the instances discussed above, there was a greater tendency for the individual (called Ego, and assumed to be male) either to contract, or attempt to contract, a marriage through his father's line than through his mother's line; the ratio of such marriages, or attempts, runs about 2 to 1. This ratio is reflected in Davies' register as a whole, for a possible 37 endogamous unions (Cox (1998) 32–33, note 96). Of the ten unions through the mother's line in Davies' register, four were cases in which Ego married an heiress who by law was required to marry a close agnate. There were, apparently, no male agnates of her father to claim her hand, or willing to do so.

Otherwise, the marriage to a kinswoman through the matriline could leave the offspring from that union at a severe disadvantage legally: Ciron's grandson from Ciron's first marriage to his mother's sister's son was prevented from inheriting Ciron's estate by Ciron's agnate, his brother's son. Sositheus, in the end, appears to have lost his claim, and that of his son, to the Bouselid property of his wife's patrilineal kinsman, Hagnias II.

The bias in favor of marrying within the patriline reflects the bias of inheritance law: the estate of a man who was without heirs was to be transmitted to his closest male kinsman who was descended from a common male ancestor. In other words, the preferred heirs were a brother of the same father and his descendants. In absence of these, a sister of the same father and her descendants were resorted to. Only when all

kinsmen through the father were absent could the mother's line be eligible for consideration (Harrison (1968) 130–49; MacDowell (1978) 92–99; Just (1989) 83–89; Hunter (1993) 102–103).

What of the families outside of the orations and who do not necessarily appear in Davies' register of propertied families? To judge from the find-spot of tombstones and the *demes* of the spouses, those families living in rural areas, be it interior plain or coastal region, tended to marry locally. If the find-spot of the tombstone was in a rural area, it is assumed that the family lived in that rural locale. If the find-spot was in the city, the tombstones revealed that the spouses came from disparate *demes*. In other words, the city allowed for the intermingling of people from different parts of Attica (Cox (1998) 43–63).

Marriage was very important to the people of ancient Athens. The thought taken to form a marriage alliance considered many factors. It is clear from the marriage strategies that marriages were thought of over several generations. One gathers that not only the immediate family was involved in the transaction but consideration of the extended kin also came into play. It was this communal concern therefore that put pressure on the husband and wife to make a marriage work. Marriage then was a way of uniting families but also a way of making things run smoothly in the *polis* of Athens.

FURTHER READING

For further study, the student should consult Cox (1998) for discussions of marriage strategies and family relationships in ancient Athens. The studies of Pomeroy (1975) and Lacey (1968) explore the status of women in Greece and study the family in ancient Greece. Lacey's book is a good sourcebook for societies outside Athens. In the context of women's status, Just (1989) is useful for Athens, while Schaps (1979) should be consulted for Athens and for societies outside Athens. Otherwise, legal treatises such as those of Harrison (1968) and MacDowell (1978) are useful for family and inheritance law.

NOTES

1 The following discussion on marriage is based on chapters 1, 2, 3, and 4 in Cox (1998).
2 For a partial bibliography on shame, see Cox (1998) 69, note 4.
3 Sant Cassia and Bada note the same phenomenon for nineteenth-century Athens: although nullifying a marriage was easy, the divorce rate was low because the need to produce offspring produced a heavy moral basis for the union (Sant Cassia and Bada (1992) 199, 201).
4 The following are the divorces mentioned in the texts: Plutarch, *Pericles* 24.5 (Pericles' wife); Andocides 1.124 (Callias' second and third wife); Lysias 14.28 (Hipponicus III and his wife); Isaeus 2.6 (Menecles' wife), 6; Demosthenes 30–31 (Onetor's sister, divorced twice), 39–40 (Mantias and Plango). 41.3 (Leocrates and his wife), 57.41 (Protomachus and his wife), 59.50; Lysias 1 (suggested but not actually stated in the oration).

5   Given the active role, therefore, of the woman in this divorce, the Plutarchian tradition stating that Pericles' wife agreed to their divorce and that Pericles gave her to another man, is credible (*Pericles* 24.5).

6   See also Isaeus 6.65, where it was the husband's duty to perform the burial rites for his wife.

7   Aeschines 1.107 claims that many men were too ashamed to admit their wives' adultery (Cole (1984) 106). Cohen ((1990) 163) argues that sources do state that adultery destroyed the *philia* between husband and wife. Although traditionally classicists have believed Lysias 1, which states that rape was a lesser crime than seduction, this view and Lysias' arguments have been challenged (Harris (1990) 370–77).

8   His son, the speaker, was certainly in debt to the state (20) and claimed to have given meagre dowries to his sisters (25).

9   Because Ciron had two sons by a second marriage (Isaeus 8.7–8), 28 percent of his estate's wealth, almost one-third, comes very close to having the dowry approximate his sons' shares. However, the 1½ *talents* is the figure estimated from the real property of the estate. Ciron had an unspecified amount of money out on loan (Davies (1971) 314). For our purposes one *talent* equals 60 *minae*.

10 For a list of the marriages, see Cox (1998) 120–21, note 59.

From Ceremonial to Sexualities: A Survey of Scholarship on Roman Marriage

Suzanne Dixon

1   Introduction

It might seem that Roman marriage should be a straightforward topic, amenable to a firm statement about rules, rights and realities. But scholars do not exist in a vacuum and academic questions often reflect or stir contemporary debates. Once upon a time, it was common for the "emancipated" Roman woman, the Roman family and the so-called "free marriage" of ancient Rome to figure in scholarship deploring – or, occasionally, admiring – the standards of the past. The nature and extent of Roman concubinage was exaggerated (Meyer (1895)) and there was a general tendency to assume and to demonstrate the superiority of Christian over pagan notions of marriage (Rawson (1974)). In the last 150 years, works on Roman marriage have taken many different approaches, used different material and drawn vastly different conclusions about the meaning and "success" of marriage in the Roman world. In the last generation, the emphasis has shifted from the political elite in Rome to the lower classes of Rome itself, then of other parts of Italy and finally of the provinces. The period of concentration also changed from archaic Rome (ca. eighth to fifth century BCE), to the late Republican-early imperial period (ca. 133 BCE to 180 CE) and now inclines towards Late Antiquity (from 330 CE). The change of focus reflects a change in source use. Earlier studies drew heavily on ceremonial descriptions, the legal codes, and satiric literature. More recently, scholars have worked on sepulchral inscriptions, commemorative sculpture, papyri, and household remains from the Roman world. Some have made

an effort to branch out from their narrow specializations. Social and legal historians have collaborated with archeologists and art historians, classical scholars have moved into patristic studies and the focus has shifted to demography, strategies, and ideologies as much as the bare legalities of marriage, isolated from their historical contexts.

The nineteenth century saw a surge in the scientific study of human behaviors and languages. Pioneering ethnographers, all classically trained, moved with the commercial empires of the time to study and catalog the institutions and rituals of peoples from all over the world. Marx and Engels drew on the nineteenth-century mode of scientific reasoning and its findings to generalize about the rise of the bourgeois family in post-Industrial Europe (Engels (1884)). Other scholars were driven by an interest in universalizing legal and linguistic connections between societies from different locations and periods, reminiscent of the experiment by the Persian king Psammetichus, who isolated two newborns in order to learn the nature of the primal human language when the children, innocent of models, spoke their first word (Herodotus 2.2). Intent on discovering the original, common Indo-European or Indo-Germanic family pattern, these scholars compared nineteenth-century ethnographies with Roman ceremonies to demonstrate that bride capture was a wide-ranging feature of European marriage. The method, termed "comparative sociology," underpinned scholarship for the first half of the twentieth century. It was driven by essentialist and rather racist concerns which fell into disrepute in the 1940s. The quest and the techniques have since come back into fashion but so far (I'm glad to say) with little impact on studies of Roman marriage.

The study of human behavior can lead to many paths, so it is not surprising that some prove to be dead ends or to travel by a different route, only to end at the starting-point. The sources and methods of social historians and social scientists differ, but they pursue similar questions. Ethnographers typically focus on a foreign culture, inhabiting it for a lengthy but temporary period to observe and interrogate their subjects. Sociologists typically study their own societies and use questionnaires and modern data, which they quantify and analyze. Clearly, ancient historians lacked the sort of evidence-base of these disciplines and they were not driven like their nineteenth-century forebears to seek universalizing connections between disparate cultures. They can, however, make use of the categories and findings of social scientists to interrogate the ancient source material – for example, reading studies of dowry in modern cultures or more recent historical periods can help historians of ancient Rome to ask questions about the function and meanings of dowry in Rome. In the 1980s, classical scholars (Hopkins (1980); Hallett (1984); Dixon (1985a)) once more applied techniques from the social sciences, including anthropology, to the analysis of Roman marriage, exploring such issues as the relative strength of brother-sister versus husband-wife bonds.

Since the 1980s, legal studies of Roman society have become more historically oriented and more concerned with distinguishing legal rules from social norms. The impact of political and intellectual movements has been to broaden studies to all social groups but also to more ambitious questions like the demography of marriage, relationships between husband and wife and the wider purpose and meanings of Roman marriage. This trend has involved questions about sexuality, emotions,

and ideals driven by the French *annaliste* approach to history and to socialist interest in "history from below." Changing attitudes to sexuality and religion within the historians' own communities have also been reflected in a less judgmental approach to Roman marriage – although one could argue that modern scholars, reared in secular cultures with romantic individualist ideologies that almost deify "relationships," can in their own way be as doctrinaire about the proper purpose of marriage as their forebears were about "free marriage" and illegitimacy.

Academics tend to specialize and, even within the ranks of Roman historians, scholars are defined by their source and focus, for example as juristic papyrologists who specialize in the legal papyri of Roman Egypt, or epigraphers who read inscriptions from the vicinity of Rome or, as the more general run of historians (the unmarked category) who base their conclusions on "literary" sources such as the Roman historian Tacitus and the letters and speeches of the Republican author Cicero. The greater readiness of classical scholars of the last two generations to look beyond their sub-disciplines has inspired them to seek – or hope for – new audiences. As the classics have opened up to students who did not learn Latin and Greek in school and even to intelligent members of the public, it has become more common to explain classical references and to translate quotations from the ancient texts. Some scholars have made a point of delivering papers to multidisciplinary conferences and publishing beyond the classical ambit, but in general the exchange has been rather one way. More successful has been the greater communication across the classical sub-disciplines. The work of archeologists and art historians has made scholars of Roman marriage more attuned to the importance of material culture (Patterson (2000)) and encouraged them to look beyond the city of Rome itself (Larsson (2003)).

2   The Main Features of Roman Marriage

I have said that Roman marriage is not amenable to a simple breakdown, but a general outline of its features might help the reader to appreciate the questions that scholars have pursued and the approaches they have taken to the subject.

Roman marriage was a union for the purpose of producing legitimate children and contracted between consenting parties with the capacity to marry. On the whole, this meant Roman citizens of the proper age – at least 12 for girls, 14 for boys. In theory, the consent of the bridal couple and of their fathers was required but the consent of the bride and groom was in practice assumed. No ceremony or dowry was legally necessary, the key elements were the legal capacity to marry and the intent to be married. In practice, it was usual to have a wedding ceremony and for the bride's family to pay an agreed dowry to the groom or his father.

In fact, the bald statement of the legalities oversimplifies many of the finer points, the social realities, and historic changes to Roman marriage. After all, the term "Roman marriage" covers a huge number of people over more than a millennium, from the theoretical foundation of Rome in 753 BCE to the end of the sprawling Roman Empire. That period saw the extension of Roman law and citizenship from a small part of Latium in Italy to the inhabitants of a vast empire, encompassing the littoral

Mediterranean, stretching from Britain in the north to Africa and Egypt and extending in the east beyond Anatolia. It also saw great political changes, from monarchy to an oligarchic Republic, then to another kind of monarchy and concomitant social changes, not least of which was the adoption of Christianity as the official religion from the fourth century CE. Legal authorities from these diverse regimes were called on throughout this lengthy period to rule on such issues as the justification of divorce, the return of dowry after marriage or the right of a bride to reject a respectable groom approved by her father as presented to them in difficult or even borderline cases.

Marriage began as an essentially private arrangement between families and, in early Rome, divorce seems to have been rare and initiated by the husband on clear grounds such as the wife's adultery, drunkenness or "poisoning the children" (probably meaning procuring an abortion without her husband's consent). In time, divorce and remarriage became more common, as did the legal and economic independence of the wife from her husband's family. The writings of Cicero (106–43 BCE) are a key source of information for social and legal developments in the late Republic (133–27 BCE) and they show that elite matrons of his day were financially independent. It is also clear that marriages were arranged by a committee of interested kin and others – often including the bride – and that, in the absence of any formality or need for public justification, divorce was a shame-free, relatively common occurrence which gave rise to speculative gossip rather than disgrace, much as it now is in many modern Western cultures.

All children born of a "proper" (*iustum*) Roman marriage (*iustae nuptiae*) belonged to their father's line and the father (or his family) were entitled to keep the children if their mother died or divorced, but in practice couples and families seem to have worked out amicable practical arrangements for sharing responsibilities. Although inspirational tales and tombstones celebrated faithful once-married widows, remarriage of widowed and divorced men and women was commonplace, and step-relationships proliferated. Generally, Romans tended to add on to kin connections without relinquishing old ties, so the retention of ties with in-laws and the addition of step- and half-siblings meant that they could look to a wide range of relations and connections for support when they needed it. Cicero himself called on his former son-in-law for such help even after they had aligned themselves on opposing sides in the grim civil war between Pompey the Great and Caesar. In fact, one anecdote has Pompey reprimanding Cicero, who was in his camp, by asking, "Where is your son-in-law?" – meaning his *former* son-in-law, the Caesarian Dolabella, whom his daughter had divorced. And Cicero replied, "With your father-in-law!" – for Pompey had been married to Caesar's daughter Julia, who had died before hostilities broke out (Macrobius, *Satires* 2.3.8).

As the private nature of marriage (and divorce) was undermined, the traditional system, which put decision-making in the hands of the all-powerful Roman *paterfamilias* and his family council was gradually overtaken by legal decisions and by a greater level of state regulation under the more centralized imperial system dating from the rule of Augustus, who styled himself *princeps*, "first citizen," one of many devices designed to soften the transition to a hereditary monarchic political system with a thin veneer of constitutional republicanism. The term "the Augustan marriage legislation" is applied

collectively to laws passed during Augustus' rule (27 BCE to 14 CE) and reflecting his moral programme. They regulated aspects of marriage and divorce formalities and introduced a system of incentives for Roman citizens to marry and reproduce, together with penalties for celibacy and childlessness (Evans Grubbs (2002) 83–87). More dramatically, his moral legislation made fornication and adultery criminal offences punishable by courts and encouraged prosecution by third parties (Evans Grubbs (2002) 83–84; Parkin and Pomeroy (2007) 76, 100–103). The precise provisions of the legislation are not known in full. The subsequent uncertainty about the exact content and extent of the "Augustan marriage legislation" has led to a rich yield of scholarly discussion and debate which shows no sign of abating. Legal revision under Christian regimes led to the reduction or abolition of the penalties for celibacy and failure to remarry, but to a strengthening of the penalties for sexual transgressions.

3 Putting the Legalities into Perspective

We have seen that, until the 1970s, any scholarly publication with the words "Roman marriage" in the title was likely to focus on ceremonial or on law, and Roman law had long meant the minutiae of legal constructs and terminology to be found in imperial compilations, notably the *Digest* (or *Pandects*) of Roman law which was put together in the sixth century on the instructions of the emperor Justinian. That hasty attempt to order so many centuries of case law and statutes under subject headings and to bring them up to date, discarding superseded concepts, was full of flaws and anachronisms which fuelled the investigations of scholars of legal science or philology who were interested in debating, for example, whether certain terminology had existed before the fourth century CE or whether a marriage contracted without the consent of a *paterfamilias* of a groom could still constitute a valid union. The isolation of "interpolations" – anachronistic words and concepts which found their way into recorded quotes attributed to earlier jurists – continues to be an important element of such scholarship. An example would be the reference to "human and divine law" (*D* 23.2.1, Modestinus), thought to have been introduced at a much later date into the definition of marriage attributed to Modestinus, a classical jurist who wrote in the third century CE (Berger (1953) 578).

The special status of Justinian's *Digest* is a longstanding feature of legal scholarship. The *Digest* has often been treated as a self-contained source, with little awareness shown by its devotees of the weighty historical problems posed, for example, by the diversity of authors, the long chain of transmission embedded in the record and the lengthy timeframe of its contents. Theologians have often approached the Bible in similar vein. The analogy could be taken further, for juristic discussions are imbued with a deep reverence for the rationality of Roman law and its formative role in European jurisprudence, or legal science. To this day, the *Digest* continues to be the basis of Roman Law courses in law schools and entries such as "marriage" in the great French and Italian legal encyclopedias typically begin with uncompromising statements about Roman marriage which would not necessarily be acceptable to historians of marriage today.

Some scholars looked beyond these established principles of legal reasoning: Corbett's *The Roman Law of Marriage* (1930) concisely laid out the essential legal elements of marriage, ably supplementing the Justinianic framework with information from Republican literary sources. In differing ways, Westrup (1943) and de Zulueta ((1953), for example, 2.36–37) saw the law as confirming the principles of "comparative sociology," which constructed human social systems as an inevitable progress from a common origin to an ultimate level of civilization. Watson's scrupulous publications in the 1960s and 1970s on aspects of Roman Republican private law established a richer and more reliable foundation of knowledge about the legal history of the social institutions of the period. He, too, used literary sources – even the second-century BCE playwright Plautus – as well as legal texts to speculate about contemporary practices such as betrothal and dowry agreements (Watson (1967)). In the past, historians of the Republican laws had focused on public statutes concerning constitutional issues and the establishment of standing courts to try crimes like extortion and murder, rather than proceedings for the restitution of dowry (Watson (1965)).

But it was the publication in 1967 of Crook's *Law and Life of Rome* which gave new life to studies of the Roman family and marriage. The legal expertise of this landmark work underpinned sound historical insights. Well written and intelligible, the book was full of such deceptively simple but illuminating statements as "Marriage was a matter of intention; if you lived together 'as' man and wife, then man and wife you were" (Crook (1967a) 101). This book, like Crook's other publications, marked a change from the traditional ahistoric dissection of legal principles to the use and analysis of Roman law as a source – supplemented by other sources – to throw light on Roman social institutions (Crook (1996)). His article, "*Patria potestas*" (Crook (1967b)), exposed the concept of the "joint agnatic family," in which three generations, including married sons, lived under one roof subject to the authority of the all-powerful Roman father/father-in-law/grandfather as a largely mythic construction embedded in Roman law and legend while contemporary references made it clear that the nuclear family was the norm in Roman Italy from at least the second century BCE.

Immune to these developments, the *Rechtsgeschichter*, purist legal historians, continued to publish on marriage and kindred topics from the jurisprudential perspective, with little interest in the relationship of the concepts to social realities. Meanwhile, a new generation of scholars of Roman marriage and the family applied *their* knowledge of the law to distinguishing legal concepts and dominant ideologies from normative behavior, more in the sociological mode. This development has led to significant modifications of longstanding beliefs about the extent of paternal authority within the family and over married children, of the Roman father's exclusive role in arranging and approving his children's marriages and in how dowry was agreed on, paid, and repaid. Scholars such as Treggiari, Saller, Shaw, Corbier, Humbert and Dixon explored aspects of Roman marriage along with other issues such as inheritance, the position of the married woman and the significance of divorce.

Roman law was a natural starting point for studies of Roman marriage and any discussion of the topic requires some understanding of *patria potestas*, paternal power, a Roman legal institution which vested enormous authority in the senior

male of a family grouping and has always fascinated legal specialists. Many Roman citizens' personal and ownership rights were severely limited by this institution. A middle-aged Roman magistrate with a living father had no legal capacity to own property in his own right. On his father's death, a Roman citizen male of any age became a *paterfamilias*, capable of owning and transmitting property, and his legitimate children fell into his power (*in potestate*). Fatherless minor children were assigned *tutores*, guardians of their inherited estate, in accordance with the rules of intestate succession or their father's will.

The status of married women depended in part on the form of their marriage. We know that there had always been two main forms of Roman marriage: in one, the bride retained legal membership of her own birth family, remaining in the power, *potestas*, of her living father or paternal grandfather and any property she inherited on their deaths was strictly separated from her husband's. If she had no living father or paternal grandfather, she was termed *sui iuris*, under her own right, but was assigned a *tutor* for life (*tutela perpetua*) with the authority to limit the disposition of her property. This is the form of marriage which used to be referred to as "free marriage" by scholars, many of whom regarded it with some suspicion. One wonders if they confused it with the term "free love."

The other form of marriage entailed the bride's assumption into her husband's family network, so she passed from her father's power to be in the hand, *manus*, of her husband or father-in-law. Any property she brought with her as dowry was subsumed in the husband's (or father-in-law's) legal ownership but was probably returned to her, on her husband's death, together with her share of his estate, to which she had an equal claim (if he had died intestate) with any of her children. This form of marriage resulted from the formal ceremonies of *confarreatio* (an elaborate, archaic wedding ritual available only to patricians, and permanently indissoluble; Gaius, *Institutes* 1.112) or *coemptio* (a kind of fictitious sale, similar to other ceremonies such as the manumission of a slave or the release of a son from paternal power). But a woman also came into her husband's *manus*, even without a ceremony, if she cohabited continuously with him for a whole year. As early as the Twelve Tables, it was possible for a woman to avoid this consequence by returning to her parental home for three nights in a year.

For many centuries, from early times to the mid Republic, certainly into the second century BCE, the *manus* marriage form of merged property seems to have been the norm and literary and legal sources alike treat it in this way. But the situation had reversed by the first century BCE and *manus* was somewhat of an oddity to Cicero's contemporaries (106–43 BCE). By the time of Tiberius' principate (14–27 CE), it had become all but impossible to recruit patricians for the priesthoods which required candidates to have undergone the ceremonial marriage of *confarreatio* (Tacitus, *Annals* 4.16). This last is hardly surprising, since there is no evidence that the ceremony had ever been widespread even among patricians and the patrician/plebeian distinction had been losing its significance since the fourth century BCE. The wider change in the preferred marriage form, however, which cannot be plotted in detail, had great implications for the status of married women and for patterns of inheritance and ownership. A married woman now had to make a will to ensure that her children would be her heirs, rather than her brothers or

paternal uncle, traditionally her *tutores*, who could lay claim to her estate if she died intestate (Dixon (1984)). This is also the period in which divorce became more common and acceptable, certainly within the political elite of Rome. Much of the law relating to marriage – and linked property issues – seems to have remained fairly stable throughout the first and second centuries BCE. Yet it was a time of great upheaval, of continuous warfare (with the inevitable consequence of widow-hood for many women), political disruption, atypically busy legislation and dramatic changes to the society and economy of Italy – and therefore of the Mediterranean – as a whole. Aggressive Roman expansion from the early second century BCE saw an unprecedented concentration of wealth – and its display – in elite families, the increased use of slaves, and an apparent shift in agriculture and population throughout peninsular Italy which drove many of the political events of the late Republic in its final century.

It is difficult, perhaps impossible, to explain the great changes in Roman marriage throughout this time and in some senses one could argue that there were strong con-tinuities throughout the period. But an over-reading of purely legal concepts would distort the picture. Any suggestion, for example, that the newer marriage preference meant a distancing by the married woman from the interests of her husband and chil-dren, is not supported by the evidence of literary and legal sources which make clear that women of wealth accepted their obligation to provide for their children – to contribute to their daughters' dowries and their sons' political campaigns during their lifetimes and to arrange for the division of their estates to all their children in their wills (Dixon (1988) 44–60). As we shall see in the following section, this period of more frequent divorce and remarriage was also characterized by high marital ideals of loyalty, companionship, and love. The over-reading of legal categories in the past – for example, the presumption that married sons in their fathers' power lived in the pater-nal home – now seems misplaced, as does much of the moralizing.

Scholars of the nineteenth and early twentieth centuries categorized the change in the preference for the non-*manus* marriage form as "free" or "humanistic" and wondered rather naively whether it was a sign of progress or danger (von Jhering (1874); Koschaker (1937); Schulz (1951) 102–103; de Zulueta (1953)). With a confidence I can only envy, de Zulueta explained the legal evolution of Roman marriage from the universal form of dependent sale-marriage (*coemptio*) associ-ated with the patriarchal family structure to the jurisprudential abstraction of con-sensual marriage. He editorialized: "Marriage so conceived respected the [*sc* legal] personality of the woman; it was the progressive type of marriage; the future belonged to it. But it must not be forgotten that its very freedom opened the door to grave abuses" (de Zulueta (1953) 2.36–37). These abuses are not named – pre-sumably divorce and adultery are the gravest, but who knows what marital faults troubled these scholarly gentlemen? One thinks of Juvenal's portrait (*Satire* 6.451–56) of the wife who corrects her husband's grammar at a dinner-party – surely, a sorry instance of the excessive freedoms of the "progressive type of mar-riage." This evolutionary approach – which sees human development as part of an inevitable progress towards enlightenment (with the odd moral *caveat*) – repre-sents the other end of the spectrum from the ahistoric, reductive definitions of

Roman marriage we still find in encyclopedias and legal textbooks. Subsequent scholarship has tended to be both more explicit and more cautious (Treggiari (1982), Gardner (1986)).

Indeed, if the reader is to assess published works on a topic like marriage – on which most human beings hold views, not all of them clearly articulated – it is particularly important to specify the type of sources used, their limitations and the line of reasoning which leads from the evidence to any conclusions. Because they were using Roman law in a novel way, which was regarded with suspicion by "real" *Rechtsgeschichter*, the new wave of scholars became accustomed to justifying the approach by a much more straightforward account of their thinking about law and its relationship to social change. This was an important step in plotting developments in Roman marriage such as the changing legal status of the wife and the greater frequency of divorce.

For all its obvious advantages, Justinian's *Digest* is ill-suited to mapping such historical developments. It has the attraction of venerability and relative simplicity, since it is compressed into a single, authoritative-seeming work (though of many volumes). Yet we need to be aware of other, less accessible sources. We do not, for example, have a full record of the praetorian (judicial) rulings and their rationale, the annually renewed *edictum perpetuum* issued by the main judicial magistrate when he assumed office. This is a most unfortunate lack, since the praetorian edict was an important part of cumulative Roman lawmaking. Roman law was ultimately casuistic, much of it developed from decisions in cases which were presented for arbitration.

We are not even well served with full records of statutes, many of which have to be reconstructed from fragmentary remains and quotations in sources recorded centuries after the event. The problems of historical tracking of social and legal developments are well illustrated by the problems of using the Twelve Tables, the revered basis of Republican law, learned off by heart by Roman schoolboys. They were published in the fifth century CE in response to plebeian agitation to force patrician magistrates to justify their legal decisions. Their (not overly extensive) content, frequently invoked in ancient law courts, has been imperfectly reconstituted from later quotations. Many of the principles stated in that rather primitive collection must have existed before they were formulated in the tables (Watson (1975)). No legal or social historian, for example, doubts that dowry normally accompanied marriage before the fifth century CE, but it seems that the Tables made no reference to this important Roman institution. Moreover, Republican references imply that formulae for the divorce of an errant wife were cited in the Twelve Tables, yet Roman tradition referred to the "first divorce" as taking place in 230 BCE, probably because that was the occasion for establishing procedures for the formal restitution of dowry to the bride's family after a divorce in which she had not been at fault (Watson (1965)).

We cannot, therefore, rely on our written records of Roman law as a complete guide even to the most basic Roman institutions, nor can we afford to base our assumptions on prejudice. Yet we must agree on some principles – which we should make explicit and justify – for "filling in the gaps," deciding when and how to use the law as an historical source, unless our interest is confined to the history of legal philosophy (Crook (1996)). We might note, for example, that as a rule, unless people are obsessively litigious, they prefer to settle issues within the family by negotiation

and mediation, social practices well attested at all periods of Roman history, rather than by taking grievances to law, to be settled by strangers in a public setting. Dowry is an example – the agreement and method of payment and repayment surely led to many difficulties which were not resolved by recourse to the law. But when the usual mechanisms break down, the law provides a last resort which sometimes leads to the formulation of a new principle or of a principle which had been acknowledged until then as a social precept but was not protected by legal sanctions. Dowry and its gradual acknowledgment in the law can be represented as part of such a process. Literary references suggest that honorable men took very seriously their responsibility to guard the wife's dowry throughout a marriage, a practical acknowledgment of its role in maintaining the married woman and forming the core of the inheritance which would eventually pass from her to her children. Breaches of this gentlemanly understanding slowly led to statutory limits to a husband's use of his wife's dowry (Dixon (1992) 50–53).

The fact that law is necessarily concerned with problem cases which have not been resolved in the usual way means that historians are limited to surviving records to reconstruct the rules which govern everyday behavior. Consider what you know about the legal definitions of marriage in your own society and the rules governing divorce and separation. Would they really provide a realistic picture of the marriages within your social circle? Or of people's expectations and their general agreement as to what does and does not constitute proper behavior. Oddities are often what attract the interest of scholars – indeed, of anyone. A case in which a child sues a parent is universally seen as shocking and therefore notable but is not necessarily indicative of parent–child relations in general. Modern textbooks and source collections routinely include the example of the Roman husband who beat his wife to death and justified his action on the grounds of her drunkenness (Valerius Maximus 6.3.9). Yet this was an extraordinary event and rationale in the ancient world and was passed on as such, much as such oddities feature in modern tabloids. Rather than indicating the powerlessness of Roman matrons, the example demonstrates that even in the mid Republican period a husband did *not* enjoy the power of life and death over his wife, but could be tried by a family committe, *consilium* – including his in-laws – and would be called on to justify his actions, just as he would have done in a later period in a trial before a standing homicide court and jury.

In other words, law might reflect existing social norms, longstanding ideals or an atypical aspect of behavior. It is therefore important to make clear how legal sources and concepts are used in discussing Roman marriage rather than to pass on legal definitions of marriage and its purpose uncritically, as if their general acceptance was self-evident.

Definitions of marriage frequently begin with the statement that the purpose of Roman marriage was the production of legitimate children – a fairly anodyne assumption about marriage in most cultures and periods, one would imagine. It is supported by references to Roman censors formally enquiring of male citizens if they have married for this reason. The same concept is found in marriage agreements, preserved on papyri from the early imperial period, first century CE, and offered as evidence for the expression forming part of the standard Roman wedding

ceremony (although it is not clear that there was such a thing) (Dixon (1992) 67–68). Certainly the blocks of legislation passed under the *princeps* Augustus which related to marriage reinforced the state concern with the production of legitimate citizens and instituted a system of incentives and penalties to promote that end, including harsh penalties for adultery (Evans Grubbs (2002) 83–87). But Romans who formed marriages suited to the needs and ambitions of their families and sharing the usual expectation of children surely brought other hopes to marriage. Even the bare-bones legal rulings refer to the concept of the *bene concordans*, or happy marriage, as in imperial judgments from at least the second century CE limiting a Roman father's – or mother's – right to dissolve a daughter's happy marriage (Evans Grubbs (2002) 196–97).

4 Simulations, Statistics and Sentiments: Opening up Roman Marriage

The study of Roman marriage – and of Roman society in general – has been affected in the last 50 years by radical alterations to notions of what constitutes history and historical causation. Private life, women, slaves, the lower classes, children, provincials, the human life cycle, emotions, sexuality, and major social institutions such as marriage are now integrated in classical studies which once defined their scope in narrow terms. While Marxism as such has not had a discernible impact on studies of Roman marriage, the insistence of the nineteenth-century thinkers Marx and Engels on the importance of class conflict and economic factors had a huge impact on historical studies in general. Their emphasis continues to affect ideas of causation and has influenced the widening of "history" to categories like work and the lower classes – also termed "majority history."

In the ancient world, historians like Polybius (ca. 204–122 BCE), Livy (59 BCE to 17CE), and Tacitus (55–118 CE) were primarily concerned with battles and elite politics, but they occasionally mentioned marriage – and women – in their accounts because of the importance of marriage alliances to the political elite of Rome. Early in the twentieth century, the historical researches of German scholars (Münzer (1920); Gelzer (1912/1969)) made it possible to elaborate on these elite family links. English-speaking scholars (notably Syme (1979)) subsequently gave the name of "prosopography" to biographically oriented studies of political individuals and their family connections which sometimes featured women as part of a more widely defined political process which included patronage and lobbying.

The well-known phenomenon of the "second wave" of feminism was to build on this slight foundation and put women and social institutions firmly at the center of things.

A new generation of scholars debated more intensely the roles of women in political marriages and in lobbying (Hallett (1978), (1984); Hillard (1983); Dixon (1983)). The debate overlapped with the growing interest from the 1970s in the agency of Roman women and particularly their power to choose or reject marriage partners proposed for themselves or their daughters (Treggiari (1982); Dixon (1988) 62–63).

The impact of feminism on classical publications is evident but feminist historians like Corbier, Dixon, and Hallett have not pursued a distinctively feminist method in their treatments of Roman marriage and related topics, such as divorce, adoption, inheritance or kinship. Corbier (for example, 1991) and Dixon, for example, can readily be grouped with Saller (for example, 1984b) and Treggiari in the new, more historically oriented approach to legal questions about dowry, consent to marriage or the role of the *paterfamilias*. In their assessment of power relations within the family or ideals of married life, the analysis of feminist scholars is not distinguishable from that of an author like Bradley (1985). While more sympathetic to theory than their forebears, all these authors pursue an essentially empirical, text-based analytic technique. When discussing sentiments or sexuality, they are more likely to invoke (or denounce) Foucault than Cixous.

The great French historians Marc Bloch and Lucien Febvre are generally credited with "opening up" the scope (or *territoire*, territory) of European history. They and their successors asked why so few historians dealt with the great issues like birth, death and the emotions, and they argued that weather and epidemics were as important in explaining human events as the military and political battles which dominated traditional chronicles. Proponents of the new history published in the journal *Annales: économie, société, civilizations* (*Annals: Economy, Society, Civilizations*, originally *Annales d'histoire economique et sociale*) and have been termed *annalistes*. Their statistically based regional French studies of such things as wet-nursing or the age at marriage of peasants in the early modern period marked a change in content and method which had historians around the world wondering if these concerns and techniques could be adapted to their specialities.

Inheritance and marriage "strategies" featured in the new titles, which more closely resembled anthropology than traditional history. Topics such as parental love and conjugal sexuality, previously embedded in moral discourses, were subjected to empirically based analysis to test the idea, for example, that the deaths of young children were not formally mourned in periods of high infant mortality or that older generations were more likely to control marriage selection in land-rich societies. The very concepts of maternal love and childhood were presented as constructs or inventions rather than eternal truths. The shift in historical content and technique had many facets. It was influenced by the politics of the time and suited the more egalitarian post-war spirit, impatient with traditional chronicles of the great.

Although there has been some tension between Marxists and *annalistes*, both influences have been evident in the widening of the concept of history away from the formal seats of power and military events.

Married love in Rome was soon drawn into a typical *annaliste* controversy. At bottom, the issue is whether Romans, whose marriages were usually arranged for reasons other than passion, could have been in love with their spouses. This topic had generally been alluded to by classical literary specialists, who had argued that Latin love poetry celebrated adulterous love because elite Roman marriages were essentially loveless – or could at best achieve a cozy domestic kind of affection (Williams (1958)). The *annaliste* historian Veyne (1978) went further, arguing in a much more wide-ranging and systematic way against the importance of love of any kind in

the marriages and families of the early Empire. Although literary scholars, generally unaware of alternative perspectives, continued to promote the traditional reading of Latin love poetry and Roman marriage (Lyne (1980)), Veyne's rather extreme argument led Roman social historians to examine the concepts involved in much greater detail. It should be made clear that there is not – perhaps can never be – agreement on this subject, but there is now a body of thoughtful discussion of the emotional expectations of Roman spouses, based not only on poetic literature but on letters, tombstones and stories which celebrated contemporary ideals of marital harmony and devotion from the late Republican period well into the Empire (Rawson (1991)). The territory of the historian had indeed expanded. Foucault and the *annalistes* had led the way and from the 1990s feelings and sexuality were firmly on the classical agenda (Hallett and Skinner (1997); Dixon (2003)).

Demography might have seemed the most unlikely of the *annaliste* techniques to be taken up by historians of classical antiquity for, with the exception of Roman Egypt with its more thoroughgoing records (Bagnall and Frier (1994)), ancient biodata were rare, unreliable, and largely undateable. Nonetheless, Romanists Richard Saller and Brent Shaw succeeded in extracting usable figures from selected tombstones and collaborated with the Cambridge Group for the History of Population and Social Structure, initiating a number of computer simulations to replicate the likelihood of different life events and family relationships in the Roman world. The results were striking. Most notably, it emerged that relatively few Romans would have had a living father at the time of their own marriage (Saller (1987)). In other words, the notional importance of *patria potestas* must have been greatly mitigated by the fact that so many men and women were independent of paternal authority by the time they reproduced (Saller (1986)). Shaw also revisited earlier discussions of the age of Roman girls at marriage and concluded that elite girls married at a younger age than lower-class girls (Shaw 1987). In the past, it had been thought that religion was a more important factor (Hopkins (1965)).

Even discussions which did not explicitly address Roman marriage often had important implications for the topic. The debates of the 1980s centered on definitions of the Roman family and the composition of the household, then moved on to issues of ideals and their relationship to norms and laws. It was generally conceded that, in spite of the theoretical extent of *patria potestas*, Roman sons normally established their own households on marriage rather than remaining with the extended family under the authority of a *paterfamilias*. Works on the legal status of women and aspects of motherhood were relevant, as we have seen, to the status of the married woman who remained legally a member of her birth family.

Roman tombstones, which had furnished the main material for ingenious demographic reconstructions (Saller and Shaw (1984); Parkin (1992)), were also a useful source for speculation about feelings and attitudes. Scholars developed systems for collecting and analyzing the fairly brief and formulaic praise recorded by grieving widows and widowers. Combined with the inspiring tales of married love and loyalty in testing times which circulated in Roman times, these revealed strong ideals of marital affection and established that – although we could never ultimately test how genuine or widespread the actual feelings were – Romans certainly aspired to happy

and loving relationships in their marriages. From the time of Augustus' principate, the imperial families exploited and developed such ideals, promoting their own far-from-ideal model. Scholarship since the 1990s has progressively refined the assessment of such imperial propaganda and its impact on the whole empire and the expression of marital and familial ideals. The style of official imagery portraying the ruling family influenced the portraiture and commemorative sculpture of commoners (Kleiner (1977); Koortbojian (1996)). In time, with changes in dynastic families and government propaganda, the iconographic pattern of Late Antiquity reverted to the Republican tradition of featuring the married couple rather than the whole family, including children, a pattern which had been made popular in funerary art in the principate of Augustus (27 BCE to 14 CE) (Kampen (2007)).

5　Unnatural Unions: Plotting Roman Marriage into Late Antiquity

Historians of "Rome" (whose expertise wavers from the second or third century CE), of Late Antiquity and of Christianity have generally gone their own ways with little knowledge of each other's work. This meant a lot of replication of the wheel, even in relatively interdisciplinary areas like the study of marriage, the family, and gender.

The last decade has seen more systematic talking across subject fences and some of the finest and most exciting scholarship has come from those versed in more than one of the three areas (Evans Grubbs (1995); Arjava (1996); Osiek and Balch (1997)). Not being one of these scholars, I am bound to present the development from the perspective of an historian of classical antiquity singling out marriage patterns in a changing multicultural Roman world beyond my own expertise.

Theology and the women's movement have driven much of the interest in recent scholarship on the early Church (Macdonald (1996)). Issues of prime importance have been Christian teachings on the power balance between husband and wife but also the roles of widows within Christian communities and dominant views on remarriage (Humbert (1972); Balch (1981); Thurston (1989); Winter (2003)). At the same time, scholars have examined the historical context in which the early Christians lived including their cultural interaction with the dominant Greco-Roman society and the composition of the Christian household (Balch (1981); Moxnes (1997)).

Studies of the Christian family and household have much in common with the general trend towards specialization and an emphasis on interpreting the material remains of diverse regional and ethnic groups throughout the Roman Empire. This stress on material culture – both archeological and iconographic – is largely a response to the lack of written evidence for the greater part of the ancient population. There are few relevant written sources to illuminate marriage in Roman Gaul or Roman Britain, for example. Accordingly, scholars have developed refined techniques for interpreting domestic spaces (Laurence and Wallace-Hadrill (1997)) and visual symbolism, such as funerary art, which celebrates domestic virtue (Larsson (2003)). Many Christian, Jewish, and Greek communities are better served

with literary or documentary evidence. But this does not mean that there has been agreement on the character of Christian marriage or its relationship to marriage in the wider community.

Evans Grubbs' landmark study (1995) put under the microscope many of the assumptions which had long underpinned writings about marriage in Late Antiquity, particularly marriage following the legislation of Constantine, the emperor who famously converted to Christianity. His religious conversion came very late in life, but he was a pragmatist who benefited from taking this powerful group into his political and military fold, thus marking the beginning of a long, if varied, impact of the Christian Church on the European monarchies. Even if they were not practicing Christians, classical historians and jurists of the nineteenth and twentieth centuries proceeded from the assumption that Christian marriage differed in some essential way from its morally inferior predecessor, "pagan" marriage. It is worth noting that these scholars lived and wrote in a period which saw the transformation or repression of polytheistic or animist religions by missionaries in colonized countries. Greco-Roman culture was accorded a special place in the European tradition, but the religions and morals of the ancient Mediterranean were – like those of the "noble savages" of Africa and the Pacific – alternately idealized and demonized. The mindset of perceiving non-Christian societies as "the other" was entrenched and pervasive. The notions that Roman marriage was less stable and moral before Christianity, that women were somehow better off within the Christian institution and that adultery was uncommon among Christians were sometimes made explicit, but were more commonly embedded in discussions without being examined. The sacramental character of Christian marriage was sometimes invoked and the presumption made that Constantine's statutes on marriage confirmed Church rulings.

Evans Grubbs' systematic scrutiny of these assumptions led to the conclusion that Constantine's legislation could be better viewed as part of a continuum. Divorce became a little less easy and wives had less power to initiate it, but divorce by mutual consent remained straightforward within a newly Christian state. Many of the changes thought to have been instituted by Constantine actually incorporated longstanding attitudes and practices. Evans Grubbs' work fell firmly in the Crook/Dixon/Saller/Corbier mode of historically based legal analysis, but applied to a later and more complex era, in which Roman citizenship extended to an enormous, culturally diverse population and in which the religion which had had such a problematic relationship with the state was now respectable and increasingly authoritative, rapidly making its mark on the legal system.

Socially oriented studies of marriage among the early Christian communities (first to second century CE) and in Late Antiquity in general (from the third or fourth century CE) have largely replaced the more theoretical approaches of earlier theological and juristic enquiries which tended, like studies of Roman marriage, to equate abstractions with social reality. The field is now characterized by cross-disciplinary combinations of written, archeological and art-historical evidence which overlap with developments in kindred areas, including Roman marriage (Balch and Osiek (2003)).

6 Conclusion: *La Lutta Continua*

No matter how many publications explore Roman marriage, there will continue to be debates and questions and these will reflect the concerns of each age and the intellectual movements and training of the scholars involved. Great minds of the nineteenth century were concerned with in-law terminology and ceremonial, and proceeded from the hypothesis that many cultures had common origins (Marquardt (1886) 18).

We have seen for how long the tradition of juristic analysis, removed from any notion of historical context or change, dominated much of the discourse on Roman marriage and made it a rather rarefied area of study, more akin to legal theory or philosophy than social history and largely preoccupied with textual questions. At a time when the general historic concentration of Romanists was on the late Republic and early Empire, reliance on the Justinianic corpus cut legal historians off from the mainstream, since their focus was on a much later period of history, when the state propagated and enforced many Christian principles. And, once again, there were many unexamined assumptions that the Christian sacramental approach to marriage had necessarily altered marriage customs and attitudes in the huge area affected by Roman law, an assumption which – as we have seen – has been modified by recent scholarship.

Classical scholars who had on the whole identified with conventional establishment, imperialist attitudes eventually embraced new notions of history. This change was an inevitable, if generally slow and grudging, response to the intellectual and ideological movements of the twentieth century, which manifested themselves in cataclysmic contemporary events – fascism, the Second World War, socialist revolutions, wars of liberation and the rise of social democracies.

The radical change to aristocratic traditions and social organization predicted by many following the First World War actually gained momentum in the aftermath of the Second World War. University students were drawn from a wider social pool and included far more women. In an era of toppling empires and ideological impasses, the traditional preoccupation with military history and the politics of the elite was gradually eclipsed by a strong push to uncover the history of the majority – a move which inevitably put more stress on social history. The postwar expansion of social sciences which studied the modern world had an impact on the study of history, including that of the ancient Mediterranean. In spite of the obvious problems facing ancient historians, which would seem to make it difficult for them to apply the new statistically based population history which transformed French early modern studies, some brave souls rose to the challenge and showed us that legal institutions like paternal power, *patria potestas*, could be modified by demography, a finding with great implications for the realities of matchmaking in the Roman world.

The future direction of the field is not clear. It is hard to imagine a return to the heavily moralizing style of the early twentieth century, but it could happen. Scholars have a certain impact on the way in which the past is viewed, but history is also a commercial and political commodity. The appeal of the classical world and

of social institutions to a wide audience is a mixed blessing. The tendency of popular culture so far has been to return to a simplified, moralizing view of most historical figures and societies. This is an age of religious extremes in which faith is more important than evidence and critical thinking is less valued in politically driven educational programs than "core values" and basics. We could well see exposés of Roman marriage and morals on the Discovery Channel which lock more into the tradition of Gibbon's *Decline and Fall* or of novels like *The Last Days of Pompeii* than into the more complex scholarly perspectives published in specialist journals. The tendency is already evident on the Internet, with its undifferentiated mass of information about ancient Rome, where any keyword search including the word "Roman" treats the reader to a buffet of university course materials, cheat essays, student blogs, Wikipedia articles, and family holiday reminiscences. That is my inconclusive moralizing conclusion.

FURTHER READING

Whatever a student's purpose in pursuing further reading, the starting-point should be the ancient sources. There are now a number of translations available for the reader without Latin and Greek in the form of edited collections of extracts, grouped under headings. These include specialist works such as Evans Grubbs (2002), specifically on marriage, and more general collections on Roman social history such as Cherry (2001); Parkin and Pomeroy (2007); Rowlandson (1988); or Shelton (1988).

A summary introduction to Roman marriage can be found in encyclopedias such as the *Oxford Classical Dictionary* or Berger's old but still reliable *Encyclopaedic Dictionary of Roman Law* (1953) under cross-referenced headings such as *matrimonium* or *manus*. Treggiari's (1991) book exhaustively covers social, philosophical, and sentimental aspects of marriage as well as the laws. Evans Grubbs (1995) analyzes the transition from Greco-Roman to Christian concepts of marriage and demonstrates the continuities. Briefer overviews can be found in my article on elite Roman marriage (Dixon (1985a)), pitched at the non-classical reader, and in the third chapter of *The Roman Family* (Dixon (1992) 61–97).

For the more ambitious reader, edited collections on specific topics, such as the forthcoming volume by Larsson and Strömberg (2009), are good samples of current specialist scholarship and provide excellent bibliographic starting-points for further research on specific aspects of marriage. Similarly, Balch and Osiek's edited collection on Christian, Jewish, and Greco-Roman families and domestic space (2003) in imperial times is a useful introduction to the complexities of marriage in a multicultural empire.

I hope the reader interested in pursuing the topic will browse this selection, together with the more substantial (but by no means comprehensive) guide I have provided in my chapter on developments in the dynamic study of Roman marriage, and quickly move on to new and interesting areas.

CHAPTER 16

Other People's Children

Mark Golden

1 Introduction

I begin with a quotation from *Unless,* the final novel of another Winnipegger, Carol
Shields (Shields (2002) 94):[1] "'The trouble with children,' Danielle Westermann
once said, 'is that they aren't interested in childhood … and when they do finally
develop sufficient curiosity, it's too late'." Westermann, a famous writer now prepar-
ing her autobiography, is resolved to say nothing about her childhood. Aristotle might
approve: he notes that dwarfs and others with large upper extremities – like children –
have poor memories (*On Memory and Recollection* 2.453a32). In the end, however,
she changes her mind.

Westermann's opinion, like her own trajectory, seems to replicate modern scholarly
attitudes towards children in the ancient world. For a long time, there was very little
interest. Numerous bibliographies and review articles testify that (like Westermann)
classicists and ancient historians have changed their mind (Dasen (2001); Rawson
(2005); Aasgaard (2006); Harlow et al. (2007)). Once overlooked, ancient children
are now subjects of overviews. But – and here we are less fortunate – it is some 2,000
years too late to learn very much about them.

This is truest, of course, when it comes to children's own attitudes and actions.
Certainly we have some tantalizing traces of their self-expression: palm prints on the
tablets used by scribes at Bronze Age Knossos on Crete (Sjöquist and Åström (1991)
25–28, 30–33; Killen (2001) 8); handprints on a pot from south Italy and a tile
from Hellenistic Etruria (Cohen (2007) 10); the poignant plea in a fourth-century
lead tablet, the letter of an apprentice in the Athenian agora – "I have been handed
over to a man thoroughly wicked; I am perishing from being whipped; I am treated

like dirt – more and more!" (Jordan (2000); Harris (2006) 271–79; Harvey (2007)). Their bones sometimes speak for them, often to tell a tale of hard work and suffering (Laes (2008) 235–37, 275–77). Yet these are pitifully inadequate, especially when we consider that children made up a far greater proportion of Greek and Roman populations than they do today. And they are far from straightforward to interpret. Are the fingerprints and handprints evidence for children's work – children likely played a part in other areas of the Bronze Age economy, such as cloth-making (Nosch (2001)) and fishing (Chapin (2007) 254–56)? Or do they record more playful interventions in the world around them, like my son's signature in the sidewalk on the way to his school? As for Lesis, the author of the lead letter home, we can't be sure of his juridical status (though he is likely a slave) or his family situation (it is his mother he seems to address) or whether his letter, found in a well, was ever delivered. The scarcity of such traces and the difficulties they pose naturally persuade students of ancient children and childhood to focus on the ideas and emotions of adults – especially parents – and the institutions they established as a result. More plentiful these surely are. But they too are hard to handle, sometimes in ways which go unrecognized. In particular, we are all too prone to judge other adults too harshly, in part because we have too good an opinion of ourselves.

It is of course almost a cliché that adult statements about their own children say as much or more about themselves. Archaic Athenian gravestones which call attention to the beauty of the monument or the celebrity of its sculptor are undoubtedly meant to enhance the prestige of the family members who set them up (Duplouy (2006) 124–31). Plaster masks of babies, some only a few months old, are portraits, no doubt; but the freedmen who commissioned them also mimic the *imagines* of the Roman elite, using their descendants to substitute for the ancestors they lack (Dasen (2006a) 35–36). Another example: why are children on Roman tombstones often portrayed as older than they were, even as precocious in their aptitudes and achievements (the *puer senex* motif) (Laes (2004b) 65–67)? The ages themselves may be given to stress the potential which was lost when the child died (Sigismund Nielsen (2007)). But the child's (unrealized) accomplishments serve to raise the status of the dedicators, parents or other kin; it is they, after all, who are responsible for the form a memorial takes – and in fact some chose to display themselves rather than the children they commemorated (King (unpublished)). Parenthood itself was a valued role, something to be proud of; high infant mortality made raising a child to be a toddler or to a later stage a kind of success; any sign of special promise let grieving parents stand out in a society in which there were so many of them. Such an explanation may be invoked even to account for grave goods which seem inappropriate to the youth of the children with whom they are buried (for example, Papaikonomou (2006); Dasen (2008a) 50). It is true that these, unlike tombstones, would be invisible to casual passers-by. But they might make a similar claim to status to family members or unrelated women who took part in the burial process. Some epitaphs too draw attention to a child's special distinctions. Most, however, are conventional, making much use of descriptors such as "dear," "sweet." These assure the community that dedicators recognize social norms and are unlikely to let disruptive grief overflow the accepted limits. Other child burials may point in the opposite

direction and represent an attempt to subvert the established order: women in fourth-century Roman Britain perhaps placed dead infants under the floors of barns and yards as well as of homes in order to extend their realm from domestic to agricultural contexts (Scott (1993) 89). In all these instances, messages are only secondarily about children.

Revealing as these practices are, however, it is accounts of other people and the way they treat children which are most telling. Here's a contemporary example (cf. Rawson (2003) 10, note 17). In the aftermath of the September 11 attacks on the United States and the reprisal bombing of Afghanistan, the government of Australia, led by Prime Minister John Howard, was campaigning for re-election and pledged to turn away asylum-seekers who appeared offshore. These were no threat to Australian security, desperate and defenseless as they were. But they were mostly Middle Eastern, people of color, Muslim – obviously Other – and so menacing in less definable ways. And leading ministers of Howard's government produced proof for their assertion that such refugees threatened Australian values: a photograph of one boatload of refugees who held their children up for the camera. An attempt to gain sympathy? No (it was claimed), these outsiders were so eager to breach the nation's defenses that they had threatened to toss their own children overboard unless they were allowed to land. This was barbarian blackmail. Howard's party then used other photographs to claim that children had in fact been abandoned in this way. Soon enough, evidence appeared to show that these readings of the photographs were wrong. But no retraction was offered, let alone an apology – and Howard's coalition went on to win the election, and the next one too.

Here, the leaders of a Western, industrialized democracy played on stereotypes of parental indifference in other, less-developed countries far away. In so doing, they showed themselves to be the ones really willing to use and exploit children for their own purposes.

We can find a similarly revealing episode in the text of the great Athenian historian Thucydides. In the summer of 413 BCE, almost 20 years into the war between Athens, Sparta, and their allies which consumed the Greek world for a generation, the Athenians decided they had no further need of a force of Thracian mercenaries and sent them home. On their way north, the Thracians found the small Boeotian community of Mycalessus unguarded and attacked it. Thucydides describes what happened next:

> The Thracians burst into Mycalessus, sacked the houses and temples, and butchered the inhabitants, sparing neither the young nor the old, but methodically killing everyone they met, women and children alike … every living thing they saw. For the Thracian race, like all the most bloodthirsty barbarians, are always particularly bloodthirsty when everything is going their own way … among other things, they broke into a boys' school, the largest in the place, into which the children had just entered, and killed every one of them. Thus disaster fell upon the entire city, a disaster more complete than any, more sudden and more horrible. (Thucydides 7.29.4–5, tr. Warner (1954))

It is the deaths of the children on which Thucydides dwells for effect: they clearly cap the catastrophe. As is often remarked, the passage provides a glimpse of the care and concern for children that Classical Greeks thought characterized themselves.

Indeed, it is this slaughter of the innocents which defines the Thracians as true bar-barians. But the fact is that Thucydides could just as easily have found examples of Greek atrocities against children in warfare: in the Troy story, for example, which was accepted as part of the historical record by Thucydides and many of his contemporaries. Here we learn of the Trojan princess Polyxena, butchered as a sacrifice over the grave of Achilles, and of her baby brother Astyanax, hurled down from the city's walls lest he live to avenge his father Hector. In a particularly gruesome version, exploited by vase-painters, his corpse is used to bludgeon his grandfather Priam at the altar. Nor did Thucydides have to search the distant past for such horrors. A general as well as a historian, he knew the Greek custom when a city was sacked: men were killed, women and children sold into slavery. What if the children were too young or otherwise worthless? There is a hint in Xenophon's praise of his friend, the Spartan king Agesilaus (Xenophon, *Agesilaus* 1.21). When he moved his camp, the king looked after the young children left behind by slave-dealers who didn't want the burden of carrying and feeding them. This was obviously unusual enough to redound to Agesilaus' credit; more often, we must imagine such young booty starving or dying from exposure or killed by animals.

Even in the case of those Thracians Thucydides could find culprits closer to home. The Athenians had sent the Thracians on their way (he tells us) with instructions to do the enemy whatever harm they could; I doubt that these orders included a proviso exempting children. And they supplied an Athenian commander too, one Dieitrephes. Just what was he up to when the Thracians did their work? Thucydides doesn't say.

Simpler examples of self-praise in the guise of providing information about others abound. So, among the epigrams of the *Greek Anthology*, Archias urges praise for the same Thracians, who mourn their newborns and bless those who die (9.111) and an anonymous poet says that no Celt feels like a father until he has tested a baby in the river Rhine (9.125). The subtexts: Greeks welcome their children, Greek fathers care for them as soon as they come. Otherness, however, is not restricted to ethnicity. Again in the *Anthology*: Philo betrays himself as a true miser by putting one of his small children into his own coffin in order to save money (Nicarchus 11.170; cf. Lucilius, 11.172). The accusation that foreigners sell their children is found in Greek authors such as Herodotus (against the Thracians, 5.6), Plutarch (against the Carthaginians, *Moralia* 171CD) and Philostratus (against the Phrygians, *Life of Apollonius* 7.7.12) (Vuolanto (2003)). Tacitus, however, directs the motif against Roman generals of Tiberius' time, whose greed forced Germans to sell their wives and children (*Annals* 4.72–73).

As Tacitus' denunciation of the generals indicates, this tendency, to accuse others of lacking concern for children and to mistake their emotions more generally, occurs within later societies too. I have elsewhere discussed a few examples (Golden (2004)): police officers arresting a young – and innocent – nurse because she showed too little emotion at the death of newborns in her care, elite observers in eighteenth-century France criticizing peasants for the ways they fed their children. These could easily be multiplied. Some observers in Victorian England cast aspersions on the capacity of working-class parents to mourn their children (Strange (2002)). They lacked (so it was said) "the luxury of pure grief." In fact, no mere metaphorical economy was involved.

Parents, earning little enough as it was, were unwilling to hold lengthy funerals during the workweek for fear of losing wages. They asked local councils to allow funerals to take place on Sundays to give more time for the luxury of grief – but these, made up of people from the same social class as the critics, generally refused. How much greater, then, the likelihood of misunderstanding or misrepresentation when the feelings we interpret and judge belong to people who lived long ago, far away, in circumstances and environments so unlike our own! And especially when we may think we are better parents or live in a more child-centered society. It may be helpful to consider some ancient child-rearing practices which have occasioned controversy in light of our own customs, and to reflect on how these will appear to researchers in the future.

2   Child Abuse

Greeks and Romans are sometimes accused of child abuse, mainly on the grounds that physical discipline – corporal punishment – was prevalent at the hands of teachers as well as of parents. (See now Laes (2005) for the extent of corporal punishment, though not for the label.) Furthermore, pederastic relationships between older males and their under-age citizen partners were accepted and even encouraged in many Greek communities. Subject to legal sanction at Rome and illegal in many jurisdictions today, these qualify in some eyes as child sexual abuse (for example, deMause (1998); Hobbs (2006)). Here is a highly colored summary, put into the mouth of a young girl who has herself been cast away on an island off the Labrador coast in 1542, from Douglas Glover's novel *Elle*:

> Classical literature teems with stories of extreme child-rearing practices: young single girls left on rocks or deserted islands or thrust into dark tunnels as punishments or sacrifices or tribute or simply for their nutrient value vis-à-vis whatever slavering monster happens by. (Glover (2003) 32)

Now, I followed Jewish tradition and had my son circumcised; he wailed lustily and (as the old joke goes) didn't walk for a year. My friend JoAnne finds this shocking. Mind you, she is of Scottish descent and so arranged bagpipe lessons for her own son. Neil wails as loudly as Max did, causing collateral damage throughout the neighborhood besides, and complains bitterly about having to practice. Neither JoAnne nor I is a child abuser; we are simply parents anxious to affirm our sons' heritage, something (we think) they will someday need to understand and will perhaps come to appreciate. But will these motives occur to scholars, let alone writers of imaginative fiction, two thousand years down the road?

3   Child-minders, Fosterers, Surrogates

Both Greeks and Romans made much use of wet-nurses, *paedagogi*, fosterers and other kinds of surrogate parents, sometimes from necessity – after death or divorce – sometimes not. Nor was this a practice among the elite alone. Many surrogates were

slaves, little regarded in any case and distrusted for the effect their moral imperfections and other lapses (such as in speech) would have on their charges. Critics in other societies also worried about the medical risks of sending children away to wet-nurses; Montaigne in fact complains that both the clients' children and the wet-nurses' will suffer (quoted in Woods (2003) 423). I am not aware of any similar sensitivity to the fate of nurses' children among Greeks and Romans who contracted for their services, but surviving papyrus agreements from Egypt certainly testify to a concern that babies brought in will get less than their parents bargained for (Bradley (1986)). Was this use of external child-minders a distancing strategy, a way to reduce emotional investment in a child who might die (cf. Bradley (1993) 29)? Or even a sign of indifference? The myth of Theseus is suggestive here (Sourvinou-Inwood (1979)). There were two traditions about this hero. In one, his father was the god Poseidon and he was raised at Troezen; alternatively, his father was King Aegeus of Athens. The contradiction was rationalized by a narrative in which Aegeus left the boy at Troezen to be raised by his grandfather and others. As often happens in Greek myth, this purely narrative element engendered a motive, and Aegeus' action was figured as abandonment and hostility. This emotive coloring then shaped the myth's development: Aegeus and Medea try to kill Theseus on his arrival at Athens; Theseus in turn causes his father's death when he fails to replace his black sails by white to signal his survival on his return from slaying the minotaur; and then his son's when Poseidon's bull from the sea overturns Hippolytus' chariot in answer to his prayer. A chain of hostility and harm links fathers and sons, all stemming from Theseus' upbringing away from his parents: a sign (it may be) of Greek unease at the use of surrogates.

But once again our own habits may persuade us to hesitate. We Canadians put our kids in daycare from an early age, enroll them in lunch and after-school programs, send them off to sleep-away camps in the summer, encourage them to attend universities far from home. All this, even though daycares are swap-meets for viruses and run by a poorly paid and transient staff, children's letters of complaint from camp make up a minor literary genre and many college students never return home to live. Nevertheless, we don't usually regard these distancing strategies as symptoms of parental indifference, never mind hostility – quite the reverse.

4 Evidence

Finally, epitaphs – a major source for attitudes towards children. Ours are no less circumscribed than the ancients', and parents moved to express their grief beyond the few phrases approved by convention may find themselves counseled towards restraint by funeral directors or even forbidden by cemetery regulations (King (2000) 129–40). Others' condolences are molded into well-traveled channels by mass-produced sympathy cards. We hide our pain from even our neighbors; will we conceal it from tomorrow's scholars too?

Much, of course, must depend on what other evidence of our feelings towards children survives. Perhaps there will still be personal diaries of the kind which give scholars today glimpses into the grief which overwhelmed parents who lost so many

children in the seventeenth and eighteenth centuries (Pollock (1983); Woods (2006) 95–130) or home movies or advertisements for toys. But what if the material is skewed in another direction? Here are three examples of the sort of thing which might convince outsiders that we don't really have much concern for children, all drawn from recent Canadian history.

1   In 1995, all parties in the House of Commons voted to end child poverty in ten years. Fifteen years later, after one of the longest sustained economic booms in Canadian history, there was no measurable progress towards this goal.
2   In 2004, the Canadian government plotted or supported or did nothing to prevent the takeover of Haiti by a gang of thugs and terrorists. The president who was overthrown and forced to leave his country, Jean-Bertrand Aristide, was not only elected democratically and fairly; he was one of the very few leaders able to claim that his time in office saw an improvement in the appalling mortality and literacy levels of Haiti's children.
3   In 2002, American troops seized Omar Khadr, a 15-year-old Canadian who was fighting alongside the Taliban in Afghanistan, and confined him in the prison camp at Guantánamo to await trial for killing a US medic. According to international conventions Canada had signed, Khadr was a child soldier, a victim of war rather than a perpetrator. Yet successive Canadian governments led by different parties refused to intercede on his behalf and now, in August 2010, he remains as the only Western prisoner still held at Guantánamo.

We know that such items of information, telling as they may seem, are just parts of a more complex reality. Our attitudes towards children, our own and others' too, are often contradictory or at least difficult to summarize in a phrase. After all, even if we assume that everyone loves and cares for children and wants to do the best for them, there is hardly universal agreement about what that is. The kindergarten and child study movements of the nineteenth century insisted that children should develop naturally, in stages; at the same time, many parents from the same social milieu pushed their children to get ahead as fast as they were able and John Stuart Mill learned Greek at three. Debates and disagreements along these lines are plentiful today. Readers of Alexander McCall Smith's "44 Scotland St." series witness one of them: Irene wants her young son Bertie to play the saxophone and converse in Italian, while Bertie himself would rather be like the other little boys. We can occasionally catch their echoes in the ancient past as well: Plato and Galen thought babies should be coddled for the first three years or so, comforted and breastfed when they cried to avoid weeping which might kindle fever; Aristotle and Soranus were less indulgent, regarding wailing as a natural form of exercise, at least as long as it did not go on too long (Hanson (2003) 192–96). When children and childhood are subjects of current controversy, our judgment of ancient practices may be skewed.

Take child labor. There is no doubt that Greek and Roman children, citizens and slaves alike, often worked both within the home and beyond (Golden (1990) 32–36; Bradley (1993) 103–24; Petermandl (1997); Laes (2008)). Roman jurists attribute a value to slave children – reflecting their economic productivity – at five

(*D* 7.7.6.1, Ulpian); citizens of Socrates' utopian Magnesia are to be in the fields at ten (Plato, *Republic* 7.540E–541A). Some workplaces were unsafe: children (captured in war or condemned to hard labor along with their families) toiled alongside their parents in the gold mines of North Africa in conditions which sound appalling (Agatharchides of Cnidus, *Geographi Graeci Minores* Fr. 26 = Diodorus of Sicily 3.13.1; Laes (2008) 250–52), and a foundry is far from a healthy environment even if the bosses are less harsh than the ones Lesis' lead letter complains of. Even farm work could result in injury or death (Laes (2004a) 158). At the same time, however, children's work must frequently have been essential to a family's well-being. A poor Athenian had to tend his family's flocks while better-off boys were going to school in town (Lysias 20.11) and a thorough investigation of the effects of Rome's wars of conquest on the peasantry concludes that the contributions of children helped many households to subsist while their heads were away (Rosenstein (2004) 63–106). And of course some child workers were apprentices, learning skills which would support them long after their term expired (Bradley (1993) 107–12). What are we to make of this role for children, in particular of its relevance for adult attitudes towards them? Even today there is no unanimity (Nieuwenhuys (1996); James et al. (1998) 105–23; Invernizzi (2002)). One viewpoint regards it as another form of child abuse, a way of robbing them of a precious and pleasurable stage of life. So the United Nations Convention on the Rights of the Child, Article 32 (1989) affirms the right of children to be protected from economic exploitation, from work which is risky or compromises their education or health or physical, mental, spiritual, moral, or social development. For others, though, work allows children to participate more meaningfully in the life of their family and community. From this perspective, it is their exclusion from work which makes children more vulnerable, enhancing as it does their representation as passive and dependent. Some children have themselves demanded the right to work: when the employment of children was outlawed in the Bangladeshi garment industry in the 1990s, most (many of them girls in their early teens doing light work) did not go to school as policymakers had hoped. Instead, they took jobs which were riskier and more poorly paid, in the street and informal economy, including prostitution. They therefore petitioned to be allowed to do factory work again for a few hours a day, in order to afford school fees and other expenses. (Article 12 of the UN convention also guarantees children the right to express their opinions, and these are to be taken into account with due regard for age and maturity.) Given these complexities, some writers distinguish child labor, which is deemed exploitative, from child work (tolerable, even beneficial). Others go further and question why some activities (household chores, child minding, delivering flyers) are (usually) acceptable while industrial work is not. And what about what we call school work? Perhaps this ought to be conceived of not merely as a precursor of or preparation for productive employment but as part of it (much as pensions and other benefits are rightly defined as deferred wages). Some of the issues arise in the contributions made by James Murray's children to his great editorial achievement, the *Oxford English Dictionary*. They sorted the slips sent in by the project's many volunteers, were paid pocket money – on a sliding scale adjusted according to age – but received no public acknowledgment of

their efforts. In later life (we learn) the children proved to be very good at cross-words (Winchester (2003) 118–19). Even a great lexicographer might be challenged to find the right word for their activity – and a capsule summation of what it meant to Murray would be harder still.

One further difficulty: there are complexities enough in texts. (Repetitive as they are, Latin epitaphs for babies nevertheless contain more unusual epithets than others; Laes (2004b) 69.) Dissonant strains are still more audible in the evaluation of images, rituals, material remains – evidence which can speak only through our own assumptions or arguments (like those photographs of the Afghans). True, children are everywhere underrepresented in the archeological record – and even more if the deposits long considered to represent cremations of infants within Athens' city walls (Young (1951a) 110–30) are in fact the remains of sacrificial animals (Snyder and Rotroff (2003)). But excavations unearth many burials which seem to testify to tender regard for those who died young, from the sixth-century BCE Polyphemus amphora from Eleusis, a staple of textbooks on Western art which was once a child's coffin (Langdon (2001) 579), to the elaborate mummy of a little girl from Roman Egypt of the second century CE (Dasen (2008a)) and the cup with a scene of dogs hunting a hare placed in a toddler's grave in Roman Cumbria about 100 years later. ("It may be," remarks the excavation report, "that this scene had some symbolic meaning, or, of course, it could have been chosen as a pretty thing for a much loved child"; Cool (2004) 361.) At Athens – according to one archeologist – babies and small children were among the most carefully buried individuals, and cemeteries devoted primarily to them "extended over large areas at the most important and prestigious city gates" (Houby-Nielsen (2000) 151). More: the location of infant and child burials decisively influenced the layout of the Classical city. By this reckoning, overlooked though they usually are in our literary sources and silent in the city's decision-making, children nevertheless shaped the *polis*. This is a long way from chance fingerprints on tablets or vases.

Since our ancient sources are often either meager or mystifying, we often try to read them in the light of comparative evidence – a more innocent (at least) use of other people's children for our purposes. (For the same reason, perhaps, specialists in other periods generally ignore scholarship on ancient – and medieval – childhood (Harlow et al. (2007) 10; cf. Hanawalt (2002) 457).) But such evidence is far from straightforward to use (cf. Golden (1992)). To begin with, some seemingly very similar societies vary surprisingly in their child-rearing practices. Once upon a time, I was in Hamley's, the great London toy store, when my son needed a diaper change. I found the bathroom but not, to my annoyance, enough counter space to work on. While I was inveighing in my child-centered North American manner against this thoughtless design, one of the locals came in and shut me up in a hurry: "We have them toilet-trained by that age." On the other hand, some seismic shifts have less effect – or their consequences are less clear – than we might suppose.

What difference did Christianity make for children in the ancient world? Naturally, not all Christians, not even all saints, thought or behaved alike. Jerome's stern advice on the upbringing of a young girl contrasts with the more sympathetic outlook of his contemporary John Chrysostom (Katz (2007)). Jerome himself seems soft in comparison

to others: a passage in John Cassian's *Institutes* tells the story of a certain Patermutus (perhaps a fitting name) who entered a monastery along with his son, aged eight (4.27–28, Knuuttila (2004) 148). In order to test whether his vows meant more to him than his love for his son, Patermutus' boy was purposely neglected, clothed in rags, covered with dirt, and subjected to slaps and blows. "Although the child was treated this way under his eyes day after day, the father's heart remained ever stern and unmoved out of love for Christ and by the virtue of obedience" (tr. Ramsey (1997)). In the end, the superior pretended the boy's tears annoyed him and ordered Patermutus to throw him into the river; only another monk's staged intervention stopped him. Cassian sees no reason to criticize the adults' conduct in this tale; indeed, the father's steadfast faith earns him a comparison to Abraham. But of course institutional outcomes count more than anecdotes, however unsettling, towards answering the question. A thoughtful survey concludes that, on balance, Christianity improved the position of children (Aasgaard (2006) 35–36). We may certainly agree that the prohibition of the exposure of newborns was a change for the better and one which affected every child potentially and quite a few in practice. But let us consider another shift, unexpected and therefore telling, though it concerned fewer by far. Roman law regarded the children of incest like other illegitimates. They couldn't inherit from a father who died intestate, but could be made his heir by a will and could inherit from a mother in either case. They could even serve as decurions. As the Roman jurist Papinian explains, "A man should not face barriers to an honor if he hasn't done anything wrong" (*D* 50.2.6 praef., Papinian, my translation). In other words, despite the overwhelming importance of the *familia* in Roman law, it refused in this instance to see the child as anything less than an individual human being. This changed in the early sixth century CE under the Christian Justinian. Though Christianity taught that all humans were created in the image of God, the emperor no longer permitted children of incest to inherit under any circumstances – this was expressly presented as a means of punishing their parents – and later prohibited them from seeking support from their natural fathers through the courts (as illegitimates were able to do) (Moreau (2010)).

I will close with a short discussion of two overlapping areas which bring together adults, children and the emotions, and in which comparative evidence has been crucial: the rates of and reasons for infant and child mortality in antiquity and the implications they have for attitudes towards children (cf. Golden (2004) 147–55). The deaths of the very young were undoubtedly frequent in Greek and Roman communities. But just how frequent? No one knows. Egyptian census records from the early centuries of our era offer surprisingly helpful data, perhaps the best available before the Renaissance, but they are not precise or plentiful enough to provide a firm answer. In the absence of adequate evidence, students of ancient population have recourse to model life tables derived from better data from more recent censuses, especially those developed by Ansley Coale and Paul Demeny (1983). The most sophisticated study of the Egyptian material argues that the Coale–Demeny West model life table at level 2, based on an expectation of life at birth of 22.5 years for females, fits it best (Bagnall and Frier (1994) 50). This indicates a mortality rate of just over one-third (33.4 percent) in the first year of life and just under one-half (49.2 percent) in the first five.

How much confidence can we place in this particular appeal to other people's children? Less than we might hope (Woods (2007)). For one thing, model life tables are constructed from evidence for historical populations which have a lower mortality rate than this. The procedure is justified by the assumption that there is a more or less predictable relationship between infant mortality and mortality at later ages. However, this is not necessarily sound (Woods (2007) 379–82). In addition, studies of contemporary populations with relatively high mortality reveal a disquieting range in the rates of death for infants and young children (Woods (1993)). More troubling still, we cannot always explain this variability in a satisfactory manner. Suggestions include the length of the previous birth interval, polygyny, race, endemic disease, religion (some sects may have lower infant mortality rates because their isolation reduces their exposure to infectious disease: van Poppel et al. (2002)) and – most relevant here – parental hostility and neglect (Livi-Bacci (1991) 72–78; Caldwell (1996)). Furthermore, the census data which are the foundation of the Coale–Demeny tables purposely exclude those from communities in which malaria was endemic – as it likely was in much of the Greco-Roman world (Sallares (2002)). One final consideration: diversity is perhaps the most striking feature of "natural fertility" populations, those (like Greece and Rome) without effective means of contraception. Birth and death rates vary dramatically, from family to family (the childless live next to families of eight or ten or more), from year to year (since fluctuations in rainfall can have drastic consequences on the morbidity and mortality of those who consume most of what they eat each year, especially when central authorities are unable or unwilling to supplement their diets), from region to region. (Here it is environmental factors which may count most, including malaria.) Parishes in seventeenth-century England experienced life expectancies at birth as low as 20 and as high as 50 years; it is reasonable to imagine more than one demographic regime in effect among the Greeks and Romans. And indeed there are indications that the Roman elite endeavored to control fertility at the same time as "children were assets rather than a frightening risk" to other classes (Caldwell (2004) 12).

Such variation need not matter much as long as the range is limited. For example, given any likely estimate of life expectancy at birth – 20 years, 30 years – and Roman men's tendency to marry late, many Roman teenagers must have been fatherless and most men entered public office and married after their own fathers' deaths. Reflections on the practical effects of *patria potestas* on older children must take these facts into account. But its ideological resonance remains by and large unaffected: the father's power clearly mattered to the Romans even if it was or could be exercised comparatively seldom. Differences which may seem trivial from the outside and at a distance of many years may be magnified closer up. On the other hand, observers may make too much of some evidence: it was Philippe Ariès' work which first brought the question of parents' emotional investment in their children in high mortality populations to the fore. Ariès was principally a demographer, working on French communities of the ancien régime. We now know their infant and child mortality was exceptional, significantly higher than that of con-

temporary English parishes (Woods (2003), (2006) 33–60). Would Ariès have formulated his hypothesis if the children he encountered had lived a little longer? Would the many others he influenced have been so willing to accept that parents were indifferent if they had had better demographic data?

Arising as it apparently did from an anomaly, Ariès' hypothesis should not be generalized. That said, there are high mortality populations in which parents seem less concerned about their children than in others (whether or not the level of mortality itself is the determining factor). Were Greek and Roman parents among the less concerned (Golden (1990) 82–94)? Our sources sometimes relate harrowing accounts of sieges and other crises in which populations resolve to slaughter their own wives and children (and sometimes themselves) in order to save them from enemy hands. Of the 16 occasions Shaye Cohen lists (as parallels to the zealot suicides at Masada), almost all concern foreigners or those (like the Xanthians of Lycia) whose Hellenism could plausibly be denied (Cohen (1982) 386–92). Of the exceptions, the Phocians of the early fifth century BCE did not in fact have to carry out their pledge to kill their families in defeat and the Abydenes may not have in 200 BCE (Polybius' account is inconsistent: 16.32.6, 16.34.9). Our evidence for the one Italian example, at Norba during the civil wars of the first decades of the last century BCE, makes no specific reference to children (Appian, *Civil Wars* 1.94). Though some writers express admiration for the courage and love of liberty these expedients demonstrate, Livy labels them as "madness" (28.22.5), "brutal and barbarous" (31.7.5) and Pausanias' term for the Phocians' plan, *aponoia*, might be translated "loss of reason" as easily as "despair" (10.1.7). Greeks and Romans were keen to dissociate themselves from this practice, most of the time anyway. Certainly their descriptions and verdicts do not suggest indifference. How about distancing? Men at any rate were expected to mourn the youngest children only moderately (Golden (2004) 155–56). Yet even this convention might be contested ground, open to genuine disagreement or malicious interpretation. Demosthenes put on a wreath and white clothing and began making sacrifices within a week of his daughter's death, and his political enemy Aeschines attacked him for it: "The man who hates children, the bad father, would never be a reliable leader of the people" (Aeschines 3.77–78, my translation). Five hundred years later, Plutarch holds Aeschines culpable, since Demosthenes put his public responsibilities before his personal pain (Plutarch, *Demosthenes* 22.3–7). Did attitudes change over time? Did Boeotians (like Plutarch) or Romans (in whose empire Plutarch made his name) always behave unlike Athenians in this regard? Or is the biographer simply siding with his subject? What are we to make of Polus? This Roman actor fetched the urn containing the ashes of his beloved son from the family tomb and carried it on stage to help him play Electra in mourning (Aulus Gellius, *Attic Nights* 6.5). Was this crass and insensitive? Or effective because his own grief was so sincere? Khalid Boulahrouz played for the Netherlands in the Euro 2008 quarterfinal only four days after the death of his premature daughter. His football teammates all wore black armbands in sympathy and commentators praised his courage. These responses count as support for Demosthenes and Plutarch, then, and Polus too: grief should

not be confused with ritualized mourning. My own preference is to think of the Greeks and Romans as devoted parents, deeply troubled by the dangers which beset their children on every side and committed to dispelling them as best they could, by apotropaic names (Hobson (1989) 163–65; Masson (1996) 147–50), medicine (Bradley (2005)), amulets (Dasen (2003a)), any means available.

It is hardly appropriate, however, to finish off a discussion of the problems, obscurities, and uncertainties of understanding other people and their children with such a confident declaration. Instead, I offer a number of more general observations. First, other people may well treat their children differently than we do, but their motivation is hard to determine. We should not give up the attempt to judge them on that account – but we ought to be still more willing to test the opinions we have reached about ourselves. After all, we can't do anything about the horrors of the past; correcting even minor imperfections in the present is attainable and worthwhile. Second, if it is useful to think of ancient history as a conversation between the present and the past, both sides need to be heard. We cannot allow the values or preconceptions of the present to drown out the past. For example, as I mentioned above, we tend to devalue child-minders. As a result, we risk denigrating old women's role as caregivers to children in ancient Greece and misreading the *Homeric Hymn to Demeter* (Pratt (2000)). Nor should the past's silence speak for the present. Athenian democracy afforded no place for citizen women – or citizen children. We recognize and regret the first exclusion and rarely notice the second, since it accords with the practice of our own democracies (Golden (1994) 371–78). Here if anywhere we need to make a judgment about other people's children in full awareness that we are rendering it on ourselves as well.

FURTHER READING

No one book attempts to cover children and childhood in all of Greek and Roman antiquity. Golden (1990) is a standard socio-historical survey of Classical Athens; Ducat (2006) a good account of contemporary Sparta. Their many illustrations make Rühfel's two volumes, on children in Greek art through the ages (1984a) and on their depiction in Athenian media (1984b), useful even for those who do not read German. The more recent collections edited by Neils and Oakley (2003) and by Cohen and Rutter (2007) are also well illustrated and especially valuable for their use of archeological evidence, for the Minoan and Mycenaean Bronze Age above all. Pache (2004) offers an extended investigation of mythical children who were the focus of worship in Greek cults. Néraudau (1984, in French) and Wiedemann (1989, in English) are lively and wide-ranging accounts of Roman childhood; Rawson (2003) a systematic discussion by a pioneer in the field who brings out the evidence of images, inscriptions, and legal sources. Uzzi (2005) outlines the role of children's representations in expressing the national and imperial identity of Rome. Some (though by no means all) of Keith Bradley's essential essays on Roman childhood are collected and revised in Bradley (1993); Christian Laes' ongoing series of articles in English will make readers welcome a speedy translation of Laes (2006, in Dutch).

NOTE

1 Versions of this chapter were delivered to responsive audiences at Dartmouth College, York University, and the Universities of Notre Dame and Western Ontario. It took this final form while I was enjoying the hospitality of Cedric Littlewood and his colleagues in the Department of Greek and Roman Studies at the University of Victoria.

The Roman Life Course and the Family

Tim Parkin

1 The Life of the Family

In the twenty-first century we are all aware of the significance placed in Western societies on the family unit, at the public and the personal level, in policies and in public rhetoric. We are also aware of perceived or alleged "risks" to the family as a traditional stable unit, as well as the varieties of meaning that may be attached to the concept of family, as attitudes to and levels of marriage and divorce, heterosexual and homosexual unions, change. We are also conscious, both in general terms and often at a very personal level, of the changes a family undergoes, as couples unite or separate, as children are born or adopted and various members of the family leave home, break ties or die. While we may conceive of the family in stereotypical terms as "mum, dad, and the kids," we are sensitive to the complex permutations the term "family" encompasses in modern societies. We may tend to think of the family, in conceptual terms, as a stable unit but we also acknowledge the changes that a family will undergo over time.

It would be a grave mistake if we were to assume a less complex dynamic in the ancient world. As I hope to show in this chapter, to complement other chapters in this volume, if anything the family in the Roman world was potentially more complex and varied than our own perceptions and realities of the modern family are today. This is something Roman social historians have become more and more attuned to in recent years.

Most scholars would now agree that the nuclear family was the focus of obligations and affection in the Roman world, at least for urbanized western areas for which we have epigraphical evidence (Saller and Shaw (1984)), relating not just to the wealthy but to any who could afford a tombstone. Analysis of the commemorator's relationship to the deceased on epitaphs, unless they were set up by the person himself or

herself while still alive (*se vivo*), shows they typically refer to commemorations between husband and wife, parents and children, brothers and sisters; much less often are there mentioned relationships between extended kin (grandparents, uncles, and aunts, etc.). Indeed in civilian populations (as compared with populations of soldiers), friends, patrons, freedmen, masters, and slaves – that is, individuals unrelated by blood or marriage – feature more frequently than extended kin. This suggests very strongly that the focus of obligations, where possible, was usually between close familiar members: what we would now call the nuclear family group, rather than the extended kin grouping. This perception of the importance of the nuclear family grouping is also reinforced by some literary evidence, the most frequently cited being Cicero's *On Duties* 1.58:

> If there should be a debate about and comparison of those to whom we ought to offer the greatest duty (*officium*), then in the first rank are one's country and one's parents, to whose good services we have the deepest obligations; next come our children and our entire home (*domus*), which look to us alone and can have no other refuge; then come relatives, with whom we get on well and with whom even our fortunes are generally held in common. The necessities of life are owed in particular to those I have just mentioned.

This much is now familiar, and basic to our understanding of the Roman family as a concept. But the danger is that this is where our perception of the Roman family unit ends. What I aim to do in this chapter is to emphasize the fact that the nuclear family need not imply simplicity or long-term stability. The family was a living unit which could change both shape and function dramatically over the course of time.

Of course, much of our testimony for Roman families comes from epitaphs, as we have already seen. Beryl Rawson's seminal 1966 paper on family life among the lower classes at Rome opened our eyes to the richness of the epigraphical material in this regard. An inscription can reveal to us so much about society's ideals as well as realities, but of course what it tends to present is a "snapshot" at one point in time – a time of change when a member of the family has died – rather than a history of that family unit. To give just one (minimalist) example from the tens of thousands we have, that of a probable freedwoman for her partner (*CIL* 6.23324, Rome, Porta Latina, first century CE):

> For Gaius Octavius Trypho, freedman of Marcella, Aelia Musa made this for her deserving husband.

We can tell nothing of the length of their relationship nor if they had children. But some inscriptions reveal far more, not just of the relationship of the commemorator and the deceased but also something of the history of the family. My favorite example is by no means unique (*CIL* 3.3572 = *CLE* 558, Aquincum, Pannonia Inferior, second or early third century CE; see also Adamik (2005)):

> Here do I lie at rest, a married woman (*matrona*), Veturia by name and descent, the wife of Fortunatus, the daughter of Veturius. I lived for thrice nine years, poor me, and I was married for twice eight. I slept with one man, I was married to one man

(*unicuba*, *uniiuga*). After having borne six children, one of whom survives me, I died. Titus Iulius Fortunatus, centurion of the Second Legion Adiutrix Pia Fidelis, set this up for his wife: she was incomparable and notably respectful to him (*insigni in se pietate*).

According to this testimony Veturia was married at the age of 11 years (not a marriage recognized by Roman law, but that does not seem to bother the writer of our inscription), gave birth to six children, lost five of these children during her lifetime and at the age of 27 years, while stationed with her centurion husband (*coniunx*) in the province of Pannonia, she died. High fertility and high mortality; a short and busy life. The inscription in a few lines evokes a lifetime and a family history, however sketchy, which to my mind highlights key aspects of the changing shape of the family unit – and in this case that of a single couple (note the emphasis on Veturia as an *univira*, a woman who only knew one husband throughout her life: the phrase *unicuba uniiuga* stands out in the exact center of the text). Add to this other possible permutations and we can begin to explore the nature of the family unit as it evolved over time, as individuals grew older, were adopted into another family, married, had children, divorced, remarried and died. This "life-course" approach, as opposed to a view of the family as a static unit, provides a vital insight into the realities of the Roman world.

2   Simulating the Life Course of a Model Family

What in effect we are doing is considering the family experience of individuals, male and female, at different ages or, rather, at different stages in their life course. But of course we are immediately faced with the very real problem that we have no empirically based statistics which map out comprehensively how the Roman family changed over the life course of its members. To compensate for this deficit, however, we are able to turn to computer simulations to give us probable and plausible reconstructions, based on what we know of Roman demographic variables. This is precisely what Richard Saller has done in his book *Patriarchy, Property and Death in the Roman Family* (1994). Relying on CAMSIM, a system designed by the Cambridge Group for the History of Population and Social Structure, a micro-simulation is developed, mapping out the life courses of 5,000 hypothetical individuals month by month, from birth to death via marriage, all of whom experience the range of parameters we expect and can surmise for a stereotyped Roman population in terms of mortality and fertility (factors such as average life expectancy at birth, age at first marriage and fertility levels). Saller incorporated a range of values for average life expectancy at birth (25 and 32.5 years), based on the Coale–Demeny West model life tables (see Saller (1994) part 1; with Parkin (1992)), and for age at first marriage (15 and 20 for women, 25 and 30 for men), and assumed remarriage along the lines of the requirements of the Augustan marriage legislation. The effect of divorce and the presence of step-siblings cannot be factored in, but what we are seeking is a generalized and approximate reconstruction based on

the range of plausible factors and variables we can deduce: the simulation provides us with a likely scenario which we can use to help us to recreate the experience of the Roman family as its members lived their lives. As time passes the individual Roman may gain brothers and sisters, children of his or her own, nephews and nieces, etc., just as conversely he or she loses grandparents or parents; as he or she grows older, given the high levels of infant and early childhood mortality, younger kin may also die. The simulation produces precise numbers, spread over the entire model population, but what we are most interested in are broad proportions, not exact percentages (Saller (1994) 47). The resulting tables, showing the mean number of living kin an individual is likely to have at various ages, from birth to death, the proportion of individuals having different kin and the mean age of the various living kin, are presented in Saller (1994) 48–65 and are reproduced in part in Harlow and Laurence (2002) 153–64. Here I simply want to discuss one example of the results as they relate to the life course of the Roman family. For the sake of simplicity I shall assume average life expectancy at birth of 25 years and average ages at first marriage of 20 years for females, 30 years for males: what we might expect for an "ordinary" Roman.

Imagine the birth of a Roman girl, Titia. She is born into a family of father (aged 36) and mother (aged 27). Her parents have already had a child but he did not survive more than a few months. The chances of her paternal grandfather still being alive are very small: her *paterfamilias* is her father. In fact, it is quite likely that when she is born Titia only has one grandparent alive, her maternal grandmother, aged about 52 years. She also has a few uncles and aunts, perhaps more on the maternal than the paternal side (note the effect the different ages of marriage has: the father's side of the family is typically older and so the effects of mortality are more evident).

By the time Titia is ten years of age she may well have a brother and a sister. Both her parents are probably still alive, but nearly 25 percent of her fellow ten-year olds will have lost their father, 20 percent their mother. Only half of her age group will have a living grandparent. Titia has already been betrothed to a man twice her age.

By the time Titia is 25 years of age she has a 90 percent chance of having a husband and the same chance of still having *one* of her parents alive. But according to our simulation, only 37 percent of females at age 25 years have a living father. This is highly significant if we consider the nature of *patria potestas*: most Romans (over 60 percent) at the age of 25 years would be *sui iuris*, legally independent, as a result of the death of their father. So Titia, who is married but not in the legal control (*manus*) of her husband, has probably inherited property from her father. At age 25 Titia may well have also lost several brothers and/or sisters, she will have experienced the death of a number of more distant kin (aunts and uncles, for example) and almost certainly will have no grandparents alive: there is a one in ten chance her maternal grandmother has survived. Titia will have at least one child of her own: the model suggests that 73 percent of females aged 25 years will have a child or children (1.3 children, to be exact).

At age 40 Titia still has a husband, although not necessarily the same husband she started with; she has probably lost both her parents (70 percent of 40-year-old females share her fate in this regard; only 8 percent still have their father alive) and she has two or three living children of her own (she has almost certainly lost one or

two children either at birth or shortly thereafter). She may already be a grand-mother. Her family life – her kin universe, as it were – has changed dramatically over the four decades of her life.

By age 60 Titia is perhaps a widow living alone; her two surviving children (aged in their 20s or 30s) have left home and she has three living grandchildren, as well as two nieces and a nephew. She has attended many family funerals over the years, of parents, of a husband or two, of a number of her own children, including those of half her siblings. She herself has only a few years left.

This is a fanciful recreation, and certainly very many variables will change from individual to individual, depending not just on gender but also to a degree on social class as well as on fate, but I hope this case study at least highlights the way a family (and a household) may change shape over the course of time, as a result of mortality and fertility. Of course other factors play a part: individuals will leave the household for work or to start their own families, and divorces and remarriage will also shuffle up the way households are constituted (cf. Bradley (1991) chapter 7). Additionally, one can imagine other residents within the household, such as slaves and lodgers. What the reconstruction also highlights, I hope, is the way that a woman's life course is marked by particular events relating to her status (as a daughter, a wife, a mother, and a widow) and to her status in relation to the men in her life.

3   Glimpsing the Life Course of Real Families

As has been seen elsewhere in this volume, census documents from Roman Egypt provide us with rich and tantalizing information about individual households. The reconstructions we can make from these returns constitute of course a household at a single point in time, but we are in the fortunate position of having declarations from the same household over the course of two or more censuses, that is, at (roughly) 14-year intervals. Hence in a very real sense we may see the way a house-hold may change in this particular province, at least in a very few cases (cf. Bagnall and Frier (1994) 64–65; cf. Nevett, this volume, on changes to house forms).

For example, in *PMich* 176 (Arsinoite *nome*, 91 CE), a man declares himself, his wife, and his two younger brothers:

> From Peteuris, son of Horos, a resident of the village of Bacchias. There belongs to me in the village a fourth part of a house in which I dwell, and I register both myself and those of my household for the census of the past ninth year of imperator Caesar Domitian Augustus Germanicus. I am Peteuris, son of Horos, the son of Horos, my mother being Herieus, the daughter of Menches, a cultivator of state land, 30 years old without distin-guishing marks, and [I register]: my wife Tapeine, the daughter of Apkois, 25 years old, and my full brothers Horos, 20 years old, and Horion, another, 7 years old.

In the next census the structure of the household has changed somewhat; the declarant has lost his wife (either through divorce or death), but the youngest brother has gained a wife (*PMich* 177, 104 CE):

> I am Peteuris, a cultivator of state land, 44 years old, without distinguishing marks, and [I register]: my brother Horos, 34 years old with no distinguishing marks, and Horion, another brother, 21 years old, with no distinguishing marks, and his [Horion's] wife Thenatumis, daughter of Chariton, her mother being Tapetosiris, 25 years old, and in the same village a share of building sites.

By the time of the next census (*PMich* 3.178, 119 CE) children have arrived on the scene, and the declarant is now the second brother; presumably the oldest brother from the two previous returns has died. Both surviving brothers are now married with children: Thenatumis' age seems to have fluctuated rather bizarrely in the interim:

> From Horos, the son of Horos, the son of Horos, his mother being Herieus, daughter of Menches, of the village of Bacchias. There belongs to me and my brother Horion in the village a fourth part of a house and courtyard in which we dwell, and I register both myself and those of my household for the house-by-house census of the past second year of Hadrian Caesar our lord. I am Horos, the aforesaid, a cultivator of state land, 48 years old, with a scar on my left eye-brow, and [I register]: my wife Tapekusis, daughter of Horos, 45 years old, and our own child, Horos, a son, … years old, with no distinguishing marks, and Horion, another son, one[?] year old, with no distinguishing marks, and my aforesaid brother Horion, 35 years old, with a scar in the middle of his forehead, and his wife Thenatumis, daughter of Chariton, 32[?] years old, with no distinguishing marks, to whom belongs a half share of a house and courtyard in which we dwell, and their own son Horos, one year old, with no distinguishing marks.

One or two other cases are also worth adducing, adding as they do empirical evidence to our model of the life course of a family. In *PCorn* 16.21–38 (Arsinoe, 119 CE) we find a 70-year-old woman living with her sister-in-law, aged 53, and the latter's three children (presumably their father, the 70-year-old woman's brother, has died): a male aged 32, married to his sister aged 28 and another sister aged 33. By the next census the older generation has disappeared, as has the older sister: now the brother and his sister/wife have five children, three boys and two girls aged between two and 12 years. The intervening years have apparently witnessed a goodly number of births and deaths, resulting in a very "normal" (brother-sister marriage aside, but see also Huebner, this volume) nuclear family.

In *PLond* 923 (Hermopolis, 188/189 CE), a 47-year-old male declares his wife (apparently 51 years of age) and their four children: three boys aged between eight and 21 and a newly born daughter. By 217 CE (*PLond* 935) the mother and father, as well as the oldest brother, have disappeared; the two remaining brothers and the sister are still there, the youngest brother has married his sister. In the next census (*PLond* 946, 230/231 CE) only the married couple, brother and sister, is left, he 50, she 44 years of age. Mortality appears to have supplanted fertility.

These and a few other similar cases from Egypt, fascinating as they are, are of course highly selective and can make no claim to more general representativeness, but they do serve to point to the potentially complex fluidity of the ancient family as its members age, reproduce and/or move on (sometimes), and die. Any individual who arrives and departs within a census interval, however, will fail to appear: infant and early childhood mortality leaves very little trace in the written or the archeological record,

as will be seen in the following chapters in this volume. With the computer simulation we follow our individuals month by month; empirical evidence of this nature is of course non-existent for antiquity and, indeed, for much more recent history. But we do still have other evidence we can turn to in order to help put real flesh (as it were) on our life-course model.

Let us look at one more epigraphical example, this time in Greek, before moving on to consider particular stages of the life course. I choose another woman addressing us from the grave; she tells us quite a lot about her life as a wife and mother, as well as of her own parents and her father-in-law (*GriechVers-Inschrift* 1161, Tomi, Thrace, first or second century CE; I owe this reference to Laes and Strubbe (2008) 182):

> My husband Perinthus set up this altar and stele. Passer-by, if you want to know who and whose I am: when I was 13 years of age, a child worthy of our family, I fell in love. Then I married the man and bore him three children: first a son, then two daughters, spitting images of me. Then I bore the fourth child. I wish I had never borne it (cf. Homer, *Iliad* 22.481). For first the baby died, and then I died shortly thereafter. When I was 30 years of age, I deserted the light of the sun. My name is Caecilia Artemisia. Here I lie. Both my homeland and my husband is Perinthus, my son is called Priscus, my daughter Hieronis. The baby Theodora does not know that I have died. My husband Perinthus is alive and mourns me softly; my dear father too grieves that I am no longer here. My mother Flavia Theodora lies here too, and so does my father-in-law Caecilius Priscus. This then was my family, but from now on I am dead.

Both Veturia and Caecilia predeceased their husbands. Though not uncommon, this was almost certainly not the norm. As with Aelia Musa, the first woman we met in this chapter, the reality of life for many a Roman woman, whatever her social class, was that she was married in her teens to a man some ten to 15 years older than her (see Dixon, this volume). Such a woman was often widowed by the time she was in her early 30s. If there were living children and she had been married without *manus*, then in theory the children belonged to a different *familia* than their mother, but in reality it appears that such children would continue to stay with their widowed mother (one thinks, for example, of Pudentilla, the widow whom Apuleius married: cf. Harlow (2007)). The woman may or may not remarry: the Augustan marriage legislation expected her to, the ideal of the *univira* implied she should not. Egyptian census declarations (on which more below) provide concrete cases of widows not remarrying (Bagnall and Frier (1994) 113–15, 153–55), but it is likely that most widows, especially those of a reproductive age, sought new husbands or had them sought for them. Indeed it has been estimated that at any one time some 25 percent to 30 percent of females were widows (Krause (1994–1995) 1.73; cf. 1.85); this may be an overestimation, but there is no question that for many Roman women widowhood was a likely stage in the life course (McGinn (2008)).

Inscriptions can tell us much but leave out a great deal as well, particularly events deemed not worthy or suitable for commemoration; epitaphs tend to stress the harmonious relationship of husband and wife. For the impact of divorce on the life of the family we need to look to other types of evidence. The Egyptian census documents give us some hints, although usually (there are some very telling exceptions: cf. Bagnall

and Frier (1994) 123–26) we cannot tell whether a marriage has ended as the result of death or divorce. Legal texts typically tell us more about divorce than about marriage, but it is difficult to see through the legal theory and witness the social realities for an individual family. To fill out the picture, literary evidence – particularly of an epistolary nature – can be very useful.

Pliny the Younger's correspondence on his own family life is familiar and rather restricted in nature. More can be gleaned from the (very different, being genuine correspondence) letters of Cicero. We know a great deal about Cicero's life course, not only from his own works, but also from the writings of others, especially Plutarch's *Life*; this knowledge adds much to our awareness of the way a family, albeit in this case a highly elite one, experienced its own life course. But it is also worth stressing as we proceed that, despite the screeds of pages we have on Cicero and his family, some things are still not revealed.

Marcus Tullius Cicero (106–43 BCE) had only one brother and no sisters, as far as we know; his father died in November 68 BCE, of his mother's life course we know virtually nothing apart from her marriage and the birth of two boys. Cicero married his first wife, Terentia, in ca. 79 BCE when he was 27 years of age or thereabouts. He divorced her more than 30 years later (late 47/early 46 BCE) and late in 46 BCE, at the age of 60 years, he remarried, to a girl of 14 or 15 years.

By his first marriage Cicero had two children, widely spaced: Tullia was born early in the marriage, but Marcus did not appear till July 65 BCE, by which time his sister had already been betrothed to a man twice her age: she married him in 62 BCE and was a widow by the age of 20 years. Tullia married three times in all; by her third husband she became pregnant twice that we know of: she gave birth prematurely to a boy in May 49 BCE but we never hear of this child again, so he presumably lived only a short time. Late in 46 BCE Tullia was divorced from her third husband, while pregnant; she gave birth to a boy at the beginning of the next year, but she subsequently died of complications, in February 45 BCE. Cicero's overwhelming grief is well known; his new grandson did not long survive his mother.

Mortality again outweighs fertility. But there is so much more, of course, to the narrative: the life course of the family is one of joys and sufferings, of triumphs and tribulations. We witness not just births, deaths and marriages, but also affection and quarrels, growing pains and generational conflict, albeit almost exclusively in this case from Cicero the father's point of view. Cicero's letters also offer us glimpses, however, into wider family relations. The developing tensions between Cicero's brother Quintus and his wife (Cicero's friend Atticus' sister) Pomponia, as well as Cicero's disintegrating relationship with Terentia in the later years of their marriage, are particularly revealing.

If the letters provide evidence regarding family tensions and marital disharmony, there are other things they remain silent about. It is very striking that Cicero's two children are so widely spaced. The extant correspondence does not begin until a few years before Marcus' birth, but it is still remarkable, I think, that at no point does he express concern at his first marriage's relatively sparse fecundity, nor express dismay at having no son for so long. It is more than likely, in fact, that Terentia became pregnant more than twice over her long life, but any unsuccessful pregnancies are never

mentioned (not surprisingly, even given the private nature of the correspondence), nor is the death of the first grandchild mentioned in any of the extant letters. It is also noticeable that at no point does Cicero express the desire for grandchildren (contrast, for example, Pliny the Younger's letter to his wife's grandfather, quoted below) nor display particular elation when a second grandchild is born in 45 BCE.

Through Cicero's letters we are also given insights into the relationships between generations, such as that between the orator and his son Marcus. Marcus junior assumed the *toga virilis* at the beginning of April 49 BCE when he was 16 years of age. For a male this rite of passage was an important stage in the life course, and may be seen as a significant step in the male's emergence from the domestic to the more public realm, at least among the upper classes – among the lower classes one can envisage a boy earning his keep from an earlier age.

Part of the life-course approach is to consider the perception of an individual as he or she ages, the "underlying codes of behaviour or the expectations of others when viewing the actions of a person according to their age" (Harlow and Laurence (2002) 1). In terms of the family, our focus is on stages of the life course which affect the domestic rather than the public sphere, and, birth and death aside, marriage is obviously one rite of passage of very great significance, especially if it involves the individual moving to a new household and/or setting up their own family structure. Key stages in the life course are considered in other chapters in this volume: not just marriage but also infancy and childhood, as well as education and adoption, not to mention death. What I would like to do now is focus on an area which has particularly engaged me in my research, namely the later years of the life course. The hypothetical Roman woman, Titia, whom we watched age using the computer simulation, we left at the age of 60 years. While she might seem to disappear from the extant historical record as an elderly woman, she is still worth pursuing in terms of understanding the Roman family. What I would like to finish this chapter with is some consideration of the life of older people within the Roman family.

4   Coming to the End of the Life Course

We observed above that Cicero in his extant letters makes very little of the fact that he has so few children or that he has become a grandfather. Yet Pliny the Elder singles out as an *exemplum* of particularly good fortune a freeborn man of Fiesole, C. Crispinius Hilarus, who in 5 BCE had in his funeral procession, among others, 35 grandchildren and 18 great-grandchildren (*Natural History* 7.58–60, referring in the same context to Augustus, fortunate in living to see his granddaughter's grandson, and Q. Metellus Macedonicus, who died leaving six children and eleven grandchildren). Good fortune implies relative rarity: we have already remarked on the paucity of living grandparents in the Roman context, particularly on the paternal side, as a result of demographic realities. For example, in the model simulation to which we have already referred, it can be calculated that at birth only one in three Romans had their maternal grandfather or paternal grandmother still alive, only one in two had their maternal grandmother still alive and, even more striking, only about 15 percent of Romans had at

birth a living paternal grandfather. By the age of ten years, the average Roman had only a one in two chance of having *any* of his or her grandparents alive. Fewer than one in a hundred Romans of the age of 20 years would have had a surviving paternal grandfather. To live to see your grandchildren, let alone your great-grandchildren, was something special.

One can imagine, conversely, that in lower-class families it was not unknown for three generations to be co-resident, at least in the short term, as one stage in the life course of a family: we see exactly that happening in nine of the extant Roman Egyptian census returns, where a husband's or, less frequently, wife's mother or father resides with the younger family. These grandparents range in age from 50 to 75 years (Bagnall and Frier (1994) 62, 146–47; Krause (1994–1995) 3.57–62, 3.67–73). One can also envisage these older relatives performing functions such as child-minding, although the presence of slaves in the *familia* may have both provided independent support for older family members and, conversely, made some of the traditional roles of grandparents in pre-industrial societies redundant in the Roman context. Indeed Tacitus (*Dialogue on Oratory* 28–29) has Messalla comment that in the "good old days" an older female relative would have had charge over the young children of the house, whereas nowa-days slaves take control:

> In former times every man's son, born to a properly married couple (*ex casta parente natus*), was raised not in the tiny chamber of some hired nurse but in the lap and embrace of his mother, whose special praise it was to watch over the home (*domus*) and devote herself to the children. Moreover an older female relative (*maior aliqua natu propinqua*) used to be chosen, a woman of tried and tested character, to look over all the offspring in the same household … But nowadays the newborn infant is handed over to some little Greek slave-girl.

In the upper classes on which literary testimony sheds some light we do find grand-parents with an active interest in the younger generations. Given that one's daughters might be expected to start producing offspring much sooner than one's sons, the maternal side of the family – despite the dominance of agnates in legal terms – may have played the most active role. Pliny was very aware that his wife Calpurnia's grand-father, Calpurnius Fabatus, was anxious to have *pronepotes* (Pliny *Letters* 8.10):

> You are keen to see great-grandsons from us, so you will be that much sadder to hear that your granddaughter has had a miscarriage … Although you must find it hard at your advanced age to lose descendants who were already on their way, as it were, you should at least give thanks to the gods that, while they have denied you great-grandchildren for the present, they have saved your granddaughter. They will grant us children in the future; our hope for them is now more firm thanks to this evidence of her fertility (*fecun-ditas*), even though it is evidence that did not come to happy fulfilment … You cannot desire great-grandchildren any more ardently than I do children … Let them be born and let them turn this grief of ours into joy.

Apart from everything else, grandchildren might be seen as *consolatio* and comfort for the loss of one's own children. Seneca offers such consolation to Marcia, who has lost two sons; consolation for the loss of the second of these sons, Metilius, is provided,

according to Seneca, by the fact that Metilius' two daughters are still alive and have themselves produced children, as had the son: "Look at all your grandchildren (*respice tot nepotes*)," Seneca urges her (*Consolation to Marcia* 16.8).

With the Roman imperial family we have enough biographical information on occasions to glimpse the role of elite grandparents in the raising of children, particularly when parents are no longer present (Parkin (2003) 55–56). From Suetonius we know that the future emperor Augustus lost his father when he was only four years old and his mother remarried. He was brought up at his paternal grandfather's house. In later life, Augustus, together with Livia, was seen to be very attached to his grandchildren and great-grandchildren. Gaius Caligula, who was seven years old when his father died, was reared in the house of Augustus and Livia (his great-grandparents); he was subsequently brought up by his paternal grandmother Antonia, before going to join Tiberius on Capri. Vespasian was also raised by his paternal grandmother. Antoninus Pius spent his childhood first with his paternal grandfather, then his maternal grandfather. Marcus Aurelius was adopted and brought up by his paternal grandfather and enjoyed the influence of his mother's paternal grandfather.

Very occasionally we get glimpses beyond the palace: in the first century CE, when Quintilian's wife died, their son was brought up by his grandmother, described by Quintilian as "avia educans" (*Institutio Oratoria* 6 praef. 8). In the next century Fronto took care of one of his four grandsons while the boy's parents were away in Germany. Again mortality is evident: we witness Fronto's strongly expressed grief in 165 CE at the loss of the third grandson, and the fact that he had already lost his wife and five of his six children; all the children died at a very young age, and Fronto finds comfort, he tells Marcus Aurelius, in the fact that he himself will soon be dead (Fronto, *de Nepote Amisso* 2).

Regardless of whether you were a maternal or a paternal ascendant, clearly you were expected in terms of *pietas* to provide for your grandchildren in time of need, even though in theory they might belong to a separate *familia*. So too you should remember your grandchildren in your last will and testament, irrespective, it would seem, of whether they were the offspring of a son or of a daughter. We know that Cicero made provision for his short-lived grandson, the child of Dolabella and Tullia in 45 BCE. Another well-known case highlights this expectation of support, even though, as with so much anecdotal material, it presents an atypical and somewhat sinister situation. But the atypicality lies not in the involvement of an *avus maternus* but in his explicit motivations. A maternal grandfather makes his granddaughter his heiress on the condition that she is freed from the *potestas* of her father. The letter is also revealing of the grim realities of old age for some individuals, whatever their wealth (Pliny, *Letters* 8.18.4; on the context, see further Parkin and Pomeroy (2007) 106–107):

> It is definitely untrue, what is commonly believed, that people's wills are a mirror to their character (*testamenta hominum speculum esse morum*). For Domitius Tullus has shown himself to be much better in death than in life. For although he had encouraged inheritance-hunters, he left his daughter as his heir, the daughter he shared with his brother (for he had adopted his brother's daughter). He also left his grandchildren, as well as a great-granddaughter, a great many very welcome legacies. In fact the whole

will was overflowing with *pietas* – and so that much more unexpected … His will is all the more praiseworthy because it was dutifulness (*pietas*) and good faith (*fides*) and a sense of decency (*pudor*) that wrote it. In it he basically expresses his gratitude to all his relatives for their services to him, and to his wife. She receives his very lovely villas, and a good sum of money – she, the best and most enduring of wives – she deserved this and more from her husband in as much as she was so severely criticized for marrying him in the first place. For it did not seem at all suitable for a woman of her distinguished birth and faultless character, getting on in years, long a widow, a mother in the past, to be married to a wealthy old man so wasted by illness that even a wife whom he had married when he was young and healthy could have found him repulsive. Deformed and crippled in every limb, he could only enjoy his enormous wealth by contemplating it and could not even turn in bed unless he was man-handled. He also had to have his teeth cleaned and brushed for him – a squalid and pitiful detail. When complaining about the humiliations of his infirmity, he was often heard to say that every day he licked the fingers of his slaves. Yet he continued to live, and wanted to continue to live, thanks in particular to the support of his wife, who by her *perseverantia* turned criticism for having entered the marriage into renown.

This raises the very important point that the family at various stages in its "life course" might act as a provider of support not only to growing children but also to any members in need, there being no significant public forms of welfare provision. There is plentiful extant evidence to suggest that having progeny was regarded as not only a desirable goal but also a great blessing for the very reason that children will be a source of support in one's old age, just as parents supported their children in their early years: such is expected out of *pietas*, a reciprocal arrangement at times enforced via legislation (see Evans Grubbs, this volume). Indeed some of our testimony even suggests that old-age security was in itself a serious motivation for a couple to have children, and it is not uncommon for the death of a child to be lamented not least because of the loss of future support. In one pseudo-Ciceronian work, an argument in court for not penalizing a defendant too severely is that he has an aged father (*grandis natu parens*) "who has set the entire hope of his last years on this young man (*cuius spes senectutis omnis in huius adulescentia posita est*)" ([Cicero], *ad Herennium* 4.39.51; cf. [Quintilian], *Declamationes Maiores* 10.1). A fourth-century CE poem by Ausonius expresses his grief and sense of loss at the death of his grandson Pastor, his *spes certa*. The injustice of such a young death, witnessed by older generations, is a common theme in ancient literature (*Parentalia* 11, adapted from the translation of Hugh G. Evelyn White):

> You also, boy of unripe years, have broken this sequence of laments for riper age, Pastor, dear grandson, filling with bitter grief your grandfather, whose sure hope you would have been, third child of Hesperius your father. Your name, which chance had given you (because just when you were born a pipe sounded some pastoral air), too late was understood to be a symbol of your short life: because the breath soon passes from the pipes on which a shepherd blows. You perished stricken down by the weight of a cast tile, thrown from the roof by a workman's hand. No workman's hand was that: that hand of bloody Fate should surely have borne the blame. Alas, how many of my hopes, how many of my joys you broke short, my Pastor! That tile, carelessly flung,

reached my head. O, how much fitter were you to mourn the end of my old age, and
raise a sad lament at my burial!

The severe toll that mortality took on the family, on its youngest as well as its oldest
members, is a recurring theme. The bitterness such loss may engender is perhaps
nowhere better expressed than on a tombstone from Rome, that of the two-year-old
Titus Flavius Hermes (*CIL* 6.18086 = *CLE* 1581):

> Here lies Flavius Hermes whom Fate was unwilling to let lead a longer life. He
> chose to abandon the light rather than to pay back his due to his relations. Mocker
> (*derisor*) of his grandmother, because he used to say that he would take care of
> (*nutrire*) her and be her support in her extreme old age (*bacchillum summae
> senectae*). He deluded his father's brother because he was so very sweet to him,
> and he used to charm his grandfather with his tiny voice, so that all the neighbors
> used to say "O sweet Titus." While these things were happening, his parents,
> though young, were suddenly put into mourning for him. Yet he lived his two
> years as if he had actually lived 16 years – such was his awareness, like one rushing
> to Orcus. So I say to you who do not know the sweet voice our son spoke, do not
> wish to desire to endure a bad punishment [*sc.* if you deface his tomb?].

This attitude that by losing a young child older relations have lost tangible sup-
port in later life could be criticized in antiquity as a rather selfish sentiment on the
part of parents: Plutarch, *Moralia* 111e asserts that parents who mourn for those
who die young mourn selfishly if their grief is due to the fact that "they have been
cut off from some gratification or profit or comfort in old age (*geroboskia*)."
Indeed Seneca the Younger, in his fragmentary work *On Marriage* (*de Matrimonio*,
Fr. 13.58 Haase = 54.12 Vottero), states that it is sheer stupidity to marry and
have children in order to ensure the immortality of one's name, to secure heirs
and to have help in old age (*senectutis auxilia*): it matters little when you are dead,
and in any case a son may die before you, or indeed he may be unwilling to help,
especially if you yourself take a long time to die.

What we are in effect seeing here, I think, even among the wealthier classes –
witness again Domitius Tullus' helplessness despite his wealth – is the importance of
the family as a form of old-age security and welfare. Roman Egypt again provides us
with particular evidence of real families, in this case coming to terms with old age
within the family. Whatever moral or legal pressure may have been put on children
to support their aging parents, it appears to have also been the case that delicate
negotiations between generations were necessary. The papyri preserve cases where
the elderly father, and sometimes mother, promise to leave their property to their
children after their death on the condition that they care for them in their old age
and provide proper burial for them when they die. Normally the changeover in legal
ownership is explicitly stated to take place only after the death of the donor, but
sometimes, in practice if not also in theory, during his own lifetime the father hands
over ownership entirely to his children and becomes dependent on them. Thus, for
example, in *PMich* 321 (42 CE) at the age of 65 the father, Orseus, divides his

property among his four children (three sons and one daughter); it is stated that the division is to take place after Orseus' death but in effect it takes place immediately. One son (probably the oldest), Nestnephis, is to receive most of the property. In return, for the rest of Orseus' life Nestnephis is to provide his father with 12 *artabas* of wheat and 12 silver *drachmas* annually for food, clothes and other expenses, and is to pay the tax due on the land and Orseus' trade taxes as a flute-player. For his part Orseus promises to keep the property intact until his death and not to give it to anyone else. In *PMich* 322a (46 CE), on the other hand, there is no mention of the legal changeover of ownership taking place after the death of the father: here 69-year-old Psuphis and his 60-year-old wife Tetosiris divide their property (individually) among their sons, daughters and a grandson (the son of a deceased third son). Possession is immediate, and in return the offspring are to provide food and money, pay any debts, and furnish burial for the elderly couple when they die.

Such negotiations may not always be successful, and we also find from Egypt cases where some elderly fathers saw the need to make an official complaint or take personal revenge when they felt that their children were not performing their (moral) duty. In *PKronion* 50 (= *PMilVogl* 84; Tebtunis, 138 CE), for example, a father about 75 years of age while distributing his property all but disinherits his oldest son, his namesake Kronion, because of the son's allegedly undutiful behavior ("I have been wronged by him in many matters over the course of my lifetime"); instead he leaves most of his estate to his other two sons and his granddaughter. Two months later we find Kronion junior divorcing his wife/sister. Not a happy family, we suspect. With no state aid for the elderly forthcoming, the negotiation of care between generations could have serious effects on the dynamics of the family and the atmosphere within the household.

In this chapter we have explored a range of features of the Roman life course as they relate to the family. The primary ostensible role of Roman marriage was the production of legitimate children, and marriage and childbirth were of course very significant events in the family's life. But for everyone the life course ends in death, and as we have seen mortality too plays a very visible role in the life course of the Roman family. Maintaining the ongoing viability of the family in every sense must have been a prevalent concern for the *paterfamilias* and his wife, as they aged and as they saw their family ebb and flow around them with the passage of time.

FURTHER READING

For the use of a life-course approach to the history of the family, important seminal literature includes Elder (1977); Hareven ((1978), (1994), (2000)); Hareven and Adams (1982). Kok (2007) provides a useful and up-to-date perspective on the subject.

For an introduction to the life-course approach in the Roman context, see especially Harlow and Laurence (2002); with Rawson (2003) on childhood and Revell (2005) on epigraphy; for ancient Greece, note also Gallant (1991) chapter 2; with Garland (1990).

The work of Richard Saller is fundamental to our understanding of the Roman family, and the debt I owe to his 1994 book is obvious in this chapter. The classic article by Saller and Shaw (1984) is compulsory reading for anyone interested in the Roman family; see also Martin

(1996); Rawson (1997). I also recommend Bradley (1991) as a very perceptive and influential study on the complexities of the Roman family, very relevant to the theme of this chapter.

   On Cicero's family life, particularly through the eyes of the women in it, see Treggiari (2007); the discussion in my chapter here owes much to work Mary Harlow and I have done together for an unpublished paper written independently of Treggiari's book and delivered to the Roman Society in June 2008. For the difficulties in reconstructing a Roman woman's life course see Harlow (2007). For older people in the Roman family, see further Parkin (2003) chapter 8; and for excellent studies of social welfare in history, within and beyond the family, see Horden and Smith (1998) particularly part I. On widows, see Krause (1994–1995); with McGinn (2008).

Childbirth and Infancy in Greek and Roman Antiquity

Véronique Dasen

1 Introduction

Long believed to be a transitional time that left no trace, birth and early childhood have recently emerged as a new field of research. Interdisciplinary approaches have demonstrated that coming into life has a complex and rich history of its own in classical antiquity, involving important issues relating to the history of medicine, religion, family and gender studies. New impulses also came from the results obtained for other periods and societies, allowing useful transfers of questioning on various topics, from the function of babies' "molding" to fosterage relations. In this chapter we will analyze a series of key themes in a comparative way, highlighting similarities and specificities, in search of the many-folded perception of young children in Greek and Roman antiquity. The extent of comparison is uneven because of the lacunary and changing nature of evidence in each culture. Textual sources relating to that first stage of life are limited: infants were mainly in the hands of women, who left almost no direct written evidence. We will also concentrate on freeborn and mostly elite children, as nothing or very little is known about lower-class ones and those born in slavery. Traces of children in material culture (feeding bottles, amulets, toys, etc.) partly compensate the paucity of literary sources, but the interpretation of objects from various contexts (funerary, votive, domestic, etc.) is often still a matter of debate.

2 Infancy: Definitions

Growing up in antiquity was not perceived as a continuum: the process was composed of stages associated with the gradual integration into the community, often marked by

ritual acts. In times of high infant mortality, these stages represented steps for hope of survival and increasing parental bonding. Our notion of "early childhood" or "infancy" could correspond to the stage ending around two or three years which appears within the traditional Greek and Roman scheme dividing human life into hebdomads. After teething, which occurs around six or seven months, a second important transition takes place at two or three when the infant is definitely weaned. The child is no more treated by the nurse's milk, but independently. He or she can talk. It is also a time of increased physical activity; the bones are believed to have hardened enough, and children can freely walk and play outside. The turning point is social and religious too; in places like Classical Athens, the three-year old was involved for the first time in the religious life of the community.

Greek and Latin vocabulary, however, do not reflect this structure. Apart from the generic *pais* in Greek and *puer* in Latin, more specific words exist (*brephos*, *nepios*, *teknon*, *paidion*, *paidarion*), but they do not clearly delineate stages in the child's development (Golden (1990) 12–22). Their use varies mainly according to literary genre; they express types of bondage rather than age groups, such as *teknon* (after *tiktô*, "I give birth"), that describes not only babies but also children of all ages with a strong emotional connotation.

In Latin literature, *infans* and *infantia* appear by the end of the first century BCE, along with new terms, such as *bimus* or *bimulus*, denoting the two-year-old child (for example, *CIL* 6.5861, 6.6031, 6.16739). M. Manson ((1978), (1983)) thought that linguistic changes could mirror social ones, and that the formula *puer bimulus* witnessed a new interest for infants under Augustus' reign. The question is much debated. The changing nature of evidence can mislead historians. "Changes in genre are mistaken for changes in mentality," as A. Cohen states it (in Cohen and Rutter (2007) 8; Golden (1992)). In all periods, other types of evidence, such as iconography or funerary rites, also reveal awareness of infants, as well as a continuing, but shifting perception of stages within childhood, warning us about oversimplifying historical changes.

3   Medical Views

One could assume that the absence of ancient medical treatise addressing specifically infants' care, equivalent to modern pediatrics, implies a lack of interest because of the high infant mortality. For R. Etienne (1973), babies, too fragile, had little social value, and were not worth medical discussion; their care was relegated to women – the midwife, the nurse, or the mother – and the intervention of a physician would be exceptional. This view must be corrected. Discussions of infants may not be comprehensive, but they are recurrent and demonstrate consciousness of the characteristics of children who form a distinct epidemiological group. Recent researches, mainly based on authors of the Roman imperial period, under the impulse of Soranus' rediscovery, have also shown that the few therapeutic treatments applied to infants must be contrasted with numerous prescriptions about hygiene and diet aiming at promoting survival and a healthy growth.

3.1 Infants' Physiology

From Hippocrates to Late Antiquity, babies and toddlers are defined as a category of beings with a special morphology and physiology. These characteristics are on the whole negative. Newborn babies are generally described as imperfect, weak and ugly. Imperfect because humans are born incomplete: "They are born in a more imperfect condition than any other perfected animal," says Aristotle (*Generation of Animals* 5.1.779a24). Ugly, because they have a red face, little hair (*On Colours* 6.797b24–30) and a poor eyesight, indicated by their pale-blue eyes due to the lack of food which provoked the birthing process (*Generation of Animals* 5.1.779a–780b). Medical authors are also concerned with the malleability of the babies' body, compared with wax, even in the bones, and recommend swaddling immediately after birth (for example, Galen, *On Temperaments* 2.2 = Kühn 1.578).

The first week of life represents the first critical stage. Aristotle explains that many children die within the first week, and hence are named only past that period (*History of Animals* 588a8–10). Becoming human then starts as a long process. For a week, before the loss of its dried umbilical cord, the newborn child "is more like a plant than an animal," says Plutarch (*Roman Questions* 288C). A mineral metaphor substitutes for the vegetal one in Chronos' myth, who ate his children as soon as they were born and thought a stone to be a swaddled nursling.

During the first 40 days nurslings sleep most of the time and seem to be deprived of sensations, a long-lived belief with important therapeutic consequences that were only corrected in the second half of the twentieth century. Continuous sleep was also regarded as part of a transition state, between living and not living:

> The transition from not being to being is effected through the intermediate state, and sleep would appear to be by its nature a state of this sort, being as it were a borderland between living and not living: a person who is asleep would appear to be neither completely non-existent nor completely existent. (Aristotle, *Generation of Animals* 5.1.778b28)

When the baby has passed the first 40 critical days, it emerges as the opposite, a fierce, hot-tempered creature, dominated by emotions and sensations. Moister and hotter than adults, the baby is also greedier and angrier. "Of all wild creatures, the child is the most intractable," says Plato (*Laws* 7.808D). Some authors recommend coddling to prevent infant's crying (Plato, *Laws* 7.792A), others, less permissive, consider crying as a natural form of exercise (Aristotle, *Politics* 7.17.1336a).

For Aristotle, infants are defined as a lower category of beings, physically weak, mentally and morally inept, with uncontrolled appetites. Physical disproportions associate them with animals. A heavy upper part explains why children move like quadrupeds, says Aristotle: "That is why infants cannot walk but crawl about, and at the very beginning cannot even crawl, but remain where they are" (*Generation of Animals* 686b8–11). The predominance of remedies derived from animals to treat children mirrors their similar temperaments and qualities, reflected by their close relations in daily life. This notion of wildness also has social and religious consequences: it explains the protection of Artemis, patron of wild life, and the importance of

taming rituals, especially for older girls, as in the initiation to Artemis Brauronia (Reeder (1995) 299–314). Disproportions also explain mental incapacities. The heaviness of a large head impairs the impulses of thoughts, and the infant's memory is bad. Children are further associated with inferior categories of human beings, such as old people, physically weaker, with a poorer memory and less hair, with the insane and the drunk, with a similar irritable temperament and a disorderly behavior, with women, irrational, changeable and weak, and even with dwarfs (Dasen (2008b)). These views influenced for many centuries the Western tradition of infants' formative care, physical and mental, from swaddling and massage to feeding.

3.2   Infants' Diseases

In ancient medicine, no illness is specific to children, but children have predispositions to specific illnesses that can rapidly become fatal. Harmless disorders, like aphthous ulcers, are innocuous for adults, but, when the painful canker sores invade the mouth, the uvula, and the throat, they hamper proper feeding and can be lethal for sucklings who cannot be easily treated (Celsus, *On Medicine* 6.11.3).

Medical writers mention two critical periods during infancy. The Hippocratic *Aphorisms* 3.24–25 (fourth century BCE) distinguish first affections of little and new-born children (*paidia*), from birth to seven months: aphthae, vomiting, coughs, insomnia, frights, inflammation of the navel, discharges from the ears. The second dangerous stage occurs at seven months, when teething begins: ulceration of the gums, fevers, spasms, and diarrheas, especially when the canine teeth appear (Bertier (1990)). Celsus and other authors of the Roman period repeat these principles (for example, Celsus, *On Medicine* 2.1.18). A Hippocratic treatise *On Dentition* reflects the importance of that stage, also an object of great attention in folk medicine, as teeth can "kill": any secondary disorder, such as fever or gum ulceration, could quickly degenerate with dramatic consequences (cf. the French and German expressions *mourir des dents*, *an den Zahnen sterben*).

Beside teething, often associated with digestive troubles, diarrheas were feared: "In cases of diarrhea, danger of death is at hand; this disease carries off mostly children up to the age of ten; other ages bear it more easily," explains Celsus (*On Medicine* 2.8.30), but without linking his observations with malnutrition or poor hygiene.

Until weaning is complete, most diseases, such as skin abscesses, ulcerations and even vesicle stones, were attributed to a defective nurse's milk disturbing the humoral balance: "Children get stones also from the milk, if it be unhealthy, too hot, and bilious" (Hippocrates, *Air, Waters, Places* 9.40). This long-lasting idea contributed to the misunderstanding of infectious eruptive diseases affecting children only once, like measles or smallpox.

Hot and moist, less robust than adults, children must be treated with moderation, as Celsus says (*On Medicine* 3.7.1B): "Indeed in general children ought not to be treated like adults. Therefore, as in any other sort of disease, we must set to work with more caution in these cases" (cf. Mudry (2004)). Bloodletting, purging, vomiting, and other strong therapeutics must be avoided, whereas surgery, as in the case of stones, is a last resort. The only medicine regularly applied directly to the infant is preparations with honey to calm ulcerations of the mouth.

Figure 18.1 Fragmentary marble relief, from the Asclepieion, Piraeus, fourth century BCE. Athens, National Archaeological Museum 3304; courtesy of the Athens Department of the Deutsche Archäologische Institut, Negative No. 1993.342. Photograph by Klaus-Valtin von Eickstedt.

The best way to treat infants until weaning is the nurse's milk that has the property to transmit the qualities of remedies to the child. Constipation, diarrhea, exanthema, aphthous ulcers can be treated through the nurse who must follow the entire treatment, including physical exercises and baths: "For as a general rule, as long as the infant is nursed, we put the wet-nurse on a regimen appropriate to the disease of the child" (Soranus, *Gynaecology* 24[57]). Even epilepsy could be treated through the nurse's milk (for example, Caelius Aurelianus, *On Chronic Diseases* 1.4). Was the procedure debated? Some could ask if the remedies would unhappily affect the nurse's health. Soranus (2.24[56]) explains that, appropriately dosed, the product only reaches the baby, since it is more sensitive.

Though filtered by the literary genre, a number of actors appear in these texts, not only women, but also men, the father and male relatives or caretakers, along with the medical doctor (Bradley (2005); Gourevitch (2010)), who do not resign despite the fragility of very young children. The recourse to healing deities was frequent. A baby boy is presented to Asclepius by his father in a procession leading a bull to the sacrificial altar on a relief from the Asclepieion in Piraeus (Figure 18.1) (Lawton (2007) 45 [(Lawton (2007) 45)]).

4   Birth

4.1   Providing a Legitimate Heir

The birth of an heir was the principal aim of Greek and Roman marriages which, for strategic reasons, could legally take place as early as 12 years old for girls, especially in wealthy families and in urban contexts, despite the warnings of physicians (see Cox and Dixon, this volume). Many rituals aimed at promoting pregnancy and an easy delivery. Votive figurines of swaddled babies found in Greek as well as in Roman and Gallo-Roman sanctuaries were dedicated on various occasions; some may express the wish to have a child, if possible a boy (Miller Ammerman (2007); de Cazanove (2008)). We do not know how long a young wife could wait before being suspected of infertility, which could be a cause of divorce. Families with one or two children, including at least a boy, seem to have represented an ideal (for example, Hesiod *Works and Days* 11.376–8; Pliny the Younger, *Letters* 4.15.3), attained, however, only through several offspring because of the low chances of survival to adulthood.

In classical antiquity, childbirth was usually handled by women who left no or very little written information. Apart from scattered allusions in medical treatises, our main source dates to Roman imperial period: Soranus, a Greek physician from Ephesus, wrote at the beginning of the second century CE a handbook for the training of midwives which offers an exceptionally detailed description of the procedure and its preparation. The delivery then took place at home, with the help of an experienced woman and female helpers – relatives, friends, slaves, or neighbors. Professional midwives, called *maia/obstetrix* or *iatrine/medica*, are known in ancient Greece as in Rome; Soranus describes the high level of competence expected from Roman period midwives who should be instructed and own specialized material, such as a birthing chair. The event is seldom realistically depicted. Apart from the famous terracotta plaque of a tomb in Ostia showing the midwife Scribonia Attice at work, the birthing process is usually only alluded to, as in scenes of divine births or on monuments of women who died in childbirth (Neils and Oakley (2003) 185–87).

No men seem to have been present, apart from the physician in case of difficulties, though the distribution of roles between men and women practitioners for normal or abnormal births is debated. The absence of fathers partly explains the fear of being cheated by their wives. The *topos* of the credulity of husbands manipulated by the duplicity of women goes through the centuries. Aristophanes evokes the strategies of sterile women playing fake pregnancies (*Women at the Thesmophoria* 502–16) or smuggling a male baby in place of their own girl (*Women at the Thesmophoria* 564; cf. Juvenal, *Satires* 6.602–605). In the story of Iphis told by Ovid (*Metamorphoses* 9.666–797), the husband orders his wife to abandon the newborn if it is a girl; when the baby girl is born, he believes for years that she delivered a boy, which implies that he never saw his child naked (but cf. Plutarch, *Cato the Elder* 1.20.4).

Roman legal texts describe how to proceed when paternity is disputed, as in the case of birth after the death of a father. The scene is crowded: the widow gives birth in a room with a single guarded entry, surrounded by female representatives of each family witnessing the labor in order to protect the child's rights and prevent any substitution (*D* 25.4.1.10, Ulpian; Rawson (2003) 100).

4.2   Rites of Passage: Entering Human Life

How was a new life welcomed in classical antiquity? As in most traditional societies, the newborn enters progressively among the living through steps which fit in the three-phase structure of rites of passage defined by A. van Gennep (1909), consisting of separation, margin and aggregation. Key steps reflect specific cultural representations of the child's body.

A first cycle takes place within the first days, before the official celebration that occurred five or ten days later in Greece (*Amphidromia* and *Dekate*), eight or nine days later in Rome (*dies lustricus*). During that period, the child had no social existence yet, and the father had the right to abandon it with impunity for various reasons, because of her female sex, illegitimacy, or physical abnormalities.

The stages surrounding birth can be reconstructed for Rome with the help of Soranus; his description throws light on the role of the midwife, the main actor in the first day of life.

4.2.1   The Inspection of the Child

In the second book of his *Gynaecology*, we thus read that after delivery the midwife makes a gesture, unfortunately not described, to announce the sex of the newborn. She then puts the child upon the earth and carefully examines its condition. This inspection is decisive because it must determine if the newborn "is worth rearing" (2.5[10]). The child must cry vigorously and be "perfect in all its parts, members and senses: that is ducts, namely of the ears, nose, pharynx, urethra, anus," all must be free from obstruction, says Soranus.

The description details the whole body, from top to toes, with a care reflecting the experience of the newborn's fragility. It also mirrors Roman sensitivity towards physical abnormality, going back to the Republican period. Then a newborn child with severe physical anomalies, such as Siamese twins or a hermaphrodite, was regarded a sign of divine wrath threatening the whole community. It was ritually eliminated, usually thrown to the sea, so as to restore cosmic order (for example, Rosenberger (1998); Brisson (2002) 7–40; Allély (2003), (2004); Cuny-Le Callet (2005)). In the imperial period, major dysfunctions could still cause rejection, as implied by the last sentence of Soranus: "And by conditions contrary to those mentioned, the infant not worth the rearing is recognized." The assertion, however, should not be interpreted literally as we know from other sources that children born with physical defects could be accepted and reared (for example, Pliny, *Natural History* 7.69, 11.244; Dasen (2006b)). The attention to anomalies is also related to the long-lasting practice of taking omens for the child's future from various bodily signs, such as the untimely presence of teeth (for example, Pliny, *Natural History* 7.68–89), birthmarks (Suetonius, *Augustus* 80; Dasen (2009a)) or from the type of delivery, feet first or in the breech position (for example, Pliny, *Natural History* 7.46). A few texts mention traditions relating to children "born in the caul" (*pilleum*), enveloped in the amniotic membrane or fragments of it over the head. The caul was kept – or stolen – and sold as a talisman providing good luck (*Scriptores Historiae Augustae*, *Diadumenianus* 16.4.2; Belmont (1971)). Multiple

Figure 18.2   Attic marble grave stele, second quarter of the fourth century BCE. Paris, Louvre MA 3113; © and courtesy of Musée du Louvre/Maurice and Pierre Chuzeville.

births form a special category of offspring, arousing ambivalent reactions, welcomed as a sign of divine favor when they are two (cf. Figure 18.9) or eventually three, portentous, as a disruption of the natural order when three or more are born simultaneously, partly because of the fatal issue of such deliveries (Figure 18.2) (Dasen (2005a), (2005b)).

4.2.2   Cutting the Umbilical Cord

This first physical test places the newborn in a liminal stage, between life and death, before the navel cord is cut. Soranus says that the newborn thus had a little rest after the delivery, but other preoccupations may be at work: as long as the navel cord was not cut, the legitimacy of the newborn could be proven, at least in the female line. Lifting the child from the ground was thus a decisive moment, indicating the child's viability. It was performed not by the father, but by the midwife who then severed the umbilical cord. Some avoided iron which would be an ill omen and preferred to use a glass, a potsherd, a reed or bread crust (Soranus, *Gynaecology* 2.6[11]). The father, if present, ordered proceeding to the first care, thus declaring acceptance of the child, but without any formal ritual, as Köves-Zulauf demonstrated (1990). The lifting-up ceremony is a nineteenth-century creation based on a metaphorical literary expression (*tollere* or *suscipere liberos*) (Shaw (2001)). The newborn had a legal existence, as long

Figure 18.3 Glass paste (cast), Roman period. London, The British Museum 3079; © and courtesy of the Trustees of the British Museum.

as it was born alive and had cried. The *patria potestas* was created by the birth itself, whether the father was present or not at the time of delivery, as long as the child was born from a *iustum matrimonium* between two free citizens. The rights of the child as potential heir even existed before birth; the inheritance rights of the fetus were duly protected (for example, *D* 28.2.4, Ulpian).

A series of gems of the imperial period seem to refer to the inspection of the physical soundness of the newborn and propose divine models for the midwife (Dasen (2009b) figs 1–3). Three women stand before a child lying or sitting naked on the ground. They hold attributes which identify them with the *Parcae* (or *Moirae* or *Fatae*), who fix the fate of the child (Weiss (1992)). On the London gem, the woman on the left holds a scroll (*volumen*), that on the right a balance and a torch, both look at the central frontal figure, standing beside the child, who holds a spindle and a distaff (Figure 18.3). The manipulation of spindle and distaff could metaphorically refer to the cutting of the umbilical cord, implying that the midwife is the human doublet of the *Parcae* or *Moirai*, like them determining life or death (cf. Ammianus Marcellinus 16.10.19, accusing a midwife of murder) and prospects for the future, providing *omina* from the birthing position of the child and from other physical signs.

4.2.3   Bathing

Biographical sarcophagi with life-cycle scenes of the second and third centuries CE focus on the next moment, the first bath (Kampen (1981b); Amedick (1991)). Its importance is social first, because caring for the child implies that it has been declared viable, that it is accepted by the parents and that the family starts to be optimistic. Secondly, it introduces the child to earthly life through contact with elements, such as water. Traces of uterine life are washed away: the special coating of the newborn's skin is gently rubbed with fine salt, as Soranus advises (*Gynaecology* 2.6a[13]); the midwife squeezes out the mucus in the nose, cleanses the mouth and the ears, she also dilates the anus in order to stimulate the excretion of the meconium. With the first bath, a first passage is thus in a sense completed; the child is physically separated from uterine life and he is accepted in the familial group (cf. Suetonius, *Claudius* 27, disapproving Claudius for exposing his daughter Claudia after allowing procedure to the first care).

In other cultures, reports Soranus (*Gynaecology* 2.6[12]), the bath represents a selection determining the life or death of the child. Cold water is used by the Germans, the Scythians and "some Greeks," wine, sometimes mixed with brine, or the urine of a child, or myrtle and oak gall. One assumed that the child "not worth the rearing" did not survive.

In life-cycle scenes, the importance of this bath is stressed by the supernatural presence of the *Parcae* or *Moirae*. On several sarcophagi, they are depicted fixing the destiny of the newborn on a globe (Figure 18.4). The scenes thus reunite two successive moments, that of the biological birth, when the horoscope is set, and that, symbolical, of the bath, synonymous with the entry into life and the family. Iconography insists on the vigor of the newborn, depicted as an active and older baby, often moving and extending its arms towards its mother. The midwife always presents the child to the mother, no man is present, the environment, human and divine, is entirely female.

Rituals may have enacted this first critical process. Varro (apud Augustine, *On the City of God* 6.9) describes an ancestral nocturnal rite involving three men representing guardian gods who encircle the house where a successful delivery occurred; their play could metaphorically refer to the first care of the child: severing the umbilical cord (Intercidona and his axe), testing physical soundness (Pilumnus and his pestle), giving the first bath (Deverra and his brooms) (Brind'Amour and Brind'Amour (1971); Köves-Zulauf (1990) 95–219). In Gallo-Roman sculpture, triads of *Matres* similarly allude to this first rite of passage, associating the swaddled baby with symbolical objects, such as a balance and a *volumen* (Bauchhenss (1997) 816, B.c, 41.43.44; Deyts (2004); Dasen (2009b) fig. 9).

A successful delivery was finally publicized by placing a laurel wreath at the front door or inscribing the news on the wall of the house (for example, *CIL* 4.294, 4.3819, 4.3890); friends came to the house to congratulate the father and benches were set up in the streets along the house, thus associating passers-by with the festivities (Statius, *Silvae.* 4.8.37–40; Juvenal, *Satires* 6.78–80, 85; Aulus Gellius, *Attic Nights* 12.1).

Figure 18.4 Marble sarcophagus, 170–180/200 CE. Agrigento, Museo archeologico Regionale. Drawing by Véronique Dasen.

Were similar rites performed in ancient Greece? Extant sources are very scanty. Most likely the powers of the midwife were also wide-ranging; she knew drugs and incantations to ease the delivery (Plato, *Theaetetus* 149c–d), and took care of cutting the umbilical cord. The act had certainly a ritual dimension, but no source mentions it. In Sparta, according to Plutarch (*Lycurgus* 16.1–3; cf. Aristotle, *Politics* 1336a12–18), the inspection of the newborn was performed by the Council of the Ancients, and the child was bathed with wine in order to test its constitution,

> for it is said that epileptic and sickly infants are thrown into convulsions by the strong wine and lose their senses, while the healthy ones are rather tempered by it, like steel, and given a firm habit of body.

In Athens, the midwife may, as in Rome, have immediately proceeded to the physical inspection of the newborn (Plato, *Theaetetus* 151), or did it occur at the feast of the *Amphidromia*, which took place about a week later? (Plato, *Theaetetus* 160e–161a; see below). As in Rome, a happy delivery was announced to the neighborhood: a crown of olive for boys or a tuft of wool for girls was suspended at the door of the house (Hesychius, s.v. *stephanon ekpherein*; Dasen (2010b)).

4.2.4 *Shaping the Newborn: Massages and Swaddling*

D. Gourevitch (1994), S.R. Holman (1997) and others drew attention to the socially constructed dimension of formative care which demonstrates a marked concern for infants from birth onwards despite mortality risks. The child is soon subject to the "firming up" of its body, judged so malleable that it can be shaped like wax. Soranus and other authors explain that it is possible to modify this plastic body by massage, modeling "every part so that imperceptibly that which is not yet fully formed is shaped into its natural characteristics" (*Gynaecology* 2.12[32]). Special emphasis is put on the limbs and mobility, pursuing the squeezing away of viscous material from uterine life which remained in the joints, as Soranus explains:

> Furthermore, she should bend back the limbs toward the spine, moving the tip of the right foot towards the tip of the left hand and the left towards the right. For thus the sinews of the joints are made supple, each [of which] becomes more mobile by the various rotations, and if something viscous has penetrated into the joints while the organism was formed, it is squeezed out. (Gynaecology 2.12[32])

Similar ideas are found in other cultures, where massages are thought to make joints and legs supple (Morel and Rollet (2000) 203–208).

Swaddling completes this work. It aimed primarily at preventing distortions in the limbs (Plutarch, *On the Education of Children* 3D), but symbolically it also contributed to transforming a small shriveled animal into a human, helping it grow as straight as possible. The idea belongs to the *longue durée*: "Some people believe that children would walk on all fours if they were not swaddled," says N. Brouzet in his *Essai sur l'éducation médicinale des enfans* (1754).

Roman swaddling made not only human, but also male and female. The type of swaddling differed according to the sex: "In females, one should bind the parts at the breast more tightly, yet keeping the region of the loins loose, for in women this form is more becoming," says Soranus (*Gynaecology* 2.15[84]). The practice is not without danger. Galen draws attention to ignorant midwives or nurses who deform the child with irregular swaddling that compress the thorax too strongly and unevenly (*On the Causes of Illness* 7 = Kühn 7.28–29). For Soranus, swaddling may stop after 40 or 60 days, depending on the child's constitution, but one should liberate the right hand first, in order to avoid left-handedness (2.15[42]).

Were Greek massage and swaddling practices similar to Roman ones? Theoretical views seem to be similar. Massage is present in the Hippocratic treatise *On Regimen* 1.19: "Curriers stretch, rub, comb, and wash. Children are tended the same way." Plato, in his *Laws* (7.789e), also compares the embryo and the newborn with wax, and recommends swaddling for two years, adding that the nurse should carry children until the age of three in order to avoid distortions in the legs "by overpressure." Swaddling bands, *spargana*, seem to cover similarly babies from neck to toes, but iconography suggests variations in time and places, with alternative binding methods. Swaddling material, especially rings for swaddling bands, are now identified in children's tombs, and a systematic collection may throw light on the practice and its variants (Gourevitch

et al. (2003) Nos 91–94; in Greece, see possibly Prohászka (1995) pls 36B, 36F). Elongating babies' heads is mentioned among the *Makrokephaloi* (Hippocrates, *Airs, Waters, Places* 14), but not recommended in Greece, nor Rome (Soranus, *Gynaecology* 2.12[33]).

4.2.5 First Food and Breastfeeding

The baby is very slowly introduced to human food. "Its whole body is full of maternal food which it ought to digest first," says Soranus (*Gynaecology* 2.7[17]). One or two days' diet is commonly prescribed. The newborn just gets honey boiled in water, a special food with heavenly connotations. Elaborated from dew, fallen from the sky, honey should keep away evil and diseases, as well as provide divine inspiration (Borgeaud (2004)). This diet belongs, like swaddling, to the *longue durée*: it was still in use in Europe at the beginning of the twentieth century (Lett and Morel (2006)). After the first days' diet, the newborn gets maternal or a nurse's milk. Animal milk is not recommended, except goat's milk.

5 Official Entry into the Family/Second, Social, Birth (*Amphidromia, Dekate, Dies Lustricus*)

5.1 Amphidromia, Dekate

Sources on the first ceremony marking the acceptance of the child into the family concern Athens and are late, scanty and contradictory (for example, Suda and Harpocration s.v. *Amphidromia*; Hamilton (1984); Bonnard (2003); Dasen (1993), (2010b)). It took place in the household on or around the fifth, seventh or tenth day after birth. The baby was carried around the hearth, perhaps physically inspected (Schol. Aristophanes, *Lysistrata* 757; Plato, *Theaetetus* 160e–161a). Sacrifice and feasting followed. Those who attended the delivery were then purified. The name-giving ceremony may have taken place the same day or later on the tenth day (*dekate*) with relatives and friends who witnessed the father's decision and brought birthday gifts.

Within one year of birth, the child was then registered in its father's *phratry* at the autumn festival of the Apatouria. Other rituals took place, such as going to sanctuaries to thank the gods for a happy delivery. On the Echinos relief, the baby is presented to Artemis, patron of childbirth and a fostering deity, by the mother and servants leading an animal for sacrifice (Figure 18.5) (Morizot (2004)).

5.2 The Dies Lustricus

The ceremony of the *dies lustricus* marked the next decisive step in the child's life and opened a new cycle of passages. The baby received a first social identity: an individual name, a *praenomen*, which will be completed by the *nomen* of his *gens*. The calendar is gendered: the ceremony took place eight days after birth for girls, nine for boys (Plutarch, *Roman Questions* 288B–E; Macrobius, *Saturnalia* 1.16.36).

Figure 18.5   Marble votive relief, from Echinos, ca. 300 BCE. Lamia Museum AE 1041; courtesy of Lamia Museum.

In Rome as in ancient Greece, the reason for postponing the naming is partly associated with the high infant mortality (cf. Aristotle, *History of Animals* 588a8–10). The slow transformation of the child's body through bath, massage, and food played a role too.

Naming practices usually followed family traditions, passing in Rome, for example, from father to sons or daughters. In some regions, they could have other purposes. D.W. Hobson (1989) and O. Masson (1996) demonstrated the protective value of copronyms, derogative names deriving from *kopreus*, "dung" (*Kopreias*, *Koprias*, *Kopreas*, …), found mostly in Roman Egypt, which actually meant to make the newborn look undesirable and repel the threat of the evil eye.

Little is known about the events taking place on the *dies lustricus*: we read about sacrifices, lustrations and family gathering. *Cognati* in the female line may have played a special role. Persius describes an apotropaic gesture made by the maternal aunt:

> Look – a grandma (*auia*), or superstitious aunt (*matertera*), has lifted the boy from his cradle and first protects his forehead and wet lips with her wicked finger and magical saliva, an expert at warding off the withering evil eye. (*Satire* 2.31–34; Brind'Amour and Brind'Amour (1971))

This gesture is perhaps evoked on a miniature onyx alabastron (50–30 BCE), now in Berlin, where three women hold and touch a baby (Figure 18.6). E. Zwierlein-Diehl (1999) argued that they could represent the *Carmentes*, the divine protectresses of a child belonging to the imperial family, possibly Marcellus (Ovid, *Fasti* 1.631–36; Macrobius, *Saturnalia* 1.7.20). One of them holds a jug that could refer to purification rites on the *dies lustricus*.

Figure 18.6 Onyx alabastron, ca. 50–30 BCE. Berlin, Antikensammlung, Staatliche Museen FG 11362; © and courtesy of Staatliche Museen zu Berlin.

6   Birth Rites Disrupted by Death

The *Amphidromia* and the *dies lustricus* mark the first step of the child in public life, but do not represent the equivalent of Christian baptism. Children dead before the naming day were not impure and did not transform into malevolent ghosts (Baills-Talbi and Dasen (2008); Dasen (2010c)).

For the last 15 years, an increased attention on burials of infants has favored the discovery of numerous graves of fetuses and newborn babies outside traditional funerary contexts which explains their striking underrepresentation in communal funerary spaces. I develop here the example of Roman Gaul, but similar discoveries are now being recorded in Italy and other Roman provinces (Blaizot et al. (2003); Laubenheimer (2004); Baills-Talbi and Blanchard (2006)). In Greece, the most impressive recent find is that of a cemetery with over 2,500 babies in pots (*enchytrismoi*) on the island of Astypalaia in the Dodecanese (seventh century BCE to first century CE), still in the course of excavation and study; babies are clearly separated from other dead (Hillson (2009); Michalaki Kollia (2010)).

In Roman Gaul, infants under six months to one year of age can be buried either in settlements, near the living, within houses, along the walls, or outside the house, along the walls, as in a *villa rustica* in Langeais (France), excavated in 2000

(Guiot et al. (2003)); 18 newborn babies were discovered, 12 inside the house, six outside along the wall, all at a perinatal age, about one month old. In Pourliat, near Clermont-Ferrand, a space outside the enclosure of a *villa rustica* revealed 27 babies in pots or plain earth, none older than six months; the youngest is a viable fetus about seven lunar months old (Alfonso and Blaizot (2004)). Infants may also be found beneath the floors of workshops, as in the pottery building of Sallèles d'Aude (Duday et al. (1995)). They remind of the practice mentioned by Fulgentius, *Study of Ancient Words* (*Expositio sermonum antiquorum*) 7 in the fifth century CE that children under 40 days old were buried "under the eaves" of the houses. Similar discoveries have also been interpreted as traces of infanticide, human sacrifices, or beliefs in "repeater children" (Scott (1999); Baills-Talbi and Blanchard (2006); Gusi and Muriel (2008)).

Funerary rites confirm the liminal status of newborns which received distinct funerary treatments. Inhumation, in a broken vessel, in plain earth covered with a tile or in a coffin, is common to the whole group of children. Ancient texts allude to it, such as the famous passage of the elder Pliny (*Natural History* 7.72) explaining that children who have not yet teethed are not cremated. It seems possible to relate the degree of social integration of the child in the community to an increasing diversity of material. In Sallèles d'Aude, twelve graves were arranged along the walls; seven are newborn babies, about ten lunar months, four are children from one to three months, the oldest is between six to nine months old. The newborns were buried with no material; a tile, sometimes fragmentary, marked the grave. Infants up to three months were found in a bigger shaft, covered by a larger tile; one of them had a *fibula*, perhaps a present attached to the swaddling by the mother. The oldest child had a more elaborate, brick-lined grave covered with two *tegulae* and a set of objects: a perfume bottle, a lamp, a small cup perhaps with food. This pattern is found in several places. After six months, which corresponds to the teething period and the introduction of solid food, child burials tend to have the same equipment as adults, but with specificities, such as miniature objects, adapted to their size (Gourevitch et al. (2003)).

The absence of funerary offerings with fetuses or newborn babies is not systematic. Some burials show care for the afterlife of the newly born. A grave from a first-century CE cemetery in Aventicum (Switzerland) yielded a newborn baby (ten lunar months) with a funerary coin (Figure 18.7) (Kramar (2005) fig. 5), just born, but safeguarded by mortuary rites, though it may not yet have a name. Another example shows that even babies who were never "born" could receive a fitting burial. A coffin from the fourth-century cemetery in Poundbury (England) contained the remains of a child cut into pieces and extracted by embryotomy, because it was very big and blocked during delivery. The baby was decently buried in a coffin, alone, which suggests that the mother survived (Gourevitch (2004) 262–63).

Burial practices thus indicate that infants had a liminal status allowing them to stay within or near settlements. Their fragility did not imply indifference from the parents. Not yet fully social beings, they did not need to be separated from the domestic space. Their breast-fed bodies did not pollute the house and they were no threat to the living. Ancient authors, such as Cicero or Plutarch, recommend restraint in children's mourning (Cicero, *Tusculan Disputations* 1.39.93; Plutarch, *Numa* 12.3).
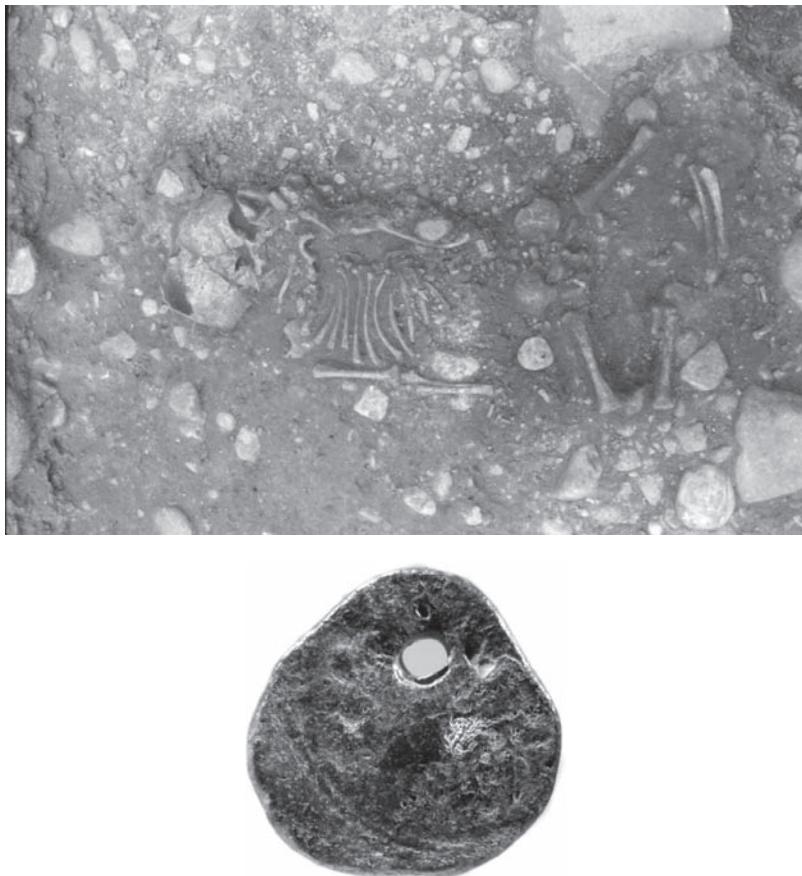
Figure 18.7 Grave, newborn baby (ten lunar months) with a funerary coin, from Aventicum, cemetery A la montagne, St 125, 30–70 CE. Avenches, Musée romain, inventory 01-02/11322-1; © and courtesy Avenches, Musée romain.

What could be more discreet than being buried in or near the house, without leaving the domestic space (Dasen (2009b), (2010c))? (On grieving practices, see also Laes, this volume.)

7   The Growing Child

7.1   Wet-Nurses and Other Child-Minders

Until weaning is completed, the growth of the child depends on the quality of its food. In Greek and Roman culture, parents often entrusted their newborn to a wet-nurse (*tithene*, *tithe*, *trophos/nutrix*), usually a slave or a lower-class freeborn woman, who normally lived with them (Figure 18.8). It was advised to choose with care the

Image not available in this electronic edition

Figure 18.8   Attic red-figure hydria, ca. 440–430 BCE. Harvard Art Museum, Arthur M. Sackler Museum, bequest of David M. Robinson, 1960.342. © Michael A. Nedzweski and President and Fellows of Harvard College.

right person, as milk is not a neutral bodily substance, but transmits many properties, physical and moral. Soranus devotes an entire chapter to the meticulous inspection of the nurse's milk … and temper. The nurse's character must be checked as thoroughly as her physical health. The mind of the newborn, compared with wax (e.g. Tacitus, *Dialogue on the Orators* 29), is from the start and forever impressed positively or negatively. Mnesitheus (apud Oribasius, *Libri incerti* 15) and others even advise choosing a woman resembling the mother physically or a handsome person, others (Favorinus apud Aulus Gellius, *Attic Nights* 12) reject violently the recourse to wet-nursing as immoral; submitting the child to the pernicious influence of a foreign non-kin person implies the destruction of family ties (Dasen 2010a). Wet-nurses had to follow a specific diet and to accept giving up their sexual life that would corrupt the milk in case of a new pregnancy (cf. Roman Egypt contracts; Gourevitch (1984) 248–58).

Roman upper-classes families attributed different qualities to nurses according to their ethnic origin: Egyptians were allegedly fond of children, Thracians robust and devoted, Spartans tough. The best ones were the Greeks, because they would teach Greek language – and culture – to their nurslings (Soranus, *Gynaecology* 2.8[19]; cf. Quintilian, *Institutio Oratoria* 1.1.3–4; Rühfel (1988); Schulze (1998); Dasen (2010a)).

Figure 18.9 Terracotta, second century CE. Musée gallo-romain de Lyon, Département du Rhône, inv. Comarmond 117; © and courtesy of Ch. Thioc.

The nurse's social function was extensive. Her role did not stop at the weaning period. Much evidence shows that in Greece as in Rome she was a life-long companion. In positive circumstances, she could construct non-kin relationships and became, through connections not of blood, but milk, a member of an extended family. Funerary inscriptions and literary sources show that some nurses were rewarded by freedom (cf. Gaius, *Institutes* 1.38–39; lists of *nutrices* in Bradley (1991) 13–36). Breast-feeding also created milk-ties between the nurslings (*syntrophoi*, *trophimoi*, *collactanei*; cf. Plutarch, *Cato* 1.20.5–7, on Cato the Elder inciting his wife to feed the home-born slaves) who could gain social elevation thanks to this bonding (for example, Corbier (1999a) 1280–1284).

Did parents purportedly entrust their children to wet-nurses in order to keep an emotional distance as a response to high mortality? The question is debated. The mother was not always physically able to provide milk (Soranus, *Gynaecology* 2.7[18]), and a well-chosen nurse would provide the best possible food for the child.

In Italy and in the provinces, besides the wet-nurse, upper-class children had an array of child-minders, including men, *paedagogus*, *tata*, *nutritor*, *educator*, perhaps replacing absent fathers (Golden (1990); list in Bradley (1991) 37–75). Their number and variety reveal the dynamics of ancient families which included kin and

Figure 18.10 Attic red-figure chous, 420–410 BCE. London, The British Museum E 536;
© and courtesy of the Trustees of the British Museum.

non-kin members who shared responsibility, guilt, and anxieties, and helped "cushion" the loss of the child. The divinization of nursing (*kourotrophic*) practices witnesses the importance of the task (Figure 18.9) (Dasen (1997)). Did not Demeter herself transform into the nurse of the baby Demophon when she arrived in Eleusis? (*Homeric Hymn to Demeter* 219–74; Pirenne-Delforge (2010); but cf. Bonfante (1997) on the disquieting connotation of nursing mothers exposing their breasts in classical art).

7.2   *Divine and Magical Protection*

Iconography and archeological objects indicate that children wore various types of amulets to avert diseases and evil influences responsible for untimely deaths (Sorlin (1991); Johnston (1995); McDonough (1997); Dasen (2003a), (2003b)). No text specifies when they were offered. Was it at birth, on the *Amphidromia/dies lustricus* along with gifts (*optêria* or *genethlia*), or on a later occasion? Beside protection, these objects also completed their social and gendered identity.

In Greece, children wore strings of amulets of various shapes (moon-crescent, double-axe, etc.), associated with bracelets and anklets (Figure 18.10), with local variants,

as on Cypriote statues of so-called temple-boys (Beer 1994). Some amulets have a funerary meaning. The bone cicada of the three-year-old girl from Abdera refers to her status as *nymphe*, or potential bride, like the pomegranate, the shell and other elements which composed a necklace deposited in her tomb (Kallintzi and Papaikonomou (2006) 483, fig. 4; Papaikonomou (2008) fig. 7).

In Rome, the golden *bulla* is the most well-known amulet with clear gendered and social connotations. Reserved for boys, it was most likely given by the father himself, as Tarquin the Elder did, according to the legend (Plutarch, *Moralia, Roman Questions* 287F–288B; Pliny, *Natural History* 33.10; Palmer (1989)), and hence possibly at the *dies lustricus* to mark the child's entry into the paternal line. As a token of free birth, the *bulla* was proudly exhibited by freedmen's children (Huskinson, this volume, Figure 31.6). *Bullae* are almost never found in a funerary context, perhaps because the amulet was transmitted to another child if the boy died prematurely.

The gendered distribution of the other types of amulets is more difficult to establish. The *lunula* (*selenis, meniskos*), a moon-crescent shaped pendant, tended to be given to girls and women, phallus to boys, little bells or antlers' roundels to both. All are part of protection rites, and aimed at promoting a harmonious growth. A geographic distribution can be charted. *Lunulae* are widely distributed around the Mediterranean, whereas the *bulla* is typically Italian, bells and antlers Gallo-Roman.

7.3 First Steps, First Activities

One of the first toys was probably a rattle, especially adapted to infants, as Aristotle explains:

> Besides, children should have something to do, and the rattle of Archytas, which people give to their children in order to amuse them and prevent them from breaking anything in the house, was a capital invention, for a young thing cannot be quiet. (Politics 8.51340b25–28)

Apart from toys imitating adult activities (Aristophanes, *Clouds* 877–81; Plato, *Laws* 1.643b–d; André et al. (1992)), infants played too with animals; numerous depictions display their intimacy, reflecting their similar nature. The child itself may be called a "cute puppy" (Xenophon, *Cyropaedia* 1.4.4). Animals also have various symbolical associations (on birds, see Cohen in Cohen and Rutter (2007)), and could also correspond to educational strategies (Bradley (1998b); Coulon (2004) 102–10). In Greece, terracotta models of various animals, especially dogs and cocks, found in tombs could substitute for the real companion, others (for example, sheep, ox) may refer to the sacrifices which should have marked coming of age rituals or remind of those performed in funerary rites (Papaikonomou (2006); Kallintzi and Papaikonomou (2006)).

Dolls are associated with older girls who passed the weaning period and acquire a sexual identity. Greek dolls are not proper toys, but correspond to maturation

rites (Reilly (1997); Dasen (2005c), (2010c)). One was found in the tomb of a two/three-year-old girl from Abdera, at the weaning age (Papaikonomou (2006), (2008) fig. 6). Another doll was found in Ampurias with a girl of unknown age but also with a feeding bottle, alluding to the same age class (Papaikonomou (2008) figs 9–10).

Among the first accomplishments, learning to walk is evoked in Greek iconography (Figure 18.10). More elaborate walkers are depicted in Roman art, as on a famous life-cycle sarcophagus in Rome (Rawson (2003) fig. 3.1).

8   End of Infancy

Around three years of age, the status of the infant changed. Material traces of the weaning period may be seen in feeding bottles found in tombs, though their real function is not easy to determine. Some had a funerary purpose, like vessels in the shape of a pomegranate (Neils and Oakley (2003) No. 33) or Roman glass bottles, too frail for daily use (Rouquet (2003)), others could contain other liquids (Soranus, *Gynaecology* 2.17[46]; Gourevitch and Chamay (1992)), particular shapes were used as breast pumps (Rouquet (2003)).

Rituals marked the end of infancy. In Classical Athens, three-year-old children, boys and girls, joined in the Dionysiac festival of the Anthesteria, held in spring. On the second day, Choes, a drinking contest marked their first active participation to a public ceremony. Children seem to have received as gifts miniature wine jugs with depictions of babies and children's activities which do not all relate to the festival (cf. Figure 18.10; Hamilton (1992); Ham (1999); Neils and Oakley (2003) 145–49; Dasen (2005c); Smith (2007)). Votive reliefs also show young children taking part in processions with their family (Lawton (2007)).

No feast similar to the Anthesteria was conducted in the Roman world, but other rituals may be identified. In the sanctuary of the Leni in Trevi, fathers dedicated to Mars Iovantucarus, "who is fond of youth," inscriptions and statues of toddlers for the *salus* of their sons and daughters (Derks (2006)).

9   Conclusion

Birth and infancy were an extensive process in classical antiquity. Many steps constructed the human identity of the child who was for a long time not considered entirely formed, physically, emotionally and mentally. High mortality, however, did not prevent bonding, even in societies which allowed newborns' exposure (Golden (1990) 86–88). Myths of baby heroes transcend children's deaths (Pache (2004)). Their physical and intellectual differences could be viewed negatively but were also enjoyed. Plentiful evidence evokes their irresistible qualities, such as their soft and sweet smelling skin (Euripides, *Medea* 1071–75, 1402–403), charming smile (Herodotus 5.92), attitudes (Plutarch, *Consolation to His Wife* 608D, McNiven (2007); Dasen (2008b)) and babbling (Golden (1995)). Children's iconography

Figure 18.11a Stamnos, Berlin Painter, ca. 480 BCE. Paris, Louvre G 192; drawing by Véronique Dasen.

Figure 18.11b *Lekythos*, manner of the Pistoxenos Painter, ca. 470 BCE. Oxford, Ashmolean Museum V 320; drawing by Véronique Dasen.

reflects ancient views of infantile bodies. The model of baby Heracles, which appears around 480 BCE, depicts an athletic child, born to survive (Figure 18.11a); its influence on scenes of daily life may be seen on vase paintings where baby boys look like miniature body-builders with developed pectorals. On the Oxford *lekythos* (Figure 18.11b) the baby's attitude stresses his vigor. His attention is attracted to the right, and his mother must strongly hold his arm. An inscription above his head stresses the hopes of his parents: "Glaukos, son of Leagros, is beautiful," projecting the baby into the future as a *kalos*, attractive young boy.

FURTHER READING

Childbirth and infancy are new topics within the broader field of the history of childhood. Golden (1990) and Garland (1990) for Greece, Rawson (2003) for Rome provide excellent historical overviews, mainly based on textual and epigraphical evidence. The rediscovery was promoted by the study of medical writers, especially Soranus of Ephesus, who details childbirth and the first hours of life. Gourevitch edited and translated into French his treatise (Burguière et al. (1986)) and dedicated many articles to issues addressed by this author ((1989), (1994), (1995), (2004); Gourevitch et al. (2003)). A synthesis is still missing on ancient pediatrics and puericulture. Most studies focus on authors of the Roman imperial period (Bertier (1996); Holman (1997); Hummel (1999); Hanson (2003); Mudry (2004); Bradley (2005)). The literary evidence on Roman birth rites of passage is revisited by Köves-Zulauf (1990); Shaw (2001); and Dasen (2009b). These rites are less known in Greece (Hamilton (1984); Bonnard (2003)), but festivals, such as the *Anthesteria*, are better documented (Hamilton (1992); Ham (1999); Dasen (2005c), (2010b)).

Archeology (including paleopathology) is a major source of information. The pioneering work of Coulon (2004) provides a wealth of material from Gallo-Roman society, as well as the exhibition catalogs on ancient Greece edited by Neils and Oakley (2003) and on Roman Gaul (Gourevitch et al. (2003)). These are completed by articles on particular categories of artifacts, such as amulets (Palmer (1989); Dasen (2003a), (2003b)), feeders (Rouquet (2003)), and skeletal remains (Gourevitch (2004)). André et al. (1992) offer an overview of toys, but their identification is debated. Greek dolls are no more interpreted as toys (Reilly (1997); Dasen (2005c); Papaikonomou (2008)), nor figurines of animals found in funerary contexts (Papaikonomou (2008)).

Scott (1999) provides a first approach to burial practices. No synthesis is yet available, but many monographs and articles present case studies (Duday et al. (1995); Blaizot et al. (2003); Laubenheimer (2004); Gusi et al. (2008)). Comparative approaches to infancy are still few, though those that do exist offer useful transfers of questioning, as in the collection of papers edited by Dasen (2004) and Cohen and Rutter (2007).

Grieving for Lost Children, Pagan and Christian

Christian Laes

1 Introduction

This chapter is on hope and expectations, grief and sorrow, commemoration and remembrance – a study of sentiment and emotion. It takes a closer look at the Christian literary epitaphs which mention children below the age of 15 and the attitudes towards them as expressed by parents, relatives and other commemorators. Though the subject of this study seems well defined and straightforward, every single element is in fact problematic. First of all, I will be dealing with idealized images of children and childhood. How far the ideal impacted on daily attitudes towards children is a question that is not easily solved. On the other hand, it is very well possible that changing attitudes and practices influenced the image of the ideal child – again the correlation between idealization and daily life is difficult to establish. Second, both cross-cultural anthropology and everyday life experience have shown how difficult it is to get a sense of other people's emotions. Utterances of grief which we experience as cold or detached may very well have been shaped by different social conventions, while nowadays people living in an internet-culture, which promotes openness to the point of exhibitionism, have learnt how to represent themselves and their "sincere" emotions in the way others expect them to appear. Third, one needs to bear in mind that we are dealing here with commemorative patterns, which in no way represent demographic reality. This source material is not an indicator of the levels of infant mortality. As for statistical representation, it has been estimated that for every deceased person who was granted an epitaph, 66 others did not get one (Huttunen (1974) 43–45). Fourth, though inscriptional evidence, which offers a glimpse at the lower middle class of Rome, reaches significantly further than the literary sources, the impoverished lower class
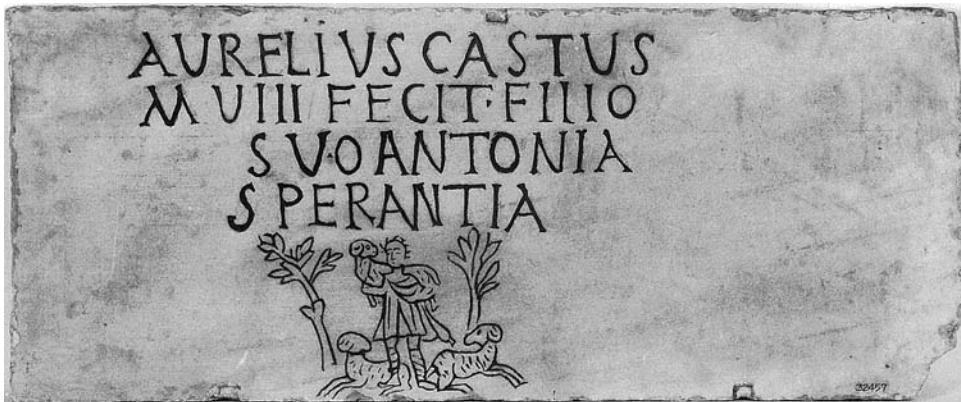
Figure 19.1 Epitaph of Aurelius Castus, Rome, fourth century CE. Musei Vaticani, Museo Laterano, Inv. No. 32457.

is not included in the picture (Keppie (2001) 109). There has not been much research conducted on the social background of the commissioners of *carmina epigraphica*, but it is very likely that the status of these commissioners was not at all humble. When studying the *carmina*, we are normally confronted with a limited group of fairly rich middle-class people, who generally held a higher rank in society than those represented in prose inscriptions (Pikhaus (1986) 233–37). Fifth, it has been a matter of severe debate among scholars of antiquity as to when one should consider an inscription a *carmen epigraphicum*. It is indeed often difficult to see if a short text is intended to be metrical or not (a metrical fragment may even be included by chance). Therefore, I will use instead the term "literary inscriptions." Undoubtedly, by their poetical allusions such epitaphs must have struck a different chord in ancient readers or passers-by than short and strictly conventional prose inscriptions, though one could argue infinitely about whether or not the general public would notice the metrical element. The issue of the intended reader leads one to yet another problem: we are concerned with discovering *the* interpretation of a particular epigraphical text, but it may very well have been the case that one single epitaph was experienced in quite different ways by various readers. A poetical inscription for a young mother who died in childbirth would surely have been experienced differently by fellow women, by children who had lost their mothers, by husbands, by unmarried men, by relatives or by fortuitous passers-by (Denzey (2007)). Religious belief and background played their part. Christians, obviously, would recur to other language and images than pagans or Jews, though the lines between different religions are not always as sharp as we imagine them to be. Hence, the question of what allows the definition of an inscription as Christian or pagan or Jewish (van der Horst (1991) 16–19). In certain cases, iconography can be helpful. The epitaph for the eight-month-old infant Aurelius Castus (Figure 19.1), set up by his mother Antonia Sperantia, specifies his age and has iconographical details favored by Christians: two Trees of Life, two

sheep and a Good Shepherd between them in the center. The previous question leads to the even more intricate problem as to what difference Christianity really made to its surrounding world. At this point, it seems good to introduce a concrete example.

2   Christianity, Continuity, and Change

A double room, with vaulted arches and a lamp,
The deacon Severus had this quiet and peaceful mansion constructed,
For himself and the members of his family, with permission of his pope Marcellinus.
By this, he would keep their sweet and resting limbs for a long time for their Creator and Judge.
Severa, a sweet girl to her parents and servants,
Gave back her life on the 25th of January, as a virgin.
Her Lord had ordered her to be born into carnal flesh, and she was endowed with admirable knowledge and skill.
Now her quiet body is buried here, till she will be resurrected by Him, who took away her soul, chaste, pure and for always imperishable, by His Holy Spirit.
The Lord will once give her back in spiritual glory.
She lived nine years and 11 months,
And also 15 days. In this way, she has been taken away from the world.
     (*ICUR N.S.* IV.10183 = *CLE* 656; Catacombs of Callisto, ca. 296–304 CE)

Popular opinion has often considered the catacombs as a Christian phenomenon par excellence. However, this means of burial was not an exclusively Christian invention, and when circumstances changed in the sixth century CE, it had to yield to other burial practices. The practice of inhumation had become the custom for pagans from the time of the emperor Hadrian (117–138 CE) onwards, and both Christians and pagans had been buried in underground vaults or cellars (*hypogea*) which saved space and the expense of land. It was only from the third century onwards that Christians began to take care of their own dead, assembled in forever expanding catacombs. This practice was strongly enforced by the increasing devotion to martyrs in the fourth century. People, both rich and poor, wanted to be buried near their martyrs or saints, *ad martyres* or *ad sanctos.* By the beginning of the sixth century, when the catacombs were full, the *necropoleis* moved to the interior parts of suburban Roman churches or to open-air cemeteries which surrounded the churches. At the beginning of the seventh century, the shrinking of the city due to political and economic circumstances caused people to be buried in or near the urban churches.

As a consequence, a non-Christian contemporary of the deacon Severus would by no means have frowned at an epitaph covering a buried body in an underground vault, and he would at least have recognized something of the so-called epigraphical habit: the exact rendering of the deceased's age in years, months and days, the reference to her knowledge and skill (*mira sapientia et arte*), and to her sweet charm and

tenderness (*dulcis*). However, the major part of the wording must have seemed strange to him, as if coming from another world: not only the terms denoting ecclesiastical functions, but, above all, the numerous references to resurrection and return on Judgment Day.

Pointing both to continuity and change, this single inscription could be considered symptomatic for the vexed scholarly disagreement in the discussion on childhood in early Christianity. Some scholars have claimed an invention of childhood. According to Bakke (2005), children became "real people," with Christians being concerned about their souls and carefully supervising their moral progress. Psychohistorians have argued for a valuation of children in Christian monasteries: according to Mounteer (1987), monastic life offered a radical new option for an independent way of living in relatively comfortable circumstances as well as a means of rescue from abandonment or exposure. Others have pointed to the phenomenon of "disappearing children." Children were equal to all others in the sight of God and therefore lost the position of marked outsiders they had in pagan society (Wiedemann (1989)). Children disappeared from sarcophagi, on which biblical scenes and tableaux of the heavenly afterlife in paradise were depicted rather than scenes of daily life (Huskinson (2005)). On the other hand, children figure prominently in Christian funerary inscriptions: their level of representation is higher than in the pagan epigraphical tradition (Shaw (1984), (1991)). On the opposite side, some scholars have pointed to similarities and so-called "strategies of continuity." In defending and propagating asceticism, Christian writers resorted to arguments regarding family life, spiritual kinship and godfatherhood. These ascetic writers basically shared the same cultural values as their pagan colleagues (Vuolanto (2005)). Much of the Late Antique legislation concerning family and issues such as child abandonment cannot simply be understood in the light of the new rising religion of Christianity (Evans Grubbs (1995)).

However, since the French historian Vovelle (1985) developed his model of the "house of the history of mentalities," historians should be aware that continuity could coexist with change. While things may remain much the same on one level or floor, considerable change may simultaneously take place on other levels. The strength of this model is that it urges us to take carefully into consideration what we would like to compare, before moving on to all too rash and broad-sweeping conclusions about supposed general change and the emerging of a new era. In this chapter, I intend to develop a careful comparison of the elements of a clear-cut body of evidence, as I will study the Christian metrical epitaphs from Rome written in Latin up to the end of the seventh century (Sanders (1981) 710). This study is admittedly based on a rather limited sample: in fact, only 39 inscriptions will be highlighted. In answer to those who question the value of such a detailed study, I would argue that studies on children and the family in early Christianity need such detailed approaches so as to avoid jumping to all too sweeping conclusions.

I will investigate these inscriptions according to the same categories as those I applied to their pagan counterparts in an earlier study (Laes (2004b)). This latter collection revealed a strong emphasis on parental grief and bereavement, lost hopes

and expectations, and the depiction of children's moral and physical virtues, as well as their intellectual qualities. Spread all over the western part of the Roman empire, these metrical inscriptions exhibit images and imagery which go back to Hellenism, and thus testify to a discourse of children as cherished high hopes. This discourse was obviously adhered to by a large part of the population, since epigraphical texts were public documents par excellence. Though the potential of the present body of evidence for the socio-cultural study of Late Antiquity has been recognized, few scholars of childhood or family history have ventured into this field, which seems to have been restricted to Vatican scholars, who have been responsible for the monumental edition of the *Nova Series* of the *Inscriptiones Christianae Urbis Romae* (*ICUR N.S.*), with ten volumes published up to now, containing 27,668 inscriptions, both Greek and Latin. Vatican scholars have also been in charge of the excavations carried out by the Commisione Pontificale di Archeologia, the results of which appear in the *Rivista di Archeologia Cristiana*. This "ghettoization" of Late Antiquity's epigraphic heritage has indeed severely fragmented both the discipline of Latin epigraphy and our knowledge of Late Antique society (Ferrua (1984); Trout (2009)).

3   Facts and Figures on Children in Christian Latin Literary Inscriptions

A search through the indices entitled *Initia Carminum* in the volumes of the *ICUR N.S.* reveals approximately 339 literary funerary inscriptions, taking into account neither the so-called *carmina Damasiana*, the metrical epitaphs written for martyrs by Pope Damasius between the years 366–384, nor the epitaphs for popes in Saint Peter's or Saint Paul's Basilica (see Ferrua (1942)). Pikhaus ((1978) 37) mentions 335 Christian funerary *carmina*. Thirty-nine of these inscriptions refer to children below the age of 15, by an explicit age indication or by a description or wording which makes it sufficiently clear that we are dealing with a child. This is 12 percent of the total, a surprising match to the overall total of 12 percent for pagan children represented in metrical Latin funerary inscriptions from across the whole Roman empire (Laes (2004b) 47–48). This percentage is significantly less than the proportion of children represented in all Christian inscriptions from Rome, which reaches approximately 20 percent. It is known that children are more represented in the city of Rome, both in pagan and in Christian inscriptional evidence (Shaw (1991)). However, epigraphists need to undertake their calculations with great circumspection. Indeed, the number of very fragmented verse inscriptions is strikingly high in the case of Christian documents. In such cases, only a few words indicate that we are dealing with a metrical epitaph. Such inscriptions are virtually useless for socio-cultural studies (Sanders (1981) 717): for this present research it is simply impossible to discern whether we are confronted with epitaphs for adults or for children. If we leave aside the huge number of highly fragmented epitaphs from the collection, just 197 remain. It then turns out

Table 19.1 Children in Christian Latin funerary inscriptions from Rome (one inscription occurs twice, and has, therefore, been indicated in bold; three inscriptions have not been published in *ICUR N.S.* but appear in *CLE*).

Age	Number of inscriptions	Numbers in ICUR N.S.
0	0	–
1	1	I.1453
2	3	V.13372; **VIII.23461**; *CLE* 2124
3	0	–
4	5	I.713; I.1001 = VIII.23066; VII.18339; VII.18591; **VIII.23461**
5	1	IX.24240 (5 years+)
6	1	VII.20627
7	4	II.4860 (? uncertain reading); III.7697; V.14201; *CLE* 756
8	0	–
9	4	IV.10183; V.13529; VII.17431; X.27318
10	1	IV.11328 (10 years+)
11	1	II.4187
12	1	VIII.20811
13	1	IX.25966
14	2	V.14759; VIII.20819
No age indication	15	I.534; I.3905; I.3907 = VIII.23360; II.4141; I.4233; II.5572; II.6130; IV.10033; V.13523; V.13954; VII.19220; VII.19543; VIII.21015; IX.24125; *CLE* 1403
		Total: 39 inscriptions

that about 20 percent of the Christian metrical epitaphs were erected for children. This number is in striking accordance with the percentage for pagan literary epitaphs in Rome (20 percent according to my personal database), and confirms the fact that the funerary inscriptions from Rome actually pay considerable attention to the age group below 15 years (see Table 19.1).

The dedicators of the majority of the inscriptions (21 out of 39, or 54 percent) are one or both parents. Also, this percentage has to be put in context, since another 17 inscriptions do not mention dedicators at all (in these cases, one might think of the parents as the dedicators, but no certainty can be obtained on this point). One grandmother dedicated a metrical inscription to a little boy (*ICUR N.S.* II.4141). Extended analysis of the corpus of Christian funerary inscriptions has emphasized the failure to note personal secular relationships in tombstone inscriptions as a basic cultural practice of Christian funerary commemorations. However, when Christians did mention family relations on their funerary stones, the predominance of the nuclear family was even more intense than for the pagan counterparts (Shaw (1984) 469, 481).

4   Parents and Children: Expectation and Frustration

> Mother and father have written these verses on his tomb
> So that his figure may return in the heart of who reads the verse,
> And so that their eyes may again become wet when tears had dried.
> That is the way love is cured. The *manes* do not care for verses.
>
> (*ICUR N.S.* I.713.8–11 = *CLE* 682.8–11)

Parental grief is frequently expressed both in pagan and in Christian literary inscriptions. Firstly, there is the motif of reversal. Parents lament having the sad task of burying their children, whereas the opposite would be natural and right. This theme frequently appears in pagan inscriptions, where its expression became something of a stock phrase (Laes (2004b) 49). Christian metrical epitaphs also exhibit this theme, be it less frequent. An inscription from the cemetery of Sancta Felicitas for a deceased couple refers to the opposite situation, confirming the idea present in the pagan inscriptions: "It is sad for the children, but much more agreeable to the parents, that parents depart in peace and leave their offspring behind" (*ICUR N.S.* VIII.23586.7). On the other hand, Christian verse inscriptions depict parental grief in an elaborate way. "Living was a joy to me, while you were alive. But now, because of your death, only death pleases me" (*ICUR N.S.* II.4233.9–10), says a mother to her young deceased daughter, preceding the touching expression, "I know I speak strange things, who could believe me? With the consolations you gave me, you were as a mother to your mother" (7–8). The young boy Superbus is said to be buried in the grave in which his father would have liked to lie before him (*ICUR N.S.* V.13954). It is plainly stated that a mother would have liked to put an end to her own life when her 11-year-old Boëthius died (*ICUR N.S.* II.4187.11). Demographically speaking, child death in antiquity was a matter of everyday reality. Still, people were aware that children ought not to die before their parents. Marked by a seeming restraint in expressing love and tenderness, Roman prose inscriptions resorted to conventional means to express care for deceased young ones. Special epithets were attributed to children or some epithets were more in use for young children (Sigismund Nielsen (1997)). The persistent occurrence of a considerable percentage of inscriptions mentioning the number of days a child had lived is important. In these cases, the very specific indication of age almost served as a petrified utterance of grief and mourning. By this number, parents or other commemorators publicly advertised their love and care for the deceased. The number expressed the emotion (Harlow and Laurence (2002) 113; Laes (2007) 30–32).

In epigraphical poetry, the motif of reversal was one of the themes that could be elaborated to express the bewilderment at untimely death, the *mors immatura* of one's children.

Occasionally, bitter grief turns into reproaches towards the deceased child. The young and sweet girl Rhodope is reproached for disgracing and adding grief to her mother's old age, taking away all the joy and light of her life (*ICUR N.S.* IX.24125.2–4).

A son is said to have disfigured his father's face by his early death, as well as to have slayed his mother's heart with an eternal sword (*ICUR N.S.* II.3907.3–4 = VIII.23360.3–4). A father mournfully utters how he had been misguided by the deceiving joy his little sons Gerontius and Costantius, four and two years old, had given him (*ICUR N.S.* VIII.23461.5). It is striking that these reproachful utterances are mostly combined with gentle and tender homage to the deceased children (Rhodope was actually a sweet girl, the two little boys, Gerontius and Costantius, brought joy and happiness to their father). In the same way as one should not psychologically interpret the motif of reversal as an actual death wish by the bereaved parents, it would be wrong to read these poems as a display of a harsh parental attitude towards the deceased children. On the contrary, the parents' blaming of their deceased children should be read as a reproach to unjust fate (see the expression *pessima sors* in *ICUR N.S.* I.3907.9 = VIII.23360.9). The untimely death of children thus became the crystallization of cosmic injustice, expressed in a very concrete and vivid manner (Laes (2004b) 53–54).

5 Children's Moral Qualities

The virtue of *pietas* (dutiful affection) was deemed very important in ancient pagan thoughts on children and childhood. By standard epithets or more elaborate descriptions, it is frequently mentioned in prose and verse inscriptions. The concept was connected to the idea of reciprocity (as children, mostly somewhat older, were expected to compensate their parents for their efforts and the costs of education), but also implied a loving and caring relationship between parents and children (Saller (1988), (1991); Sigismund Nielsen (1997) 193–98). It is remarkable that the Roman Christian verse inscriptions for children hardly ever mention this virtue. It is also rather sparsely used in Christian prose epitaphs (Janssens (1981) 151). In fact, in my sample there is only one statement on the *pia membra*, the pious limbs, of the young girl Constantia who died at the age of six (*ICUR N.S.* VIII.20627).

Other moral virtues, however, emphatically come to the fore, among which innocence takes a prominent place (see Table 19.2). This concept already appears in early

Table 19.2 References to innocence in Christian verse inscriptions for Roman children.

ICUR N.S.	Wording	Age
II.5572.3	*aetatem innocuam morum*	Unknown
V.13954.3	*innocentem mitemque*	Unknown
VII.18591.2	*innocens qui vix(it) simper*	4 (figure 19.2)
VII.19543.1–2	*respice quam parbus cubat hic sine/ felle palumbus*	Unknown
IX.24125.9	*prudens et innocua*	Unknown
IX.24240.3	innocenti	5+
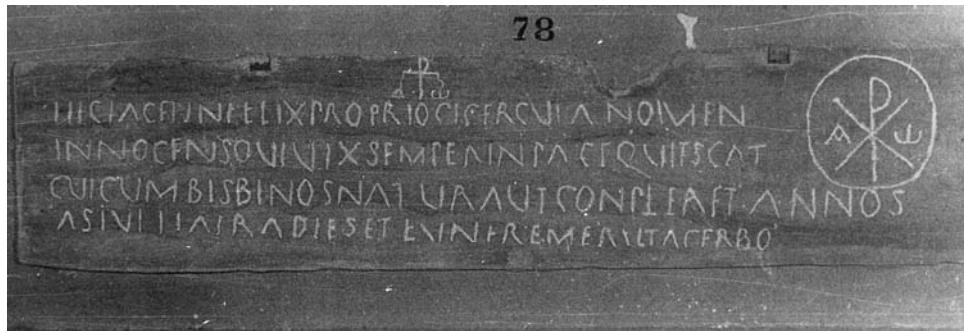
Figure 19.2 Epitaph of Cicercula, Rome, fourth/fifth century CE. Musei Vaticani, Museo Laterano, Inv. No. 6568.

Greek literature in connection with childhood. While it was often understood by the ancients as the absence of the possibility of wrong-doing, the child not being capable of mischief, the motif was particularly successful in Christian literature, frequently used in debates on original sin (Herter (1961) 159–62) and in Christian prose inscriptions (Janssens (1981) 146–50). "An infant who, due to his age, can now go to the place of the saints, without sin," reads a prose inscription with a resonance of this theological issue (*ICUR N.S.* II.6178), claiming that young children were not yet capable of committing sin. In this line of thought, coming of age, with the awakening of logical thinking and sexual desire, was the dangerous phase of life in which sinful behavior came to the fore (Eyben (1977) 72–80; (1996)).

The motif appears six times in my collection (e.g. Figure 19.2), once with the touching image of a dove without bitterness or bile (*sine felle palumbus*) – the dove and the lamb were images par excellence to denote children's innocence (Janssens (1981) 150).

There is a beautiful play of words with the proper name Superbus (denoting haughtiness) of a young deceased boy:

> Here rests Superbus,
> Haughty only by name.
> The holy saints have known him as innocent and sweet.
>
> (*ICUR N.S.* V.13954.1–4)

The virtue of innocence is prominent in other Christian poetical inscriptions not included in my sample, as in the previously mentioned *epigrammata Damasiana* (for example, *ICUR N.S.* IX.23754.4 on the young martyr Maurus, "a guiltless boy, not polluted by any punishment").

The sense of modesty or *pudor* comes, of course, close to the quality of innocence. It is mentioned twice in verse epitaphs for those under 15 years of age, in connection with girls (*ICUR N.S.* IV.10183.12 for a nine-year-old girl; IX.24125.7, where also the deceased's faithfulness and good morality is referred to by the phrasing *sancta fides moresque benigni*).

6   Beautiful Children: Charm and Play

Christian funerary inscriptions are usually rather silent on the beauty and charm of women. If this quality is mentioned, it is related to moral qualities in the sense of modesty and moral uprightness. Obviously, Christian preoccupations with chastity played their part in shaping this fashion of representing women (Janssens (1981) 125–26).

By contrast, the beauty and charm of children, both boys and girls, are explicitly acknowledged in Christian verse inscriptions (see Table 19.3). This could be accomplished by the use of rather general terms denoting charm, such as the adjectives *dulcis* or *gratus*.

However, in other inscriptions, specific aspects of childish charm are mentioned. A father mournfully remembers how his two little toddlers resembled him and how, thanks to them, his lost years almost seemed to come back (*ICUR N.S.* VIII.23461.6–7). In their deepest grief, parents remembered their infants' cute stammering and prattling: "I was sweet to my father and babbling towards my mother," thus was said of the seven-year-old Felicia (*CLE* 756.5; the adjective *garrula* is also used in *ICUR N.S.* I.3907.7 = VIII.23360.7). Childish play was another cherished souvenir: "how beautiful was it to watch you, when you were playing in your parents' courtyard" (*ICUR N.S.* I.3907.9 = VIII.23360.9). The youngest toddler of this sample, just one year old, is called a "little doll which has been loved very much in a small period of time" (*ICUR N.S.* I.1453.2). On a Christian sarcophagus on the Via Ostiensis one reads about the two-year-old Optata: "Nobody ever was cuter by language or hands" (*CLE* 2124.2). Indeed,

Table 19.3   References to beauty and charm in Christian verse inscriptions for Roman children.

ICUR N.S.	*Wording*	*Gender*	*Age*
I.713.1	*dulcis nati*	Girl	4
I.1001.6 = IX.23066.6	*nam quae grata forent, sunt modo flenda diu*	Girl	4
CLE 756.5	*dulcis eram patri*	Girl	7
IV.10183.4	*membra dulcia*	Boy	9
VII.17431.3	*dulcis infans*	Boy	9
VIII.20811	*suabis*	Girl	12
I.534.2–4	*Agaton amabilis (…) Yppolite dulcis (…) et tu omnibus istis carior Petronacis*	2 boys and 1 girl (triplets who died on the same day)	Unknown
II.6130	*patri cara, matrique dulcis*	Girl	Unknown (*infans*)
IX.24125.1	*dulcis anima*	Girl	Unknown

thanks to the peculiar charms of childhood, a boy was called "funny by his age" (*aetate facetus*; *ICUR N.S.* IV.11328); whereas it is said about a little girl called Mater that "her young years did not long for anything but a joke (*iocum*)" (*ICUR N.S.* II.4233). Delight in the sweet behavior of an older child is also expressed: a mother in despair touchingly describes how her 15-year-old son used to embrace and kiss her (*ICUR N.S.* II.5459.9–10). In the case of seven-year-old Felicia, charm and sociability were even expressed towards slaves: "I was gentle to the slaves, always did I behave gently" (*CLE* 756.6) – a motif which also comes up in Christian prose inscriptions (Janssens (1981) 176–79).

Pointing to children's charm, playfulness and beauty, the Christian *carmina epigraphica* stand in an established literary tradition, which goes back to Greek epigrams, and which is abundantly attested in pagan Latin verse epitaphs too (Laes (2004b) 58–63). In their sometimes austere brevity, even Christian prose inscriptions frequently point to the sweetness and charm of children, both boys and girls (Janssens (1981) 144–46).

7   Schooling, Education, and Early Maturity

Impious death took you away in your tender years, my son,
Since it was envious to let you grow greatly in your merits.
When the teacher saw you, when you performed with flourishing honor your first poem,
He stood amazed and saw you as a teacher too (*doctorem doctor vidit et obstipuit*).
(*ICUR N.S.* II.4187.1–4)

Thus reads the epitaph for the senatorial boy Boethius, who died on 20th November in the year 577 at the age of 11 and was buried together with his mother, who died in her 30s. It is just one out of seven metrical inscriptions for young people which mention the culture and education of the deceased child (Marrou (1938) 197–207, 231–57), as well as stages of the ancient educational process, though never as explicitly as the prose inscription about a seven-year-old boy who studied Greek and on his own initiative had commenced the study of Latin literature when he passed away after an illness of three days (*ICUR N.S.* I.1978). Iustus and Theodosia, brother and sister, were still in their minor years, yet their father laments (perhaps in a generalizing way, about premature death, or perhaps applied specifically to his son) that the harsh labor with the *grammarian* and the learning of harmonious composition with the *rhetorician* had been of no use (*CLE* 1403.13–14). Thirteen-year-old Restutus, who had just entered the equestrian order, is said to have been disposed of a keen intelligence and to have been trained in honorable studies (*ICUR N.S.* IX.25966.4). Also, the young girl Rhodope is praised for her intelligence, knowledge, and deliberate speech (*ICUR N.S.* IX.24125.8). A 17-year-old boy is depicted as having been disposed of rich poetic knowledge (*ICUR N.S.* VIII.18338.1), while the funerary inscription for nine-year-old Festus, although fragmentary, leads one to suspect that his teachers had been pleased with his progress in his studies (*magistros/ … t gaudere iure*; *ICUR N.S.* V.13529.7–8).

Table 19.4   References to early maturity in Christian verse inscriptions for Roman children.

ICUR N.S.	Wording	Gender	Age
II.4187.5–6	*Vicisti priscos longeva etate parentes / annis parve quidem, sed gravitate senex* (You outlived your senior parents, who are of old age / though in years you were small, in earnestness you were an old man)	Boy	11
I.3905.5–6	*Vixisti in teneris annis gravitate magistra / et stupuere novum tempora parva senem* (In your tender years, you lived with masterly seriousness / and your little years stood amazed at you being a young old man)	Boy	Unknown
CLE 1403.10	*Nam pueros docuit vita fuisse sense* (Life has shown these two children to have been old men)	Boy and girl	Unknown
II.6130.2, 5	*Parva fuit in carne, verum perfecta [in mente, / Spiritu plena sapiens ad regna tetendit* (She was small in body, but perfect of mind. / Full of spirit and wise she went to Heavenly Kingdom)	Girl	Unknown
VII.19220.3–4	*Non annis maturus erat sed dogmate morum,/vicerat aetatem pondere propositi* (He was ripe, not by years but by his learned manners. / By the earnestness of his mind he had overcome his age)	Boy	Unknown

The theme of study and education is of course closely linked to the concept of early maturity and of precocious children showing off the qualities of the elder, the so-called *pueri senes*, or of boys behaving as old men. Next to innocence and charm, this seems to be one of the themes popular with Roman Christians in verse inscriptions (see Table 19.4). Putting the relevant information in a series again seems appropriate.

It has been noticed that the stress on culture and education was an inscriptional fashion of representation in Late Antiquity (Riess (2001) 190). However, the theme

of the precocious child was by no means limited to Late Antiquity and early Christianity. The idea occurred sporadically in early Greek literature, became popular among Epicureans and Stoics, then developed into a *topos* of consolatory literature, finally to reach its *culmen* in Christian thought (Gnilka (1972)). In the inscriptions, the idea became particularly fashionable during the Roman Empire, a period which was marked by a distinct preference for antithesis and oxymoron in inscriptions (Vérilhac (1982) 20–22). Once again, these Christian verse epitaphs for children fit into a well-established epigraphical tradition.

8   Consolatory Themes

Mourning and consolation in the *carmina epigraphica*, both pagan and Christian, have been the subject of detailed studies. Indeed, it is often by the use of specific consolatory themes that a *carmen* may be identified as pagan or Christian, though it is not always easy to distinguish between the two, since popular pagan philosophical themes, such as astral immortality, may have been taken over by Christians (Selter (2006)). Scholars of the *carmina* generally agree that Christian verse inscriptions testify to a more "relative" approach towards life. In the case of the premature death of children, surviving relatives certainly expressed their grief, but their mourning was tempered by the belief that the deceased lived a better life in the hereafter (Pikhaus (1978) 217–35; Heene (1986), (1988)).

Not surprisingly, the epitaphs from my sample exhibit Christian consolatory themes. First of all, there is the theme of resurrection on Judgment Day, already mentioned in the inscription for little Severa in the second part of this chapter (*ICUR N.S.* IV.10183). The theme very explicitly appears in another epitaph for seven-year-old Felicia:

> When the Lord strikes the world for the last time,
> Then may her ashes be resurrected, when the world perishes.
>
> (*CLE* 756.9–10)

Other Christian consolatory themes are: death as returning to life (*ICUR N.S.* II.4141.2, 6); going to the stars (*ICUR N.S.* I.1001.10 = VIII.23066.10; I.1453.7) or seeing the Heavenly Kingdom (*ICUR N.S.* VIII.21015.2; VIII.23461.1; IX.24125.9); assumed in Heaven as a lamb and given to Christ (*ICUR N.S.* IV.11328). Christian consolation is particularly elaborated in the epitaph for the infant girl Anastasia, whose Greek name refers to the Christian idea of resurrection.

> It pleased the Lord to take her into the saints.
> Full of spirit and wisdom, she went to Heavenly Kingdom
> I know she will be Anastasia, as her name predicts.
>
> (*ICUR N.S.* II.6130.4–6)

A nice example of the continuation of classical mythological themes is an epitaph from the cemetery of Saint Agnes from the fourth century, in which a girl asks her parents not to be sad, since she had reached the Heavenly Kingdom (I have cited the Latin words which explicitly allude to classical pagan imagery):

> neither the sad underworld (*non tristis Erebus*), neither the pale image of death (*[p]allida mortis imag[o]*), but safe rest will take hold of me. I will lead the dances
> in between the happy souls. The gracious meadows of the pious (*[am]oena piorum pra[ta]*) will be as a decoration to Euodia.
>
> (*ICUR N.S.* VIII.21015.3–6)

9   Conclusions

This contribution is evidently focused more on the imaginary, the representation and expression of grief, than on children's daily life experience. It has been tentatively suggested that Christianity changed the ways of epigraphical representation: "It is difficult to tell in what ways these changes in belief affected the experience of grief. But Christianity certainly changed the routine expressions of grief on tombstones" (Hopkins (1983) 232). Hopkins cites the expression of peace found in death, *in pace*, and the expression of a better life after resurrection, examples of which have been noted above. Other ways in which scholars have identified changes to the epigraphical habit include the frequent statement of the exact date of death in prose inscriptions, indicating the beginning of a new life (Shaw (1996)). For epigraphical poetry, scholars have pointed to the emergence of new consolatory themes, such as the fact that public mourning in the *carmina epigraphica* was not so much linked anymore with the death of young people, but rather with the departing of older people of merit (Heene (1988) 177).

However, this inquiry into the representation of children unambiguously points to continuity rather than to change. At 20 percent of the total, children below the age of 15 are well represented in the corpus of Christian verse inscriptions of the city of Rome, as they are in their pagan counterparts. Both pagan and Christian parents expressed their grief and bewilderment at the untimely death of their beloved young ones in an elaborate way, with images or wording that would strike the heart of the reader or the passer-by. There seems to have been a certain shift towards stressing the moral quality of innocence, leaving aside the very Roman concept of *pietas*. But the several Christian mentions of childish beauty, charm, and play fit into a long-standing pagan tradition which at least goes back to the times of Hellenism. The same can be said about the stress on culture and education, and about the concept of early maturity.

When Christian commissioners resorted to verse inscriptions, they proudly inscribed themselves in a well-established tradition testifying to a touch of class – maybe a little snobbery was involved in their choice. Stressing the bewilderment at early death, as well as elaborating upon the qualities of the deceased young ones, was part and parcel

of this tradition. Of course, a specifically Christian touch was added, by the mentioning of some peculiar features of the new religion, as well as by the physical setting of the inscriptions (in the catacombs, in churches or in cemeteries next to these churches) or by decorations explicitly referring to the new religion (Mayer (2009) 1–2 on the division of textual and material evidence). Pagan contemporaries would have seen these epitaphs as belonging to a world which was not entirely theirs, while at the same time they would have recognized many motifs and elements as being very familiar to them. This chapter has thus revealed something of the ancient fashion of grieving for lost children, both pagan and Christian.

FURTHER READING

The Christian archeology of the city of Rome is a vast subject. Excellent introductions are provided by Ferrua (1991), Fiocchi Nicolai (1998) and Pergola and Barbini (1997) for the catacombs, and by Elsner (1995) and Koch (1995) for Christian art in general. An indispensable classic remains the three volumes by De Rossi (1864–1877). Zilliacus (1963) is indispensable as both a catalog and a commentary of Christian inscriptions. Lively introductions into the dynamics of providing spaces for burial and the social classes involved are Guyon (1974) and the thought-provoking book by Denzey (2007).

Study of the *carmina epigraphica* has become a very specialized branch of classical scholarship. The edition by Bücheler and Lommatzsch (*CLE*) (1895–1926) remains a monument. It is estimated that since 1926 some 1,600 new metrical inscriptions have been published, and one needs also to take into account the numerous new readings and editions of inscriptions discovered earlier. The huge task of updating the whole known collection of *carmina epigraphica* will be undertaken in volume 18 of the *Corpus Inscriptionum Latinarum*, but the epigraphists' never-ending struggle for completeness has caused this project to be much delayed, with first plans going back to 1964: see Sanders (1981) and Cugusi (2003). For this chapter, I have drawn on the ten volumes of the *Nova Series* of the *Inscriptiones Christianae Urbis Romae*, which have been edited in the Vatican since 1922, containing 27,688 entries (both Greek and Latin inscriptions) and, more specially, the indices which exhibit the *initia carminum*, excluding, however, those numerous pieces of stone which are so fragmented that the editors can only suppose they might have been metrical inscriptions. I have refrained from thorny metrical-philological debates, such as on what criteria an inscription may be considered as metrical (for a severe view, see Gamberale (1998)): I have, therefore, sometimes used the term "literary inscription," as such epitaphs undoubtedly struck a different chord in ancient readers or passers-by. The vast potential of metrical inscriptions for socio-cultural studies has not yet been fully explored. Pikhaus (1978) is an exemplary study.

The story of the huge publication project of *ICUR N.S.* reads like an adventure, with the Jesuit Antonio Ferrua (1901–2003) as the great inspirer. See Ferrua (1984) and Carletti (1994) on the most valuable internet database project (www.edb.uniba.it) and Mazzoleni (1994) for a *status quaestionis*.

For the study of children in Late Antiquity and early Christianity, I refer to the works cited earlier in this chapter. However, it needs to be pointed out that Janssens (1981) is a goldmine of information, which seems to have been unknown to Roman social historians previously. Other valuable studies with a socio-cultural approach are Carletti (1977) and (1986) – again, virtually unnoticed by Roman social historians.

ACKNOWLEDGMENTS

PART III

The Legal Side

Greek Law and the Family

Eva Cantarella

1 Introduction

It is not a simple matter to speak about the family in Greece. As is well known, Classical Greece (to which we will limit our considerations) was not a nation. Within its territory existed different political communities, the *poleis*, each of them independent, autonomous, sovereign and having its own laws. These laws could differ to such an extent so as to induce legal historians to doubt the possibility of speaking of "the Greek law," and to prefer to speak of "Greek laws." The *poleis* of Ionic origin and the Doric ones had a different conception of the relations between the individual and the state (Faraguna (2000) 221–24), and their familial customs and rules reflected this difference. Moreover, as Douglas MacDowell observed, "no doubt there were similarities and some states copied laws from others, but we should never assume without evidence that any particular rule was shared by two different states" (MacDowell (1986) 8).

   This is the reason why (although we are not speaking of Archaic and of Hellenistic Greece) we speak of "Greek law and the family" and not of "the Greek family." For the same reason we will divide the topic into two sections devoted respectively to Athens, as a model of the Ionic *poleis* (obviously with the necessary limitation on the value of any "model"), and to Sparta and Gortyn, the only two Doric cities for which family history can be reconstructed, albeit only according to basic guidelines. Thanks to the number and the quality of the sources, Athens is the only *polis* for which institutions are known with something approaching completeness. The information on Sparta and Gortyn, instead, is very problematic. Concerning Sparta, the information is not only sporadic, but is seldom objective, since it comes from admirers of the

Spartan system such as Xenophon and Plutarch, or from anti-Spartan authors such as Aristotle. The information on Gortyn comes from a local legal text, but unfortunately, apart from other archeological remains (the text is inscribed on a building), it is the only autochthonous documentation. We do not have information concerning the real life of the city, the degree of enforcement of legal rules and the gap that always exists between strictness of the formal rule and mentality and social practice – a shortcoming of no small consequence (Cox (1998) xiii; Davies (2005) 308). Finally, before entering into the topic, it is necessary to bear in mind that the Greek term for family (*oikos*) indicates something more complex than how we define the term today (whatever the meaning we give to it, from "patriarchal" to "nuclear," "blended," "*de facto*" family, etc.) (Cox (1998) 131). The *oikos*, as Aristotle writes, includes also the family property (*ktesis*) (*Politics* 1.3.1253b2–8). Furthermore every *oikos* had its religious traditions that were an important element of identification and cohesion for the group. Finally, slaves were also part of the *oikos*, as part of the patrimony (although they had sacral capacity). Quoting a definition given by Paoli, the *oikos* was "a complex of persons, goods, and rituals" (Paoli (1961) 36). In the following pages, however, for obvious reasons of practicality, we will translate *oikos* as family.

2   The Family in Athens

2.1   Family and Feelings

Some of the most interesting documents concerning the Athenian family are the texts where Aristotle expounds his model of family relations. After the famous definition of man as "political animal" (*politikon zoon*), he writes that every *polis* is composed of *oikiai* (the term *oikia* is sometimes used – as in this case – as a synonym of *oikos*, other times to indicate the house as a building), and explains that *oikiai*, in their turn, are built around three associations between individuals: owner and slave, husband and wife, father and son (*Politics* 1.1253b2–8). Leaving aside the relationship owner/ slave, we will focus on the relations between the members of the *oikos* corresponding to the modern family, starting with the relationship husband/wife, source of the family's origin and perpetuation (for further details on the celebration of marriage and its legal effects, see Cox, this volume).

Human beings, says Aristotle, are naturally compelled to unite not only to reproduce themselves as animals do, but also to make their lives more pleasurable, to organize work and to divide goods. For that reason it is useful and pleasurable that between man and wife an affectionate relationship should exist, here as elsewhere indicated as *philia*, one of the two terms – the other being *eros* – that the Greeks used to describe love. *Eros* was passionate love, felt when a god – Eros, young and impetuous son of Aphrodite – struck his victim with one of his arrows, which provoked an immediate, irresistible, and insatiable sexual desire.

In contrast, *philia* – which, significantly, included friendship (Konstan (1997)) – when related to the relationship husband/wife certainly was not *amour passion*. It was a tranquil, peaceful feeling necessary to the harmony of the *oikos*. Its nature was linked

to the idea that it was felt between an inferior (the wife) and a superior (the husband). Only the husband, writes Aristotle, has the *logos* (reason) and therefore the capacity to deliberate; the wife, being a woman, has a lesser and imperfect reason, incapable of controlling her concupiscent part: even if she does not completely lack the deliberative part, she possesses it "without authority" (*Politics* 1.13.1260a). Therefore the male is more suited to command than the female, except in some cases against nature. Consequently a husband has over his wife the authority of a man of state, but while the authority of a man of state is subject to an alternating of command among the citizens, in the relation male-female there is no alternating, because in this relation one is by nature superior, the other is commanded, and it must be like that, everywhere (*Politics* 1.12.1259b).

No less important to understand family relations is what we read in *Nicomachean Ethics. Philia*, writes Aristotle, is a different feeling if based on equality, as *philia* between friends, or on superiority, as *philia* between father and son, husband and wife and governors and governed (*Nicomachean Ethics* 8.1158b). And then he outlines a comparison between different kinds of political communities and family relations: the relationship between husband and wife is aristocratic, since the husband exercises authority in conformity to merit and in the fields in which he has command (in which field the wife commanded, by the way, is not specified). The relationship father and son instead is similar to the relation of a king with the persons governed: the father has an authority over the son that, as in the case of the king, is not despotic. The king is not a tyrant, tyranny is a degeneration of the reign: the tyrant is concerned with his personal welfare, while the king takes care of the welfare of his subjects, exactly as the father does for his children (*Nicomachean Ethics* 8.1160b–1161a).

2.2 Family Relations and Law

To help understand if the model of family relations outlined by Aristotle corresponded to reality we might compare it with the legal rules.

2.2.1 Husband and Wife

Athenian law stated clearly the asymmetry of the conjugal relationship. Suffice it to say that in Athens marriage was monogamous, but sexual fidelity was required only for women. Men could have, without legal consequence and without social bias, encounters, and relations with more than one woman. As we read in a famous passage attributed to Demosthenes (Pseudo Demosthenes, *Against Neaera* 122), an Athenian could have three women: a wife (*damar*) for the procreation of legitimate children, a concubine (*pallake*) for the care of the body (an expression that alludes to the possibility of a para-conjugal relationship, with consequent regular, if not daily, sexual intercourse) and, finally, for pleasure, a companion (*hetaira*: a high-level prostitute that accompanied a man at social occasions to which his wife, as with well-to-do women, was not admitted). Maximum liberty for the husband therefore; no liberty for the wife. The infidelity of the latter fell under the crime called *moicheia*, usually translated as "adultery," but traditionally defined as a crime including any sexual relation of a woman

(married or unmarried) with a man who was not her husband. In 1984, however, David Cohen maintained that it took place only in the case of intercourse of a married woman with a man other than her husband (Cohen (1984), (1991)), and the topic has since been very controversial. In any case, the great majority of scholars, today, accept the traditional view (Cantarella (1991) 289, (2002b) 376; Carey (1995) 407; Ogden (1996) chapter 3; (1997b) 25; Omitowoju (1997) 1).

The legal interest protected by *moicheia* laws, besides the certainty of paternity, was family honor (*time*), closely linked – as in other ancient and contemporary cultures – to the sexual integrity of the women of the group, including concubines, who were socially and effectively a member of the group, if not legally.

As late as the fourth century BCE, in the speech written by Lysias in defense of Euphiletus, accused of having murdered Eratosthenes, lover of his wife, Euphiletus maintains that he killed the man who, as he says, "committed *moicheia* on my wife, corrupted her (*diephtheire*) and dishonoured me and my children, entering my house" (Lysias, *On the Murder of Eratosthenes* 4). *Moicheia* was still felt as an act that offended the husband of the adulteress, or, if the woman was unmarried or a widow, the man (father, brother, son) who had the right to control her sexual life (Cantarella (1976) 131; (2002b) 376). The gravity of this offense is confirmed by the fact that *moicheia* – when it was not committed in circumstances that justified killing the "adulterer" with impunity (that is to say surprising him *in flagrante* inside the *oikos*) – could be prosecuted with a public action (*graphe moicheias*) proposed by any Athenian citizen (Aristotle, *Constitution of Athens* 59.3), that could also end with the death penalty. Moreover, the husband who did not repudiate his wife who was surprised with an "adulterer" was punished with the loss of civil and political rights (*atimia*) (Pseudo Demosthenes, *Against Neaera* 87), and the adulteress was prohibited from participating in ceremonies of public devotion and punished, if she attended, with a penalty chosen by the person who surprised her, except death (Cantarella (1976) 131–59; (2002b)). Needless to say, the importance of *moicheia* as a key to understanding the ideology and dynamics of family in Athenian law and society cannot be overestimated.

2.2.2   *Father and Son*

If we compare the legal rules concerning Athenian paternal power with the correspondent rules in other ancient societies, namely with the Roman ones, we must agree with Aristotle's idea that Athenian rules were not despotic. In Athens, paternal power ended when the son came of age, at 18. In Rome, instead, a son did not have legal capacity in the field of private law while he had a male ascendant still living, and the personal power of the male ascendant over him included the right of life and death (*ius vitae ac necis*) (but see Saller (1991)), which did not exist in Athens. Of course, as was usually the case in antiquity, the Athenian father could also abandon his son at birth, but not as a manifestation of his familial power, which started to exist only if and when he accepted the son into the family during the ceremony called *Amphidromia*, celebrated five days after the birth of the child. In addition to that, the sources do not register a single case of the exercise of life-and-death paternal power.

Furthermore, Athenian law did not allow the father to disinherit his sons, as the Roman father could do. If a father wasted the family patrimony, the son could exercise a lawsuit (*graphe paranoias*), declaring that the father was no longer competent to manage his goods. Athenian sons, one would say, were protected against the excessive severity of their fathers and the possibility that they could deprive them of their inheritance. The only possibility a father had to exclude his son from his legitimate expectations was to expel him from the family with an act called *apokeruxis* (from *kerux*, the herald who publicized this decision). However, references to this act are very few. In Demosthenes, *Against Boeotus* 1.39 we read that the parents had the possibility not only to give a name to the newborn child, but also to take it away and to *apokeruptein*. Further references to this act are limited to a couple of stories in which the historicity is doubted by Plutarch, the author who refers to them. One of the stories says that Themistocles had at times such a violent attitude so as to induce his father to *apokeruktein* him, and that his mother, in despair, committed suicide, but, Plutarch says, "I think that this story is not true" (*Life of Themistocles* 2). The second story concerns Alcibiades, who was said to have abandoned the paternal house in order to live with one of his lovers. His father wanted to *apokeruptein* him, but Pericles convinced him to refrain. And Plutarch comments that these are only calumnies (*Alcibiades* 3). Very likely, *apokeruxis* existed but was never or very rarely practiced.

These rules suggest that paternal power was not such to create strong conflicts between generations (as the extreme power of the Roman father), but there are other rules that seem to reflect difficult and conflictual family relations.

The first of these rules is connected with the duty imposed on the son to harbor and feed his elderly parents (*gerotrophia*). If the son did not obey this rule he could be prosecuted with a lawsuit (*graphe goneon kakoseos*), the penalty of which was the loss of political and civil rights (*atimia*).

In Athens, then, strong conflicts between fathers and sons could be generated, as confirmed by several literary sources. Among them, Aristophanes' comedies *Clouds* (423 BCE) and *Wasps* (422 BCE), stage a violent (in *Clouds* even physical) conflict between fathers and sons, not only for economic reasons but also and perhaps mainly because of the refusal of the sons to share the ideals and models of life of their fathers, and the incapacity of the fathers to understand the mentality and the new lifestyle of their sons. Furthermore, in *Birds* (412 BCE) Aristophanes imagines that an Athenian goes to live in a city built in the clouds by birds, because he has been told that in this city the law allows the killing of one's own father in order to take possession of his goods (1347–52). He is very upset to learn that even among the birds *gerotrophia* exists (1353–59). This topic deserves to be elaborated upon. Suffice it to say here that in Athens the relations between generations do not seem entirely consistent with the ideal philosophical model, and are in fact more conflictual than the moderation of paternal legal power might suggest.

2.2.3 The Patrimony: Kinship and Succession

When an Athenian citizen died, the law regulated his succession, in order to ensure that his patrimony (*kleros*) would remain inside the group. The succession consisted of the acquisition of immobile and mobile material goods, and of the deceased person's

credits and debts, but it was not only an economic matter: the heir was also entitled to the familial devotional traditions and rituals, considered an important element of the cohesion of the group, and was even compelled to ensure their continuity. It was not until Solon that someone without children could make a will. Originally, that possibility was not considered (Gagliardi (2002) 5).

For the same reason, the heir had to be a relative belonging to the *anchisteia*, the circle of relatives both on the male and the female side within the sixth degree (Isaeus, *Hagnias* 11; Pseudo Demosthenes, *Against Macartatus* 51). Members of this circle had rights, but also reciprocal obligations. They were bound to prosecute the homicide if a member of the group was killed (the action for homicide in Athens could be brought only by the relatives of the deceased), to provide the dowry for the women of the group whose parents were not able to provide one and to bury members of *anchisteia*.

The order of relatives who could inherit was the following (Harrison (1968) 1.123):

1 Legitimate male children, natural and adoptive (Isaeus, *Philoktemon* 25), among whom the patrimony was divided in shares. In the presence of the males, a dowry was assigned to the women to compensate them for their exclusion from inheritance. That is why these women were called *epiproikoi* (from *proix*, dowry).
2 In the absence of male children, daughters. In this case, they were called *epikleroi*. They did not inherit personally but were the instrument to transmit the patrimony to their sons. To avoid the patrimony falling into extraneous hands, Athenian law prescribed that they should marry the nearest relative on the male side (normally the father's brother).
3 In the absence of both male and female children, ascendants – whose inclusion in the list is controversial. Some scholars think they were included (Paoli (1936) 77; Biscardi (1999) 249), some excluded (Lipsius (1966) 2.2, 537; Jones (1956) 191; Lacey (1968) 125), others express perplexity (Harrison (1968) 1.138).
4 In the absence of children (and ascendants, if the latter were part of the order of succession), some scholars think that inheritance went to illegitimate children (*nothoi*). The position of *nothoi* has in recent years raised much controversy connected to the interpretation of a law attributed to Solon and related by Aristophanes (Aristophanes, *Birds* 1661–65). According to some, this law stated that in the absence of legitimate children inheritance passed to collateral relatives (Lotze (1981) 169), according to others *nothoi* divided the inheritance with collaterals (Harrison (1968) I, 67), still for others *nothoi* prevailed over collaterals (Cantarella (1997) 105). Beyond these controversies, however, it is generally thought that Solon's law started a process of discrimination against *nothoi* (Wolff (1944) 43; Patterson (1981), (1990) 39), which ended with their complete exclusion in the mid fifth century, perhaps as late as 403 (Pseudo Demosthenes, *Against Macartatus* 50–51).
5 Collaterals in the following order:
    a brothers of the same father and their descendants;
    b sisters of the same father and their descendants;

c paternal uncles and their children and grandchildren;
d paternal aunts and their children and grandchildren;
e paternal great uncles with their children and grandchildren;
f brothers of the same mother and their descendants;
g sisters of the same mother and their descendants;
h maternal uncles and their children and grandchildren;
i maternal aunts and their children and grandchildren;
j maternal great uncles with their children and grandchildren;
k maternal great aunts with their children and grandchildren.

3   Family in the Doric Cities: Sparta and Gortyn

As already noted, the knowledge of Spartan institutions depends on ideological sources, some which were favorable (Xenophon and Plutarch) and others which were unfavorable (Aristotle). The information on Gortyn, although coming from the city itself, is equally ideological. It consists exclusively of a series of legal provisions that are by definition the product of an ideological choice, since they codify the rules of conduct appropriate and necessary, on the one hand, and dangerous and intolerable, on the other. Since other sources are lacking, it is impossible to know if and to what extent this ideology was shared, and if and to what extent these rules were followed.

For these reasons, the sources on Sparta and Gortyn must be used with the utmost caution. Once aware of their partiality, however, we can use them to help – although keeping in mind the principle *tot iura quot civitates* – to reconstruct the basic outlines of the family system of the Doric cities.

3.1   Sparta

3.1.1   Family and State: Relations and Interventions

According to tradition, in the seventh century BCE the lawgiver Lycurgus organized the educational system of the Spartiates, that is to say the citizens enjoying full rights, also called "the equals" (*homoioi*). But it was an equality valid only inside that group, which marked the difference from other free citizens who enjoyed only civil and not political rights. As their name indicates (*Perioikoi*, "those who dwell around"), these citizens lived in cities and villages on the plain and the coasts and carried out commerce and other economic activities, as opposed to the Spartiates who were trained for war. Although it is impossible to state it with certainty, scholars believe that the former were the descendants of the inhabitants of the area, subjugated when it was invaded by the Dorians.

3.1.2   The Permanent Education of the Spartiates

The educational system devised by Lycurgus prescribed that the state and not the family would educate the young males. According to Plutarch (*Lycurgus* 16) the newborns were examined by the elders. Those children found sick or deformed were abandoned

on Mount Taygetus; the healthy and strong ones were assigned for their maintenance one of the 9,000 lots into which the land had been divided. As soon as they were seven years old, the children left the family and went to live in groups (*agelai*) under the guidance of an older youth, learning to face every type of difficulty. Their heads completely shaved, trained to walk barefoot and play naked, they barely learned to read and write: the principal objective of their education was to create the best of soldiers. Finally, when they were 20 years old (and entered the age-class of the *eirenes*) the young Spartiates started to train, in their turn, the younger for war. As Plutarch reasonably observes, in Sparta sons were not private possession of fathers, but common possessions of the state (Plutarch, *Lycurgus* 15.8). Xenophon confirms: elsewhere each father controlled his children. Lycurgus instead gave to every man the authority over his sons and over the sons of others (Xenophon, *Constitution of the Lacedaimonians* 6.1).

No less imposing was the interference of the state in the conjugal life of the Spartiates: apart from the fact that marriage was obligatory, those who refused to marry could be punished by *atimia* (Plutarch, *Lycurgus* 15.1–2). The husbands, starting from 30 years old (the age at which they acquired the right to vote in the assembly, *apella*) until 60 (the age at which military obligations ceased) were bound to participate every night in the common banquets called *syssitia*. The space left for personal life was limited and even sexual intercourse was controlled, at least in theory. According to Xenophon (Xenophon, *Constitution of the Lacedaimonians* 14), who was considered the most reliable source on the Spartan family (Pomeroy (1997a) 41), Lycurgus imposed some restrictions on the young husband. He thought that sons born from sexual intercourse deeply desired were stronger than those born from satiated marriage. Therefore, perhaps to increase sexual desire, according to Plutarch, after the wedding ceremony the groom left the bride to participate in the common banquet and consummated the marriage only after that and before returning to his companions with whom he had to spend the night (Plutarch, *Lycurgus* 15.3–5).

3.1.3 Exchange of Wives and Sexual Crimes

A further proof of the prevalence of city interests over familial ones was the practice of exchanging women to increase the number of sons. In a passage of the *Lives of Lycurgus and Numa* (3.1) Plutarch writes that both Roman and Spartan husbands used to share their wives with other men in order to procure more progeny. This passage has produced many discussions, but these concern the possibility that this happened also in Rome (Thomas (1986a) 211; (1986b) 216; Cantarella (2002a)). That the Spartans could "lend" their wives is confirmed by Xenophon (Xenophon, *Constitution of the Lacedaimonians* 1.2–10) and Plutarch (*Lycurgus* 15.6–8) and today it is commonly considered to be an historical fact (Lacey (1968) 199).

In Plutarch we read also that in Sparta adultery and sexual violence did not exist (*Lycurgus* 15.9–10). Even if this could mean that laws on these matters did not exist (Pomeroy (1997a) 56), the text is more likely to be an idealization of the Spartan family and Spartan women, maybe to contrast the Athenian stereotype explicitly

endorsed by Aristotle that Spartan women were loose and the lack of rules regarding their behavior had caused a disequilibrium in the city that would have worked to foment greed for money (*Politics* 2.1269b; Cartledge (2001) 106–26).

As stated initially, the scarcity and lack of objectivity of the information on Sparta prevents one from believing it word for word, but beyond the details which often reflect an idealized reality, it is sufficient to give a picture of a familial organization which is very distant from the Athenian one, and inspired by a totally different idea of the relation between public and private, a diversity that also influences many aspects of the organization and the regulation of family property.

3.1.4 Property

The *kleros* (lot) assigned to every newborn male was not worked by its possessor but by the Helots, who were obliged to give him a part of the produce. The literature on the condition of the Helots is immense, if not consistent. According to some scholars they were public slaves (as in Ephor, apud Strabo 8.5.4). Other scholars observe that some Helots were public slaves, while others worked in the service of private individuals. There is also disagreement on the origin of the Helots, who are generally linked to the conquest of Messenia. However, not all Helots were of Messenian origin, and not all the Messenian prisoners became Helots (Maffi (1997)).

From the available information it appears that no land was assigned to women. Some think that they were excluded (Pomeroy (1997a) 51), but Aristotle says that "almost two-fifths of the land was owned by women, both because there were many heiresses (*patroukoi*, the equivalent of the Athenian *epikleroi*) and because it was a custom to pay rich dowries" (*Politics* 1270a23–25). But Plutarch writes that to avoid women remaining unmarried, dowries were prohibited (Plutarch, *Moralia* 227–28). According to MacDowell the contradiction could be explained by fathers not respecting the prohibition of the dowry (MacDowell (1986) 82). Very controversial is the information that, upon the death of the possessor, the *kleros* went back to the state to be redistributed.

To conclude, the uncertainties are many. What is evident, however, is the greater interference of the Spartiate state in the sphere of property, which obviously limited the powers of the *kleros*' possessor. Nonetheless, whatever the original rule, the autonomy of families *vis-à-vis* the state grew progressively, and in the fourth century BCE the Spartiates could dispose of their patrimony, including land, during their lifetime and by their will (Plutarch, *Agis* 5.1.3–4).

3.2   Gortyn

3.2.1 Problems of the Sources

On the nature of the law code of Gortyn an interesting discussion continues to take place. Some scholars, recalling the existence of a Cretan legal tradition, think that its author could have been a local legislator. Others believe that it consists of provisions approved by a city assembly, and still others compare it to "legislation" of the *nomothetai*, special magistrates who between 410 and 300 BCE recodified a great part of the Athenian legislation (Davies (2005) 309, bibliography).

Furthermore, the literature on the Great Inscription has been influenced by recent hypotheses on the nature of the surviving codes of the Ancient Near East (such as the code of Hammurabi, Assyrian laws, Hittite laws and neo-Babylonian laws), that, according to a very successful hypothesis, were not law texts, but jurisprudence treaties (Westbrook (1985) 247; Bottero (1993) 156; Zaccagnini (1994) 265). This has raised a discussion on the nature of the Gortyn rules, inducing even those who believe in their normative character to face the impossibility of knowing at what point they were respected. Beyond these doubts and limitations, however, the Great Inscription is a document of extraordinary importance and interest because it uniquely enables one to know in an organic way the normative system of a Greek city, and offers the possibility to compare and contrast Doric institutions with the Ionic ones.

3.2.2   The Family

The basis of the Gortyn family was marriage, which as in Athens and in other Greek cities was monogamous and dissolved by the death of a spouse or by divorce. But differently to elsewhere, in Gortyn marriage was not reserved only for free people: it was allowed between slaves and between free people and slaves (called *douloi* or *oikeis*, apparently without distinction). Furthermore, marriage that elsewhere was virilocal could also be uxorilocal. We do not know how marriage was celebrated. The Great Inscription simply indicates matrimonial unions with the verb *opuein* for men and *opuesthai* in the middle voice for women.

In the case of marriage between free people, the woman was given by her father to a man chosen by him, or, if the father had died, by her brother. Women acquired matrimonial capacity at 12, men when they reached puberty (12.17–19). Only children born from a legitimate marriage enjoyed the status of legitimate children (*gnesioi*), if the father took them into the familial group.

Very different from rules in force elsewhere was the provision that a son born after divorce had to be presented by the mother to the house of the husband, so that he may decide whether to take him in. If the ex-husband refused, the wife had the power to decide to bring up the child or to abandon him to his fate (3.44–52). The law prescribed, furthermore, that if a father asked for a son born after divorce, whose birth had not been notified to him within the time and form required by law, the relatives (*kadestai*) of his ex-wife could oppose his request, maintaining that the birth *had* been duly notified. This suggests that a divorced woman went back to her father's house, as happened in Athens, but her right to bring up a son reveals that Gortynian women enjoyed a liberty well beyond that of Athenian ones, as confirmed by the rules allowing the marriage between a free woman and a slave.

3.2.3   Marriage with and between Slaves

We read in 6.56–7.10: "If the slave going to the free woman marries her, the children will be free. If the free woman goes to the slave, the children will be slaves." This rule (to our knowledge the only one of its kind in the ancient world) certainly alludes to a

marriage, and not to a *de facto* union: the verb used is *opuein*, the same verb used for marriage between free persons.

It is difficult to imagine which free woman would go to live with a slave, bearing slave children. Admitting it was her desire, could she do it without the family's permission? Still more difficult is to understand how a slave could leave the house of his owner and go to live with a free woman. Apart from losing the services of the slave, the owner lost the property of the children of the slave, who, as we have seen, would be born free; not to speak of the difficulty of imagining the woman's family accepting a slave as husband of one of the group members. Maffi suggests that the woman who made this choice was an "heiress" (in Gortyn called *patroiochos*); in contrast to an Athenian one, the Gortynian heiress (as we will see when we consider succession) was not obliged to marry the closest relative, and the relative in turn could refuse to marry her. She was a single women free from family constraints, and this allows us to imagine that she could make some life choices that would be otherwise inconceivable (Maffi (1997)).

The Gortynian code also regulated the sexual relations between slaves owned by different masters, and subsumed them in the legal institute of marriage (as the use of the verb *opuein* also in this case seems to demonstrate). The absolute originality of these provisions has given birth to many hypotheses. One of them links these rules to the fact that in the Doric area (or at least in Sparta) slavery did not take the form of chattel slavery, but of public slavery, somewhat near to serfdom. By legally recognizing the relations between slaves, the city would have ensured the certainty of having a sufficient labor force for its necessities. But unfortunately this is only a hypothesis. At the moment this problem cannot but remain open.

Finally, the law code regulates *moicheia*, applied to illicit relations both with free and slave women. Lines 20–28 of column 2 prescribe that

> if one is caught while he commits *moicheia* with a free woman in the house of the father, brother or husband, he must pay a hundred *staters*; if in another's [house] 50; if with the wife of an *apetairos* [probably a person of a socially inferior status] [he will pay] ten; but if a slave [commits *moicheia*] with a free woman he shall pay double; and if a slave [commits *moicheia*] with a slave, five.

This is yet further confirmation of how different slavery was in Gortyn in comparison to the other known cities.

3.2.4 *Patrimony, Kinship, and Succession*

According to the provisions included in the fifth column of the Great Inscription, the order of succession was the following:

1 Children (males and females), their children and grandchildren. In this line of succession women inherited from their father and mother, but in a condition of inferiority in comparison with male children. To the latter were reserved a series of goods, of which the precise individuation is discussed (for example, the city

houses). The rest was divided in parts, two of which went to the males and one to the females, irrespective of their number (4.31–48, 5.9–13).

2   In the absence of children and their descendants, the inheritance went to the brothers of the deceased, then the children and the grandchildren of the brothers.
3   In the absence of brothers and their descendants, it went to the sisters of the deceased, then to their children and grandchildren.
4   The fourth class of prospective heirs was represented by *epiballontes*, a generic term that indicated persons linked by a kinship bond to the deceased.
5   Who the members of the fifth class were is so controversial that it is not advisable to take a position on the matter (Maffi (1997) 57).

Finally, Gortynian law prescribed that the "heiress" should marry the closest relative in the male line, but granted her the possibility of avoiding an unwanted marriage by paying to the rejected groom a patrimonial compensation, keeping for herself the city house and half of the other assets (7.52–8.7). Once more, Gortynian law shows a respect of women's will nonexistent in Athenian law.

4   Conclusion: Comparison of Ionic and Doric Law

The comparison of family rules in the Ionic and the Doric cities reveals both similarities and differences.

The main differences are connected with the abovementioned different relationship between the private and the public sphere, which influenced many aspects of social and legal rules. Among them was the power of fathers over their sons, stronger in Athens than in the Doric cities, as demonstrated by the Athenian father's right to decide if a newborn child should be raised or abandoned and how the son should be educated, compared with the lack of similar powers in the Doric cities. A further very important difference was tied to the different natures of Ionic and Doric slavery. As the Gortynian code shows, in the Doric cities slaves could be granted rights that in Athens would have been inconceivable.

Interesting (even if minor) differences have emerged also in the regulation of sexual crimes. The penalties for *moicheia* were different in Doric and Ionic cities: in Gortyn they were pecuniary, and the males of the family were never allowed to kill with impunity the *moichos*, as (in specific cases) in Athens; they were instead required to accept compensation, that in Athenian law the relatives of the victim were free to refuse. But both in the Doric area and in Athens *moicheia* was a more broadly defined crime than modern adultery, and the penalty was greater if it had been committed in the house of the father, the husband or the brother of the woman, and in Gortyn it was smaller if committed with a woman of a lower status. Evidently in both Ionic and Doric cities *moicheia* was punished because the transgressive sexual behavior of a woman offended the familial honor, to a degree that varied according to the family head's social status.

Analogous comments can be made for what concerns the "heiresses." The rules on Gortynian heiresses were more flexible than the Athenian ones, and granted them possibilities that the Athenians did not have. However, in both cities the basic principle

concerning the transmission of family patrimony was the same: the patrimony had to remain within the family. Herodotus was right, then, when he spoke of "our common language, our common temples of the Gods, our rites, our common customs (*ethe*)" (8.144.2). Beyond the differences, there is a basic unity in Greek law.

FURTHER READING

Strauss (1993) analyses the father/son relation within the family in Athens from the emotional, psychological and ideological perspectives, allowing a deeper and original insight into the problems connected with the organization of the family. Cox (1988) is a further contribution to the comprehension of the emotional bonds within the family. Halperin (1995) helps to understand the controversy concerning the relations between the *oikos* and the *polis*, and the reasons why some scholars maintain that the private and the public realms were totally separated and independent, while others claim that they were interrelated, and point out the relevance of private values and ideology in the public sphere. Skinner (2005), albeit from a different perspective, faces and discusses the same problem, as does Ferrucci (2007). Dean-Jones (1997) helps to understand better women's condition and image in Greek family and society. Cantarella (2002c) exposes the social and legal rules concerning Greek pederasty, the culturally highly valued importance of which, as well as the deep intellectual and emotional involvement of the pederastic couple, poses the problem of the possible effects of the pederastic bond on the relations between husband and wife. Cartledge (1981) is an important addition to the difficult and scarce information on Spartan personal relationships within and outside the family.

Adoption and Heirship in Greece and Rome

Hugh Lindsay

1   Role of Adoption in Heirship

In Greece and Rome the head of the family had special responsibility for ensuring continuity, which was considered necessary not just for prestige, although this was a major factor, but also so that there was a nominated person to take over responsibility for family cults (*sacra*) after his decease. Financial stability for the dependents of the deceased was also in this way protected. Thus the identity of the heir was important both for religious and practical reasons. No doubt the balance between these factors was managed differently in accordance with cultural and personal beliefs.

Most straightforward was the situation where the deceased had married and produced children. In both cultures preference lay with male heirs and this generated some of the pressures in the inheritance systems. There has been debate since Victorian times over the extent to which both succession systems evolved from an assumed starting point where only natural descendants could be heirs. In Greece the turning point has been seen as the sixth-century BCE laws of Solon, which were thought to allow adoption for the first time, and at Rome the fifth-century Decemviral laws have a similar function. However, in both cases these are simply the earliest sources of written law within the culture, and may not have the role of innovation assigned to them even in antiquity. Similar evolutionary arguments have been applied to wills.

The problem of succession can be summarized briefly. The head of family may not generate the desired male heirs; he may have heirs, but they may be female. If he is childless, but survived by a wife or male or female relatives of his own generation (brothers or sisters), these individuals or their descendants could be considered a starting point for a pool of potential heirs. There can be further resort to the wife's

siblings and their descendants. In both cultures an intestate system developed, which gave primacy to descendants of males. The details are quite complicated. What must be underlined is that regardless of community attitudes women had to be included in some way in the succession system.

The capacity to write a will can be seen as a supplement or alternative to the automatic rules developed under the intestate scheme. In Greece Solon is credited with allowing freedom of testation in the absence of legitimate males, subject to a condition of taking on any female heirs as well (Isaeus 3.68; Plutarch, *Solon* 21). Neither women nor minors could write a will. Writing a will did not necessarily involve bringing in a complete outsider. It might only give preferential treatment to a person already potentially in line under the intestate rules (Gernet (1920); Harrison (1968) 1.149–1.155). By the fourth century, a person who had sons could nevertheless make certain more widespread bequests in a will, but there was some risk that the will would be challenged if these went too far.

In Rome the prime purpose of a will was to nominate an heir and if this was not done the will was ineffective. It was also impossible at Rome to deal with only a part of the estate by way of will. Automatic heirs (*sui heredes*), who included sons, could be expressly, but not implicitly, disinherited (Nicholas (1962) 251–60). If this was not done, intestacy would ensue. Potentially women could be made heirs, although the *Lex Voconia* of 169 BCE prohibited nomination of women in the highest property class, with results which are today disputed. Whatever we make of this, the Roman system left more opening for female succession, even under a will. It also allowed complete outsiders in to some degree, but it may appear more open than the reality, and in known cases there is still much emphasis on nominating close family.

There was a danger that a will might be struck out because those who considered themselves dutiful and deserving heirs had been excluded from its terms, resulting in a complaint of an undutiful will (*testamentum inofficiosum*). This claim apparently had originated in the late Republic, and was prosecuted in the Centumviral court, which heard inheritance disputes and had discretionary power to validate or dismiss the testator's reasons for excluding a complainant.

In the Greek world, fathers who died with only a daughter or daughters to succeed them operated the unusual institution of the *epiklerate*. On the death of her father or possibly in the case of the death of her remaining brother or brothers, a girl would become an heiress (*epikleros*). An *epikleros* could be claimed by the next-of-kin (*anchisteus*) who appears to be under an obligation to marry her. If he were to refuse to take her, the entitlement to claim would fall to the next in line within the close kin group (*anchesteia*). Claimants were determined under the same regime as the rules for intestate succession (see below). Once the girl became an *epikleros* through the death of her father – she may however already have been thought of as an *epikleros* before his death – she became *epidikos*, subject to judicial intervention, and this was managed by a property adjudication known as *epidikasia* which was under the control of the *archon*.

Again this turns the obligations back within the *oikos*. The husband of the *epikleros* is basically a trustee, and the overall result is the succession of the maternal grandfather's estate by male grandsons, whose interests are protected until their majority by

a member of the *oikos*, chosen according to a pecking order determined by rules of intestate succession. Schaps points out that this does not in fact protect the deceased's *oikos*, since the ultimate successors, the anticipated male children of the *epikleros*, will be descendants of the deceased's parents or grandparents, and this does not make him father of his daughter's children, as he would need to be to preserve his particularized *oikos* (Schaps (1981) 32–41).

Gernet underlines and contrasts the compulsory nature of the status of the Roman automatic heir (*heres suus* or *sua*) (Gernet (1921) 352). The person who has the right to the *epikleros* does not appear to have the same obligations as the deceased's daughter in this regard. If he wants the girl, he takes her, if need be by his own divorce. He benefits from the union until the majority of the son or sons resulting from the union. If not, he leaves her or cedes her to another – another close relative or possibly even an outsider. Apparently he is an entirely free agent; the daughter is not. Gernet views this as an evolution from a supposed earlier and purer version of the *epiklerate* (Gernet (1921) 353). He suggests that the subordination of the interests of the family to the interests of the beneficiary is a debased version of the *epiklerate*. This needs to be viewed very cautiously, and these features of the system tend rather to show regard for competing male interests which could be damaged by what was viewed as a system to protect and secure the future of the *epikleros* and her offspring.

Adoption was used in both communities, and there are considerable general similarities in usage, but also significant differences of emphasis as a result of the reduced role of females in the Greek inheritance system. An adoption enabled a childless man in the Greek world to introduce or promote an heir either before or after his death. This latter was encompassed through his will. Had he failed to do this, a posthumous adoption was possible, mediated by the courts. If he only had daughters, the *epiklerate* came into operation, but this did not totally eliminate the use of adoption. The son of an *epikleros* might be posthumously adopted by his grandfather (Demosthenes 43.15; Schaps (1981) 28, 32).

In Rome the legal use of adoption was more restricted; perhaps it was less essential. A man during his lifetime could adopt an heir, and he could go outside the immediate family to look for candidates. Nevertheless, many did not. Wills had a larger ambit in the Roman world, and it appears that what is known as a testamentary adoption involved none of the legal implications of Greek adoption under a will. The beneficiary was primarily recipient of the inheritance under the condition of utilizing parts of the testator's nomenclature.

2　The Greek World

In the Greek world a great deal can be said about inheritance as a result of the survival of large numbers of speeches from the Athenian law courts from the fourth century BCE, mostly concerned with inheritance disputes. Among other issues that arise in settling these disputes, quite a number of cases of adoption are treated. Adoptions in this period have been thoroughly reviewed by Lene Rubinstein in her 1993 study

(see also Lindsay (1999), (2009)). Although similar material is not available for the earlier high Classical period, nor any comparable material from other Greek centers such as Sparta, these speeches are an invaluable resource, through which we can get closer to the workings of domestic life in the Greek world and understand some of the issues which were considered important by male Athenians when arranging affairs at the end of their lives.

The most significant corporate group within the Greek *polis* was the household (*oikos*), a point emphasized by Aristotle in the *Politics* (Aristotle, *Politics* 1253b, using the term *oikia*, apparently interchangeably). Marriage is a fundamental feature of the *oikos*, and was a requirement for the creation of legitimate children. Marriages which generated legitimate children could only occur between citizen partners married by pledge (*engue*) (Just (1989) 40–75). In due course sons born of these unions had an automatic right of inheritance. They in turn had obligations towards their parents. The *oikos* had a strong corporate influence, transcending individual interest, as emphasized by Foxhall (1989), but nevertheless Rubinstein argues that individuals were important agents in this process of sustaining the *oikos* (Rubinstein (1993) 1–15). The heir had responsibility for ensuring not merely that the interests of the deceased were fulfilled, but that the interests of the group were also catered for. No doubt this was viewed subjectively; it can hardly be imagined that those who attempted to wrest estates from relatives in court actions had completely selfless motives.

Demographic factors must have ensured that succession was seldom straightforward either in the Greek or Roman world. Gender balance is never guaranteed to work out exactly at the best of times, and it was a commonplace for Greek males to die with either no heir at all or female heirs. Female heirs seem to be regarded with disfavor in the Greek world, or at least to be considered unsuitable for the management of finances, and matters relating to inheritance are as far as possible managed by males. Features of the *epiklerate* show that resources were channeled back under male control as soon as practical. It would have been unrealistic for females to be totally ignored, but the legal requirement was for patrilineal descent, and transmission of estates through males, when feasible; failing that through daughters. If there were no children, male agnates had priority over female agnates. Matrilineal succession was only possible once all these options had been exhausted (Harrison (1968) 1.143–49; Pomeroy (1997a) 19; Cox (1998) 3–37).

In most cases daughters were fully and finally catered for by way of dowry: the size of this was determined partly by family tradition and partly by the demands of the intended husband (Maffi (2005) 256; see also Cantarella and Cox, this volume). Note however that on Crete a girl's dowry was determined to be half of a male share of the patrimony (Strabo 10.4.20 = C482), and there may have been some comparable thinking at Athens. Isaeus complains when an adopted son gives as dowry to the legitimate daughter of the deceased less than one-tenth of the patrimony he has received (Isaeus 3.49). Inheritance was partible, so brothers might end up sharing the real estate, although no restrictions on the actual sale of land are recorded; in theory it could be divided into ever smaller portions. Despite these features, Pomeroy emphasizes that Greek society should not be seen as purely patrilineal, since the woman's natal family continued to have a stake in her financial and reproductive future

((1997a) 8). Her dowry was controlled by her family of origin and she was a potential source of heirs for her father's estate. All this came at a high price.

In the Roman world, women who were under paternal power were entitled to inherit and became automatic heirs (*sui heredes*) in cases of intestacy. The shares were equal regardless of sex. This seems to be a substantial difference from the Greek world, where we do not hear about women being treated so well. Roman women still had some restrictions on their management of their assets as a result of tutorship. Also, under the *Lex Voconia* of 169 BCE, women registered in the highest property class could not be instituted as heirs, nor could a legatee of either sex take more than the heir or heirs taken together. Later changes softened these rules (Gardner (1986) 170–77), and there is some evidence that trusts were employed to reduce the impact of the law (Dixon (1985c)). By the late Republican period it is clear that Roman women of high status commonly owned substantial amounts of property with increasing capacity to be involved in its management. Women such as Cicero's wife Terentia (who was legally independent) exhibited a fair degree of financial autonomy and, depending on tutorship arrangements, might engage in only slight consultation with their husbands, not without marital conflict (Dixon (1986)).

In the absence of legitimate heirs at Athens, the equivalent to the automatic heirs under the Roman system (*sui heredes*), Demosthenes cites a law on intestate succession in the case against Macartatus which clarifies the pecking order:

> When a man dies intestate, if he leaves female offspring his estate shall go with them, but if not, the following persons shall be in charge of his property: if there are brothers by the same father, and if there are legitimate sons of brothers, they shall get the share of the father. But if there are no brothers or sons of brothers, descendants of them shall inherit it in the same manner; but males and the sons of males shall dominate, if they are of the same ancestors, even if further removed in kinship. If there are no relatives on the father's side as far removed as children of cousins, those on the mother's side shall dominate in like manner. But if there is nobody on either side amongst these people, the man closest to the father shall dominate. But there is not a right of succession for an illegitimate child male or female either to public or private religious rites, from the time of the archonship of Eukleides [403 BCE]. (Demosthenes 43.51)

Some further clarification in the same vein is provided by Isaeus:

> 19. There is a law to the effect that, if a brother by the same father dies childless and without a will, there are equal shares of the effects for his sister and any nephews born from another sister … 20. Thus the law gives an equal share of their father's and their brother's estate to the sister and the sister's son; but when a first cousin, or any more remote kinsman dies, it does not give equality, but gives the right of succession to male relatives before the females. For it states that "the males and male descendants from the same stock shall dominate, even if they are more remote in kinship to the deceased." (Isaeus 7.19–20)

It is worth emphasizing that these rules are the result of legal development, and thus a creation of the law (Demosthenes 43.50). This is how artificial relationships

like adoption have come to create full entitlement to heirship and why certain persons in theory more closely related to a deceased could be further removed from inheritance. Nevertheless Greek adoptions usually seem to have involved close kin. Some authorities see in the orators an increase in the importance of the female line and explain it as a product of Pericles' citizenship law (Roy (1999) 5–6), and there has also been recent revisionist discussion of the issue of gender-balance in commemoration (Leader (1997)). However, the underlying system still seems to be aimed at keeping women firmly within what is seen as their preserve.

3   Size of Estates

The argumentation in speeches on inheritance disputes has to be regarded very warily (Todd (2005)). It has often been noted that, in the case of large estates at Athens, individuals came forward quite shamelessly to attempt to win the resources if they thought they had the slightest basis for a claim (Caillemer (1879) 4–5). All manner of specious argument was resorted to. Contemporaries understood this, as can be seen from certain comments by Isaeus in the case on the estate of Nikostratos, who had died leaving an estate of two *talents*:

> For who did not shear hair when two *talents* came from Acre? And who did not wear black clothing, intending through their mourning to lay claim to the estate? How many kinsmen and adopted sons laid claim to Nikostratos' possessions? (Isaeus 4.7)

Isaeus is quite strident on the undesirability of unsustainable claims to inheritances under wills, and suggests that as a disincentive fines should be equated to the entire value of the estate claimed, instead of one-tenth (Isaeus 4.11).

In the Roman world we do not hear of these *post mortem* attempts to secure estates on anything like the same scale, but the world of the legacy-hunters is well known. When individuals were on their deathbeds, enterprising leeches like Regulus would haunt their doors in the hope of being included in their wills. Pliny tells how the notorious Regulus courted Velleius Blaesus, an ex-consul, when he was sick and wanted to alter his will, in the hope of becoming the beneficiary of a legacy. Pliny claims that Regulus induced the doctors to keep him alive for long enough to change his will, and once he thought he had secured his goal turned around and blamed them for prolonging the agony of a suffering patient. In the event Regulus got nothing (Pliny, *Letters* 2.20). Pliny clearly enjoys such stories: whether he reports this with any semblance of accuracy is immaterial; what matters is that Romans believed that estates were being pillaged in this way, and at this stage, before the death of the testator.

4   Wills in the Greek World

Provided there were no legitimate male heirs, there was no impediment to writing a will in the Greek world. Fourth-century and later authorities credited this as a

development in the time of Solon. Isaeus is also critical of adopting when there are female heirs (Isaeus 3.72). The extant speeches of Isaeus generally concern estates without a natural son, and disputes will have been unusual when the line of inheritance was intact (Pomeroy (1997a) 25). Gernet doubted whether adoption of an heir under a testament was initially permitted. Testamentary heirs get scant respect (for example, Isaeus 7.1), but most importantly adoption in public was insisted on elsewhere in the Greek world, in our earliest written evidence, which comes from Gortyn (Code 10.1.34) and Sparta (Herodotus 6.57). Gernet deduced that the Solonian measure only authorized lifetime adoptions (Gernet (1920)), and that before Solon adoption might have been restricted to the *genos*. Gernet's model appears to have too much emphasis on social evolution, and testamentary adoptions may have had currency in the time of Solon. The fact that testamentary cases were often disputed is surely a product of the opportunity they provided for fraud.

5   Greek Adoptions

An adoption enabled a childless man to promote a particular heir, and if the adoption was completed during his lifetime the adoptee would be in a very strong position at the moment of death. It also ensured that the adoptee could not be cut out through a failure of a will resulting in intestacy. In theory it made it possible to bring in completely new blood to the family, but this is a rarity in the Greek world.

Greek adoptions could be arranged by three methods (Harrison (1968) 1.82–96).

1.   Lifetime adoptions (*inter vivos*). Close kin were preferred, even though property could in any case be bequeathed to them under a will; for the adopter this ensured that he got the arrangement he desired. An adoptee would be introduced to the *phratry* in a manner similar to the enrolment of a natural son. Because of this similarity, as with a natural son, it was important to prove the origin of the candidate as son of a citizen woman (Isaeus 7.16). In Greece, the adoptee became heir to his adoptive parent's estate and lost the right of succession to his natural father or his natural father's relatives. He still had a claim on property left by his mother's relatives, since his relationship to his mother was unchanged (Isaeus 7.25). A son adopted during the lifetime of the adopter on his decease had immediate and uncontested rights to his inheritance, and was effectively in as strong a position as a natural son of the adoptive parent, unlike a testamentary or posthumous case. The adoptive son was required to relate to his adoptive father as though he were his biological son. Presumably this involved a lot of joint participation in the activities of the *phratry* and the *deme*. The idea behind these relationships seems little to do with nurture, and more to do with supporting the adopter in his old age and being rewarded with an inheritance on his death. The community and the family already had full knowledge of the future role of the adopted son, and had to get used to it. As at Rome, the interests of adopters are paramount.

Actual cases interestingly were not always from the male line. In Isaeus 2, Menekles, a man who seems to have been infertile, adopted the brother of a second wife from

whom he had parted company on good terms after failing to start a family with her. Menekles' male relatives put in a claim to the estate, but they had a tough path ahead of them. A son adopted during the lifetime of the adopter had an automatic right to inherit without applying to the court, and his opponents had to resort to desperate measures to get the matter considered at all (Wyse (1904) 232–37; Lindsay (1999) 94). Menekles is said to have wanted to rectify his childless condition, get assistance in old age and have somebody to bury and commemorate him (Isaeus 2.10). We thus gain a very clear notion in this case of what the heir had to do to earn his inheritance.

Thus a childless man could choose an heir whom he adopted. An adopted son could not in turn adopt (Gagarin (1986) 78). In the event that the adopter had a daughter, but no son, his choice of adoptee was at the same time his choice of son-in-law. In the Greek world no problem was seen with the incest taboo in these cases, where the husband became theoretically the wife's brother. An adoptive relationship was no bar to marriage at Athens (Harrison (1968) 1.23). To satisfy the agnatic preference, in the absence of sons, adoption might extend to agnatic nephews. Even nieces were a possibility for adoption if there was a shortage of males within the group, but they could not participate in the *deme*. If a niece were chosen she would succeed as an heiress (*epikleros*). The role of such heiresses was clear; they were merely temporarily inserted into the inheritance net and were to be married to a close male relative to generate male children to restore agnatic succession (cf. Cantarella, this volume). Often this would involve marriage to an uncle or another close male relative, and many such unions would be seen as incestuous today. The *epiklerate* system, though found elsewhere in the Greek world, is strongest at Athens, and nothing comparable exists at Rome. This reflects the immense importance placed on the preservation of the household, especially in Athenian society. Roman society allowed for greater individualism, and the *epiklerate* implies a far more deep-rooted suspicion and avoidance of the consequences of women gaining control over property.

2. Adoptions by will. Here an heir was adopted in a will (a testamentary adoption). The adoptee as beneficiary had to have the will formally ratified by an inheritance procedure, the *epidikasia*, which involved adjudication by the people's court (Isaeus 6.3). Unlike the lifetime adoptee, he had to wait for legal process, and this could be complicated by objections from the family. The collaterals of the deceased were in a like position. He is weaker through not necessarily having an existing claim to the *phratry* and *deme* of the adopter. This can be differentiated from Roman testamentary adoptions, which seem not to have involved legal process. The Greek testamentary adoptee could be in a difficult spot if family members with an axe to grind took a set against him.

Where cases came under dispute, the usual tactic was to attempt to undermine the authenticity of the will. Sometimes this would be effective, as in the case of the estate of Nikostratos, where two cousins contest against a claimant who produced a will allegedly witnessed overseas (Isaeus 4). In the case of the estate of Astyphilos, the fact that the adoptee had not performed his adoptive father's burial was one strike against him (Isaeus 9.4), to which is added the more usual procedure of casting doubt on the authenticity of the will and the process of witnessing it (Isaeus 9.11).

3. Posthumous adoptions. This is a very unusual solution to a situation when a man died intestate leaving no son. In these cases one of his heirs, usually his heir by the rules of intestate succession, could be made his adoptive son posthumously, having to marry the *epikleros* if one existed. What is interesting here is that a posthumous adoption could be carried out regardless of whether the deceased had ever intimated intent to adopt him. The choice was not made by him but for him. Effectively this meant that if he failed to take action, he could expect the rules of intestate succession to operate. The *archon* participated in cases of posthumous adoption (Demosthenes 43.75), apparently as arbiter of competing claims under the rules of intestacy. In the complicated case of the estate of Aristarchos, a son who had been adopted out of the family, Kyronides, is the eventual beneficiary (Isaeus 10), despite the fact that his right to claim was really terminated at the point where he left his natal family. The court clearly considered that when all else failed he at least had a blood relationship to the deceased – he was his natural son – and this was allowed to prevail. Cases were not always reviewed carefully by the courts. In the case against Leochares (Demosthenes 44), a posthumous adoption was initially allowed where it seems that the father had already been adopted.

Athenian adoptions thus created an artificial heir, in cases where there were no children at all or in cases where there were only daughters. If there were only daughters the *epiklerate* system ensured that they would be married off to close male kin if they had not been set up with a marriage to an adopted "brother." Most emphasis seems to fall on protecting the *oikos*, but this is interpreted largely from the perspective of the male beneficiaries.

If there were disputes in lifetime adoption, problems would arise. The adopter could not unilaterally revoke the inheritance rights, because the adoptee could not simply return to his natal family. Once the adoptee had produced heirs for his adopter, there was an entitlement to leave (Demosthenes 44.64), but he would thereby lose his entitlement to the estate.

6   The Roman World: Adoption and Succession

The importance of the theme of succession in Roman thinking can to some extent be measured from the interest shown in the area in the *Digest*: 11 out of 50 books are concerned with succession (Crook (1967a) 118). A high mortality regime and abundant wealth in the aristocracy helped to fuel these concerns. Modern studies have shown the difficulty elite Roman families had with fertility and continuity, and the resulting picture is of a world where both sons without fathers and fathers without sons were a commonplace. The agnatic bias in Roman society made this an important issue, although female succession was increasingly important in Roman society (Crook (1986)). Females could not have *patria potestas* and therefore could not adopt, and this was a limitation on the nature of their contribution. As Moreau points out, women were limited by their legal inability to have *sui heredes*, but could be circulated by marriage (Moreau (1992) 22). Nevertheless, in the absence of male heirs, property could be channeled into the next generation through the female line, and Romans valued and protected their daughters (Hallett (1984) 62–63). One factor here was recognition that the female line could

supply male heirs, and it is noticeable how often adoptees are chosen from this source. At the point of succession, some Roman males will have been well prepared, either having obvious heirs in place and naming them in a will or designating by will individuals to fill these shoes. Roman wills have been explored by Edward Champlin who has shown that the Roman will did far more than this: it was an opportunity to acknowledge networks and identify valued social relationships on a wider scale than is normal in modern societies (Champlin (1991)). Intestacy was an option, which could be chosen, and could occur accidentally if a will failed (Daube (1964–1965); Crook (1973)).

Male heirs were at a premium, so it is natural to ask what recourse could be had to illegitimates in the absence of legitimate heirs. Legitimation was rare, so far as can be judged. An illegitimate son could not generally be adopted and thus brought under *patria potestas*. If a man had no other children under his power an exception allowed him to bring one or more freed or freeborn children under his power by *adrogatio* (Gaius, *Institutes* 1.102; *D* 1.7.15.2–3, Ulpian; Corbier (1991) 64). This could include children by a concubine if she was of the requisite status.

Adoption seems to have been a common resort when the line failed. The evidence shows that candidates were often sought within the family; those in the female line are easiest to identify because of the changes to nomenclature which accompany the adoption. Nevertheless, adoption within the male lineage must have been at least as common – given its extensive treatment in the *Digest*, *patria potestas* and the legal emphasis on agnatic succession. A dynastic example, the adoption by Augustus of his grandsons, Gaius and Lucius, illustrates the type of arrangement which must have been replicated in other elite families. Augustus, although three times married, only ever had a daughter by his second wife, Scribonia, and had to turn to his daughter Julia to keep his line in play (Suetonius, *Augustus* 62–63).

By the late Republican period, a fashion for testamentary adoptions arose. Precisely why this was the case is not entirely clear, but these did not have the same legal consequences as full adoptions, and this may be why they became so popular. The testator would not have to deal with the person chosen during his lifetime. The main result of a testamentary adoption seems to have been that the beneficiary acquired the deceased's estate and in return usually assumed some of the deceased's nomenclature. There is a lot of epigraphic evidence for this type of arrangement, as well as a small amount of literary evidence (Salomies (1992) 1–14): the case of Octavian is unusual in that he was adopted under Caesar's will but later converted the adoption to a traditional *adrogatio* by a procedure which has remained highly controversial, but is now thought to have been conditioned by the political situation and not to have followed precedent (Kunst (1996) 93–104; (2005) 138; Gardner (2009) 67–69).

7   Male Expectations and the Provision of Sons

The Roman male expectations of their male heirs do occasionally emerge from first-century CE sources. The younger Pliny is a key example. Here he writes to his

grandfather-in-law Calpurnius Fabatus to lament his wife Calpurnia's recent miscarriage, and comments on the impact this will have both on himself and the grandfather:

> C. Plinius to Calpurnius Fabatus: his wife's grandfather
>
> 1. The more you desire to see great-grandchildren, the more sadly you will hear that your granddaughter has had a miscarriage, while she girlishly did not realize that she was pregnant, and through this overlooked certain safeguards for women who are pregnant, and did certain things which should not be done. She has paid for this error with dire warnings, after falling into great danger. 2. So, although you must take it badly that your old age has been deprived of the posterity in prospect, nevertheless you must give thanks to the gods, in so far as for the moment they have denied you great-grandsons, but saved your granddaughter. They will grant them: her fecundity itself, although tested with little luck, creates a firmer foundation for our expectation of children.
> I now give you encouragement, advice, and reassurance, with the same arguments which I use on myself. For you do not long for great-grandchildren more passionately than I myself long for children, for whom I seem to be going to leave behind both on my side and yours easy access to public office, a name rather well known and not contemptible ancestry. Let them just be born and turn this grief of ours to joy. Farewell. (Pliny, *Letters* 8.10)

Paternal expectations are also evident in the case of Quintilian, and this interesting case shows that adopting a son out of the family did not necessarily involve either a cessation of a relationship with the son or any view that the child was no longer an attribute of the natural father's familial arrangements.

Here, the son of Quintilian, who was adopted by a consular, was dead at 9 – his other brother had died at 5 and their mother had died at age 18 (Quintilian, *Institutio Oratoria* 6 praef. 4).

> [Have I lost you] when you have moved closer to expectations of every distinction through your recent adoption by a consular, destined to be son-in-law to a praetorian uncle. (Quintilian, *Institutio Oratoria* 6 praef. 13)

Quintilian seems to be most interested in the lofty connections which would arise for his son out of the arrangement. Financial concerns are in the background, whereas the career opportunities thus generated are prominent.

8   The Valuing of Daughters

Daughters were esteemed highly in Roman society, but the agnatic emphasis in the kinship structure is very marked, and it is only at a relatively late stage that female inheritance rights start to grow. Nevertheless, the *Lex Voconia* of 169 BCE shows that some check on the amount of property being left to women was felt to be desirable in certain quarters. This does not seem to have been effective and it has often been observed that Roman males continued to find means to leave property to their highly valued daughters (Hallett (1984) 91–93), some using trusts as a mechanism (Dixon (1985c)).

9   The Importance of *Patria Potestas*

The power of the Roman *paterfamilias* was notoriously absolute, although there may have been a substantial gap between his theoretical rights and the everyday operation of the system (Harris (1986) 81–95; Saller (1994) 102–32). Those who were under his power – these included natural and adopted children, wives under *manus* and slaves – could not own property in their own right (Crook (1967b)). For a prospective adoptee, this could represent a problem if at the time of adoption he was legally independent (*sui iuris*). He would lose his status, becoming a dependent son under the process known as *capitis deminutio*, and clearly there had to be a sufficient motive to justify the move. There was some risk for the adoptee: quite strict rules were enforced in the case of minors who were *sui iuris* to prevent exploitation (Donatuti (1961) 127–98).

10   *Sui Heredes* and Intestacy

Originally it is assumed that it was not possible to leave the estate by will, and automatic rules determined who would inherit. These automatic heirs, called *sui heredes*, comprised all those under the testator's *patria potestas* who would become *sui iuris* on his decease. This would exclude (for example) sons who had been emancipated or adopted and daughters who had been given in a *manus* marriage, since they were either already *sui iuris* or under the *patria potestas* of somebody else (Gardner (1998) 6–113). One remarkable feature of the *sui heredes* was that they obtained equal shares regardless of sex.

   The order of succession was determined by the law of the Twelve Tables (table 4.4: Crawford (1996) 2.641):

1   *Sui heredes*
2   Agnates
3   Members of the *gens* (*gentiles*)

   Later, modifications were made to the law as a result of praetorian interventions. The urban praetor through his edict gradually expanded the categories of persons entitled to claim in the case of intestacy.

11   The Will

The will had to cover the entire estate, and the result of a will was usually to eliminate the automatic rules of inheritance. Under a Roman will, the heir or heirs were joint universal successors. A Roman will was required to appoint at least one heir, and if this was not done it would be invalid. The identification of the heir was the main function of the will. Provided that this condition was met, a will was valid, and as joint universal

successors the heirs did not inherit particular things but the named fraction of the estate. Common ownership could result, but it was common to get an action in the court for a division of the property in the nominated proportions.

An interesting example illustrating both joint ownership and adoption can be seen in the case of the will of Domitius Tullus (Pliny, *Letters* 8.18). He and his brother Domitius Lucanus had been adopted by Domitius Afer, the orator from Nemausus. It is not apparent why the two brothers were both adopted, nor why they held their property conjointly. Perhaps they were twins. Pliny, who outlines most of their inheritance arrangements, implies that they held property together before their adoption. Later, the brother of Tullus, Lucanus, was unpopular with his father-in-law, Curtilius Mancia, and Mancia therefore tried to take steps to ensure that the son-in-law never gained control of his estate. He bequeathed his estate to Lucanus' daughter, Domitius Lucilla, provided that she was first emancipated. This backfired because Tullus then adopted her, which as a result of the ambit of *patria potestas* gave him financial control over her assets, and since he held property in conjunction with his brother, the father-in-law's intention was subverted (Tellegen (1980); Gardner (1998) 105, 135).

12   Adoptions

Adoption provided a convenient method for those without heirs to choose either a close relative or the son of a friend, during their lifetime, to fill the role. Limiting factors for the adopter included requirements that the relationship should as far as possible replicate nature (Cicero, *On his House* 14.36; *D* 1.7.16, Iavolenus; Gardner (1998) 146) and that adoption should not be resorted to until it was clear that other avenues had proved unsuccessful. In cases of *adrogatio*, if an intending *adrogator* was under 60, Ulpian suggests that he should beget his own children unless there is some known impediment (*D* 1.7.15.2, Ulpian on Sabinus 26). An exception was made for those already linked to the *adrogator* (*D* 1.7.15.2).

The type of adoption chosen must have depended on the situation. In general Roman adoptions do not seem to have involved young children, although some younger candidates are known including Augustus' grandchildren, Gaius and Lucius, and Quintilian's son.

A candidate might be the son of a friend, perhaps like the case of the children of Aemilius Paullus, adopted by the Scipios. Surplus sons were taken out of the family. Here the advantage for Paullus was that he could both please a new wife by providing financially for the sons of an earlier marriage in another family, and provide them with outstanding political opportunities. As it happened, Paullus lost his second family and there were eventually even greater financial rewards for his sons (Plutarch, *Aemilius Paullus* 39). Here the form of adoption used was *adoptio* since the children were under *patria potestas* before adoption. This type of adoption seems to have been used to give a childless man an heir; the case of Paullus shows that economic benefits were a major part of the arrangement. Even without the Scipionic name behind them the sons of Paullus could have expected easy access to a career of honors. It was however an added bonus. Here we see high-status families adopting within the same caste, and concerned with pedigree and reputation as much as with any political advantages accompanying the change of status.

In these adoptions the adoptee moved from the *potestas* of the *paterfamilias* of his natal family to the power of his adoptive father. How much was expected of the new relationship? In the case of the sons of Paullus we know that some contact and involvement in the life of the father continued (Diodorus Siculus 30.22; Livy 44.37.8, 44.44.3), but the obligations associated with heirship were in due course quite substantial (Polybius 31.26.6–7; Crook (1986) 70–71). There are no other cases so well documented, and the case is complicated by the range of obligations created by a family in which remarriage had occurred (Dixon (1985b)). These adoptions extended to the provision of dowry for female relatives, not simply young ones about to be married, but also completing payments of dowry on behalf of his aunt Aemilia's daughters – who were also the sisters of his adoptive father (Polybius 31.27.1–3; Hallett (1984) 44–45).

The other type of adoption – *adrogatio* – for the adoptee resulted in his loss of status (*capitis deminutio*). As a legally independent person, his family would disappear because it would be subsumed in that of the adopter. In earlier times, this had to be performed at a meeting of the *comitia curiata*. Later the procedure was apparently carried out by 30 lictors as representatives of the *curiae* (Cicero, *On the Agrarian Laws* 2.26–31) and convened by the *pontifex maximus* (Taylor (1966) 4). The procedure was seen as important and requiring official sanction because of the abrogation of the *sacra* (*detestatio sacrorum*) of the candidate's birth family. These religious considerations seem to have had little importance by the late Republic, and both Clodius and Octavian ignored religious considerations to achieve political goals.

For the person adrogated, the consequence of the act in the short term was that his adopter had become universal heir to his estate. Since the theory was that an adrogator should be over 60, this was a reasonable short-term sacrifice for a prospective heir who thus anticipated inheriting considerably larger resources. Property must in general have been the motive for these adoptions from the perspective of the adoptee. In return the adopter got himself a nominated person to take on his lifetime obligations when he was gone, and perhaps in the interim to help him conduct his affairs. Some part may also have been played by religious considerations, although they are not prominent in any case known to us. Only Cicero's diatribe against the adoption of Clodius insists that adoptions were about *sacra*, inheritance and continuation of a name (Cicero, *On his House* 13.35) – in that order (Vernacchia (1959) 197–200; Salvadore (1992) 284–85). Nevertheless, an adoption did ensure that the adopter had a nominated person to organize his funeral and settle his lifetime obligations.

13 Praetorian Remedies and Their Impact on Adoptees

Gradually under praetorian law – the praetor was able to provide remedies by interpreting the legal rules in equitable ways – emancipated children in addition to those who were already *sui heredes* could lay claim to an estate as a result of their status as children of the deceased. This process started in the late Republic and seems to be complete by the time of Hadrian. Generally speaking adoptees were barred unless they had subsequently been emancipated, and normally they would have to have been

passed over in the will to get recognition. They could not claim if they had been expressly disinherited. Those who were admitted had to make some concession for advantages that had accrued in the interim (Watson (1971) 61–70; Vacca (1977) 166–69; Gardner (1998) 103).

14   Conclusion

Greek society strictly monitored heirship and prevented women from gaining direct control over assets, and indeed males had a stranglehold on the management of the structure of the Greek *oikos*. The *epiklerate* is an indication of the strength of paternalism, and shows how it was protected in families where a shortage of male heirs arose. Roman society, despite the theoretical strength of *patria potestas*, had a more inclusive view of the capacity of females to inherit, and there are signs that the whole system was considerably more relaxed and open than that in the Greek world.

FURTHER READING

Important work on adoption in Greece and Rome has appeared in recent years as a result of continued interest in the Greek and Roman family, but certain aspects of Greek society and inheritance have not been comprehensively reviewed for some time. For Greek succession, an old work by Caillemer (1879) is still a perceptive study, while on Greek wills Louis Gernet's article, despite flaws, holds the field, and his study of the *epiklerate* is also of value (Gernet (1920), (1921)). For other aspects of inheritance, Harrison (1968) remains essential. Schaps (1981) has a useful chapter explaining the intricacies of the *epiklerate*. The main work specifically on Greek adoption has concentrated on the fourth century at Athens (Rubinstein (1993)). I have previously made some comparisons with Roman adoptions in Lindsay (1999) and more comprehensively in Lindsay (2009). General work on the Greek family has also considered important themes relating to adoption and succession (Pomeroy (1997a); Cox (1998)). Roman adoptions have been reviewed by several scholars, since studies by Crook, who reviewed gender-balance in Roman inheritance (Crook (1967a), (1967b), (1986)). Salomies made an extensive review of adoption and nomenclature, concentrating on epigraphic evidence (Salomies (1992)). Moreau (1992) is an insightful overview of the use made of adoption in Roman society from a sociological perspective; Corbier (1991) sets adoption against other familial strategies, and Gardner ((1986), (1998)) is most useful on legal aspects including especially emancipation. Kunst has produced a significant study of testamentary adoptions and more recently a detailed work on adoption as a familial strategy ((1996), (2005)). These works are all part of a trend towards a broader and less purely legalistic appreciation of the institution. The synoptic volume edited by Corbier (1999b) is helpful in reminding us of broader concerns in relation to adoption and provides a great range of material, both temporally and culturally, including essays by Rubinstein on Greek adoptions and Gardner on Roman.

Roman "Horror" of Intestacy?

Jane F. Gardner

1   Introduction

In his book *Ancient Law*, the legal historian Sir Henry Maine (1822–88) famously spoke ((1861/1931) 181) of "the singular horror of Intestacy which always characterized the Roman." This generalization is, as often pointed out, an exaggeration; those Romans with nothing much worth leaving are less likely to have cared and not all Romans were legally able to make wills.

It is less often observed that Maine made the remark while asking why the Romans made wills at all. The urge toward will-making, he suggested ((1861/1931) 185), originated in a conflict between family sentiment and legal definition (in other words, "family" and *familia*). "What was the Family? The Law defined it one way – natural affection another." By "the Law" he meant the earliest rules known to us, those of the civil law in the Twelve Tables. It was the unfairness of these rules, he believed, that provoked the "horror of intestacy." Since he had to acknowledge that the law of intestate succession of the classical period as modified by the praetor's edict "by no means strikes one as remarkably unreasonable or inequitable," it was harder for him to explain the alleged persistence of this "horror" into the classical period. He attributed it, speculatively, to strength of "slowly changing" family sentiment and impatience at the law's delays. In this he overlooked the various other purposes, social and political as well as familial (see Champlin 1991), for which those Romans who did so made wills.

Wills or no wills, however, rules for intestate succession were always necessary. Intestacy could occur either because there was no will or because, for one reason or another, a will was invalid. Besides, wills were only one of a number of means by

which individual Romans might make provision for their families. Much more fundamental, therefore, than Maine's speculations are the questions of why the Romans formulated the civil law rules in the way that they did and why subsequent changes to these rules took the form that they did.

The rules of the Twelve Tables, like the whole structure of Roman law throughout its history, were based on the *familia*. In strict legal definition (*D* 50.16.195.2, Ulpian), this consisted of a legally independent adult male Roman, the *paterfamilias*, and the free persons who were under his legal control (*potestas*). These were his children, born in legal marriage or adopted (and grandchildren, etc., if any, in the male line only) and his wife (if in *manus*). The *familia* was never more than a legal construct, an organizational device whose definition remained virtually unchanged (as, in all major respects, did the authority and responsibilities of the *paterfamilias*) throughout a thousand years and more of Roman law. Though a purely notional "family," it was a basic building block of Roman society, providing, on the whole successfully, through the *paterfamilias* for many of the needs of law-enforcement and welfare for which we now tend to look to state agencies (Gardner (1993) 52–84).

The primary role of the *familia* in inheritance law was to look after the economic interests of family members by limiting, so far as possible, the dispersal of property; in this it proved less fit for purpose. Though it never entirely lost its primacy in the classical law of succession, the important changes that occurred appear to reflect, not change in "family" sentiment, but attempts to remedy the inadequacy of the *familia* to protect the interests of "real" families.

Firstly, the *familia* was inherently divisive; on the death of the *paterfamilias*, each individual who left *potestas* became head of a new *familia* (children of surviving sons came under the *potestas* of their fathers) and shared the entire estate. Secondly, the formation of any one *familia* necessarily involved other families. Sons brought in wives, with dowries; families with many daughters were obviously at a disadvantage, since dowries depleted the family inheritance. By the time of the Twelve Tables, Roman law had already devised a way of avoiding letting a daughter be absorbed in her husband's *familia* (Gaius, *Institutes* 1.110–11; Crawford (1996) 2.661–62, table 6.5); by the end of the Republic, it seems that few married women any longer entered *manus*. Instead they remained in their original *familia*; this in its turn created further inheritance problems, legal, material, and sentimental, for both families.

2   Succession in Civil Law

Here, a brief reminder is appropriate of the civil law rules of succession (Crawford (1996) 2.640–42, table 5.4–5; Gaius, *Institutes* 3.1–17) and some explanation of how they worked, since archaic Roman law and its society has often been (and sometimes still is) misunderstood and misrepresented by modern scholars. It is important to be aware that our knowledge of the content of the Twelve Tables depends entirely on fragmentary citations or paraphrases in much later literary and legal sources, from the late Republic onwards (for sources and reconstructed text, with translation,

Crawford (1996) is now fundamental). By that time, some important changes in the rules actually used (from civil to praetorian) had already taken place, predating both our main literary (Cicero) and legal (Gaius) sources. Neither jurists nor legally trained orators like Cicero were particularly concerned to explain legal technicalities to laymen. Moreover, the main, though still incomplete, text of Gaius' *Institutes*, a basic handbook of classical Roman law (mid second century CE), was not rediscovered, in a fifth-century manuscript in the cathedral library of Verona, until early in the nineteenth century, and published much later in that century.

The civil law recognized three classes of inheritors, in descending order of priority: (1) *sui heredes*; (2) agnates, and (3) *gentiles* – members of the *gens*. On what principle was this schema based? The *familia* itself.

Sui heredes (Gaius, *Institutes* 2.157–58, 3.1–8) were the *familia* proper, that is, those who had been in the *potestas* of the dead man (women did not have *sui heredes*) and became *sui iuris*, legally independent, at his death. They were so-called (literally "their own heirs"), jurists explain (Gaius, *Institutes* 2.157; *D* 28.2.11, Paul), because they were not so much inheriting as acquiring free control over what was in a sense already their own. That is why, in civil law, a Roman's will was invalid if his *sui heredes* were not instituted as heirs or specifically disinherited (Gaius, *Institutes* 2.123). The estate went on intestacy to the *sui* jointly and in common, each being entitled to an equal share of the patrimony. However, a badly damaged fragment of Gaius published in the early twentieth century implies that it was usual for the heirs to take steps to dissolve this involuntary and possibly impractical partnership. They did so by some form of legal procedure (*actio familiae erciscundae*) whose nature is now obscure (Gaius, *Institutes* 3.154a–b; de Zulueta (1953) 2.174–77). Children of a dead son had succession *per stirpem*, "in line of stock" – that is, sharing their late father's portion (Gaius, *Institutes* 3.8).

Until the end of the Republic at least, *sui heredes* inherited automatically, and could not opt out (Gaius, *Institutes* 2.158) – hard luck, if their inheritance was debt-ridden. In contrast, other civil law heirs were free to make a claim or not, as they wished.

Agnates, relatives connected through the male line, meant, for succession purposes (Gaius, *Institutes* 3.9–11), only the nearest agnates (*agnati proximi*), that is, the brothers and sisters (by the same father) of the dead person – in effect, the *familia* of the previous generation, with a common grandfather. In this category, as Gaius makes clear (*Institutes* 3.12, 22–23), there was no succession to the next degree, unless there were no survivors at all in that generation; then, exceptionally, brothers' children might be allowed to claim, as nearest agnates (Gaius, *Institutes* 3.16). The purpose of these limitations is clear. There might otherwise be too many potential claimants and too much dissipation of the property. *Agnati proximi* were free to claim or not, as they chose, each successful claimant being entitled to an equal share (Gaius, *Institutes* 3.12; Ulpian, *Regulae* 26.5).

Si agnatus nec essit, gentiles familiam [?]pecuniamque[?] h[abento], "*Gentiles* are to have the property [?]and goods[?], if there be no agnate," that is, no *agnatus proximus* (Crawford (1996) 2.641, table 5.4; cf. Gaius, *Institutes* 3.17; Ulpian *Regulae* 26.1–1a). Remoter agnates (males only: Gaius, *Institutes* 3.23) fell, along with a great many other persons, into what was, in effect, a default category, the *gentiles* (members

of the *gens*) – a sort of hyper-*familia*. In theory, all *gentiles* had agnatic descent, in the male line, from a hypothetical *paterfamilias* in the remote past. In practice, by the late Republic, there was considerable uncertainty about who actually counted as *gentiles*. Cicero cites (*Topica* 29) the definition put forward by Q. Mucius Scaevola (consul 95 BCE), author of the earliest systematic book on the civil law. The criteria were possession of the *gens*-name (*nomen gentilicium*), freeborn parentage, no slave ancestry and never having undergone *capitis deminutio* (change of status). There were in classical law several grades of *capitis deminutio* (Gaius, *Institutes* 1.159–63), of which change of family status (for example, by adoption or emancipation) was the mildest. Anyone adopted or emancipated lost agnatic connection with his family of birth (Gaius, *Institutes* 3.19–21). It is unlikely that Cicero (or Scaevola) meant that they were to be excluded also from membership of any *gens* (Reinhardt (2003) 57–59, 267–68).

It is hard to see how such a definition could have been workable, even in the early Republic. It would become progressively less and less so, especially given the lack of compulsory legal record of such matters as marriage or birth, as Roman society grew more complex, and the citizen body larger and more widely dispersed in and beyond Italy. The hopeful claimants to guardianship (*tutela*) of an heiress in the *Laudatio Turiae* (*ILS* 8393 = *FIRA* 3.69) perhaps relied on having the *nomen*, but they were apparently unable to demonstrate any agnatic connection at all or even membership of the same *gens*. How could one prove negatives, such as the absence of slave ancestry? Or how far back, in practice, could most people trace their descent and family connections?

How was the rule "*gentiles* are to have the estate" actually applied in practice? Neither Gaius nor Ulpian is interested in going into further detail, since, as they point out, that part of the law was now obsolete. It is best to ignore the speculations (based on no real evidence) of many modern scholars that the *gens* ever inherited collectively, still less that, in early Rome, they were the primary inheritors, while the claims of family marked a later political development (the latter theory is discussed, and given undeserved credence, in Smith (2006); the author, however, a historian of early Rome, is not a legal specialist).

An important piece of evidence (and one often misunderstood) comes from Cicero's *On the Orator*, an imaginary discussion, set in 91 BCE, at the Tusculan villa of L. Licinius Crassus (consul 95 BCE), one of the most famous orators of his day. Litigants, says Crassus, needed advocates with a thorough knowledge of civil law to represent them in the important cases which often came before the Centumviral court (which dealt particularly with disputed inheritances and succession). He proceeds to reel off several famously tricky examples from the past (Cicero is showing off his own legal knowledge here), among them *On the Orator* 1.176:

> *Quid? Qua de re inter Marcellos et Claudios patricios centumviri iudicarunt, cum Marcelli ab liberti filio stirpe, Claudii patricii eiusdem hominis hereditatem gente ad se redisse dicerent, nonne in ea causa fuit oratoribus de toto stirpis et gentilitatis iure dicendum?*
> Or what about the judgment of the Centumviral court in the dispute between [Claudii] Marcelli and patrician Claudii? When Marcelli were saying that the inheritance of a freedman's son was due to them, by descent of blood-line (*stirpe*), while patrician Claudii said

the same man's estate fell to them by *gens*, surely advocates in that case had to speak about the entire law concerning agnatic descent and membership of the *gens*?

To translate as "the Marcelli" and "the patrician Claudii" and treat these as group actions is quite unwarranted; there is no definite article in the Latin. Still less can the text be used, as some modern scholars have done, to support far-reaching and otherwise unsubstantiated assumptions about collective *gens*-ownership of property, and the nature of the *gens* itself, in early Roman society. All that Cicero is telling us is that there were a number of claimants. Some were Claudii Marcelli, a plebeian branch of the *gens*, while others were patrician Claudii; all were individual claimants.

The dead man, however, being a freedman's son, would not himself, on Scaevola's definition, have been a member of the *gens* at all. So what is going on? Whose *gentiles* were these, and on what basis did they claim? The freeborn son had already inherited as *suus heres*, but had apparently himself died without children, brothers or sisters. Under the civil law of the Twelve Tables, the inheritance of a freedman who died intestate without *sui heredes* went to the patron and his agnatic descendants (Crawford (1996) 2.646–47, table 5.8; Gaius, *Institutes* 3.40, 45; Ulpian, *Regulae* 29.1). That is, the patron (without whom he would not have been free, a citizen or had an estate to leave) was treated as a quasi-agnate (freedmen had no agnates), standing in the place of an *agnatus proximus*. The patron being dead, some of his (the patron's) supposed *gentiles* are apparently seizing the opportunity to try to secure a share in the estate, and among them various Claudii Marcelli are doing so on the basis of some claimed agnatic connection (*stirps*) with the patron. We are not told the court's decision – it is to be hoped that claimants who could at least demonstrate some kinship with the patron were given preference.

Clearly, the system was not working well. Strict adherence to the civil law rules was, given other social developments, actually encouraging the dissipation of estates away from immediate family, and submitting more and more inheritances to a contest open not only to remoter agnates but to others with nothing in common but the gentile *nomen*. Emancipated sons (daughters were less likely to be emancipated) were still (probably) members of their *gens*, and could try to claim as such, but could no longer claim any agnatic connection (Gaius, *Institutes* 3.19, 21). Worse still, the decline of *manus* meant that the intestate inheritance of a woman married without *manus* went to her agnates (or to her *gens*). Her children, if she had any (or their father, if they were still *in potestate*), had no claim (Gaius, *Institutes* 3.24; Gardner (1998) 40–41); they were neither her agnates nor, usually, her *gentiles*, and women, not having *potestas* over their children, had no *sui heredes*. Moreover, a point often overlooked is the deleterious effect the loss of a wife's economic contribution might have on the finances of humbler households, even if, depending on circumstances, all or some of her dowry could be retained (Gardner (1986) 105–107).

One of the charges in 59 BCE against Cicero's client L. Valerius Flaccus relates to his having taken the intestate estate of a certain Valeria, late wife of one Sextilius Andro. Cicero's pyrotechnic display of legal expertise leaves the facts of the case, and the basis of Valerius' claim, completely obscure (*In Defence of Flaccus* 84–86; Crook (1986) 72–73). Valerius passed on the property to a young relative of his own

(*propinquo suo*), L. Flaccus (89). Little is said of the unfortunate widower Andro, thus allegedly robbed (*spoliatus bonis, ut dicitis*); he did not come to give evidence (88). Were there any children? We do not know.

3   The Praetorian Scheme of Succession

Change was needed, and radical changes in the system did begin in the first century BCE. The civil law rules were not abolished, but they were supplemented, and in the case of the third category, the *gentiles*, effectively supplanted by provisions of the praetor's edict. The praetor could not grant, as the civil law did, a statutory right of inheritance; instead, he gave claimants *bonorum possessio*, "possession of goods," in accordance with certain rules. In the final form of the edict, as finally codified under the orders of the emperor Hadrian, there were, as in the civil law rules, three principal grades of succession (as well as a number of minor ones: Buckland (1963) 382–84). The praetor awarded *bonorum possessio* (1) *unde liberi* (*D* 38.6); (2) *unde legitimi* (*D* 38.7); and (3) *unde cognati* (*D* 38.8). The word *unde* ("from which") is jurists' shorthand for "from that part of the edict whereby" certain claims are invited (expressed in full by Julian, *D* 38.6.2, Julian: *ex illa parte edicti unde legitimi vocantur*). Though evidence for the dating of these developments is scanty, indications are that all three major categories were in the edict by the end of Augustus' reign (Buckland (1963) 370–71, 382–84; Gardner (1986) 192–93; (1998) 20–41), though only the third was in place before the death of Julius Caesar.

Applications were controlled by a system of priority of claims, not only between grades, but within each grade, with varying time limits within which each claim might be made. So we gather from a surviving fragment (*D* 38.9.1) of Book 49 of Ulpian's commentary on the edict (*Ad Edictum*; Schulz (1946) 196–201). The system was complicated and time-consuming, but tried to be fair; parents and children were given the longest period (up to a year) to claim. Some people who had not managed to apply at the right time might still be able to claim in a lower grade, if there had been no claims in the higher. All *sui heredes* were also, of course, legally agnates, and all agnates (other than by adoption), had a blood connection, and so were also cognates.

Liberi ("children") included not only *sui heredes*, but also children who had been emancipated. *Legitimi* ("heirs at law") included not only, as in the Twelve Tables, nearest agnates and patrons of freedmen (Gaius, *Institutes* 3.40, 45), but also by analogy a *parens manumissor* ("manumitting parent"), that is, the father of an emancipated child. Evidently it was still a matter of legal dispute in Gaius' time whether remoter agnates should now be admitted, under the edict, in this category, or whether they should be classed among the *cognati* (Gaius, *Institutes* 3.21, 28). There, their agnatic status as such did not necessarily give them priority; what mattered was their nearness in degree as cognates.

The most radical change, the introduction of the category *cognati*, probably came early, somewhere between 71 and 66 BCE, and some time before the other two, *liberi* and *legitimi*. Cognates were, broadly speaking, all blood relatives, both ascendant and

descendant, through both males and females, and regardless of whether or not there had been emancipation. Being adopted into another *familia* broke the agnatic connection (which was a purely legal one) to the family of birth, but not the cognatic. All *sui heredes* and all agnates were also cognates.

There seems to have been for a while some uncertainty about those who became agnates by adoption into a *familia*, without any previous blood relationship. By the early third century CE the accepted view was that someone adopted retained all cognatic relationships with his natural family and was understood to acquire them also in his adoptive family – but only with those to whom he became an agnate, the actual *familia* (*D* 38.8.1.4, Ulpian, 38.10.4.10, Modestinus). This, like the uncertainty reported by Gaius about the category to which remoter agnates belonged, emphasizes the fact that the introduction of the praetorian rules did not abolish the civil law. The agnatic *familia* still had priority, nevertheless at each stage the praetorian rules tried to safeguard the interests of close natural kin, and prevent any inheritances from straying too far away from the nuclear family.

4 The Importance of Cognates

The jurist Modestinus gives a careful explanation of cognate relationships, as recognized by law (*D* 38.10.4). Some existed in "natural law" only, some in civil law only, some in both. Women and their illegitimate children are an instance of the first (and were acknowledged in the praetorian rules of succession: *D* 38.8.2, Gaius, 4, Ulpian). Cognation arising from adoption is an example of the second, and therefore limited to the *familia* (*D* 38.10.4.2 Ulpian, 10, Paul); Modestinus notes that "civil cognation" is more properly called "agnation" since it happens through males; cognation arising from lawful marriage combines both. *Adfines* (literally "adjoining," "neighboring"), relatives by marriage (*D* 38.10.4.3, Modestinus), are the cognates of a husband and wife, and are so called "because two separate sets of cognate relationships are joined together by marriage, and each set borders on the other; for the reason for joining the relationships derives from the marriage" (*quod duae cognationes, quae diversae inter se sunt, per nuptias copulantur et altera ad alterius finem accedit; namque coniungendae adfinitatis causa fit ex nuptiis*).

Modestinus then turns aside to detail the terminology used for various relatives by marriage (in-laws) and for step-relatives (those from different marriages), without pointing out that not all of these were necessarily cognates. "Each set borders on the other," that is, they do not overlap. There is more about stepchildren below; as for in-laws, let us take, for example, Cicero's immediate family.

Cicero and his younger brother Quintus were the children of M. Tullius Cicero senior and Helvia, an exemplary housewife of good family (Cicero, *Letters to Friends* 16.26.2; Plutarch, *Cicero* 1). Cicero and Quintus, along with Cicero's daughter Tullia and his son Marcus, and Quintus' son, also called Quintus, were all related to each other both as agnates and as cognates. However, Cicero's wife Terentia was related as a cognate to no one in her husband's family except her own children. Their maternal

aunt, Terentia's half-sister the Vestal Virgin Fabia (Asconius, *in Toga Candida* 82; Plutarch, *Cato Minor* 19.5), was also their cognate – as her name indicates, she and Terentia had different fathers, but the same mother. Likewise, Quintus' wife Pomponia and her brother Atticus (Cicero's best friend) were cognates only of each other and of her own son Quintus junior.

For practical reasons, the law took account of cognate relationships only as far as the seventh degree, that being as many generations as might in the nature of things be alive simultaneously. "Nature," wrote the jurist Modestinus (*D* 38.10.4. praef.), "pretty well refuses to allow the lifetime of cognates to extend beyond that degree" (*ultra eum fere gradum rerum natura cognatorum vitam consistere non patitur*). In practice, the praetor's edict, as applied in classical law, admitted only the first six degrees and, in the seventh, children of cousins on the mother's side (*D* 38.8.1.3, Ulpian). We have a lengthy fragment (*D* 38.10.10) of a pedantic work attributed (probably falsely) to the jurist Paul, *De gradibus et adfinibus et nominibus eorum* ("On degrees and relationships by marriage and their names"). On the assumption that each possible relationship was represented, and by just one person, the sixth degree, the author calculates, contained 448 persons, and the seventh, where the text ends, 1,024 (*D* 38.10.10.17–18)!

Could this really be an improvement on the civil law succession of *gentiles*? Yes, it could, and not only because it was based on actual blood relationships, rather than the legal tie of agnation. We have to remember that the third grade of succession was reached only if there had been no claimants within the time limits in the first two; besides, claims were given priority in terms of nearness of degree of cognate relationship, the nearest being that between parent and child. The third civil law category had not been abolished, but effectively fell into disuse; clearly mere *gentiles*, who could prove neither actual relationship nor its degree, need no longer bother to apply.

We must remember, also, that not all possible cognatic relationships listed in *D* 38.10.10, Paul would necessarily be represented even once. One might have expected the contrary, where one or both partners in a marriage remarried, some more than once, and went on to have children. Sulla and Pompey each married five times, Julius Caesar and Mark Antony four and a certain group of families in Larinum, made notorious by Cicero (*In Defence of Cluentius* 11, 13–14, 21–35; Bradley (1991) 136–38; Gardner (1998) 216–19), also shows much serial marrying, and intermarrying, by both men and women. Bradley, however ((1991) 130–39, 156–62), is mainly concerned with the complexity of the network of familial relationships resulting from such practices, the living arrangements and the conjectural effect on the emotions of the people involved, rather than the effects for inheritance.

Serial marriage certainly complicated inheritance, but not all step-relatives were necessarily related as cognates. The edict reckoned cognate succession either upwards (through ascendants) or downwards (through descendants) from an original husband and wife, or sideways, through siblings and their children (*D* 38.10.1 praef. 1, Gaius). Unlike children of the same marriage, stepbrothers and stepsisters would not have the same set of cognates both on the father's and the mother's side. Stepchildren with the same father but different mothers would still be related to each other as cognates (and, indeed, agnates) but those with the same mother and different fathers

would be cognates only through their mother. "Suppose that I have a brother, from the same father only, and that he has a brother, from the same mother [only]. Those two are brothers to each other, but that second one is not a cognate of mine" (*D* 38.10.10.13, Paul).

Not all marriages, however, produced surviving issue, or indeed any children at all. Cicero's thrice-married daughter left no children and Julius Caesar died childless and without close agnates. Hence the importance of cognates.

Gaius (*Institutes* 3.18–31), while detailing various ways in which the praetorian rules as a whole were an improvement on the civil law rules, does not propose substituting the cognatic for the agnatic principle (de Zulueta (1953) 2.125). What Gaius mainly objected to was that the civil law rules excluded entirely several categories of close relatives who had either lost the legal agnatic tie, such as emancipated children (3.19), or never had it, that is, relatives through females (3.24). The latter were now especially important in preventing the dispersal of property away from blood kin (a matter of some emotional concern: Catullus 68.119–24) and keeping *gentiles* at bay. In or before 66 BCE, a certain Numerius Cluentius was awarded, in accordance with the praetor's edict, the property of his maternal uncle, C. Vibius Capax, who died intestate (Cicero, *In Defence of Cluentius* 165); this is the earliest attested instance of the edict being applied to the benefit of *cognati*.

To show the importance of this change, we might consider one of the most famous families in Roman history, and ask, "What if … ?" What might have happened if Julius Caesar had died intestate? Caesar's only child was a daughter, Julia. He was prevented by the *Lex Voconia* of 169 BCE (Gaius, *Institutes* 2.274; Crook (1986) 65–67, 69–72; Gardner (1986)170–78) from instituting her as heir in his will. Instead, he named Pompey, Julia's husband from 59 BCE until her death and that of her infant child (a daughter) in 54 BCE (Suetonius, *Julius* 83.1). This made sense, since any children born to Pompey and Julia would be in Pompey's *potestas*, and immediate heirs to his property. But what if Caesar had died before Julia, and his will had failed? Julia would have been his automatic heir, as *suus heres*; but if she also then died intestate, under civil law rules her child would have inherited nothing. There were no proximate agnates, and as Caesar himself had only sisters, the nearest possible kin who might have claimed as *gentiles* were descendants of Caesar's father's brother. As cognates, however, they were remoter in degree than Julia's infant daughter, on whose behalf the bereaved Pompey could (if he were quick – the child survived her mother by only a few days) have made a claim. Otherwise, the next nearest relatives by blood were whichever of Caesar's sisters still survived, and then their children.

None of this happened, of course, and when Caesar did die, a decade later, he left a will (Livy, *Epitomes* 116; Suetonius, *Julius* 83). Caesar's two heirs in the first grade, each receiving half, were any posthumous child of his own (whose specific inclusion or exclusion was a legal requirement for a valid will: Gaius, *Institutes* 2.130–32) and C. Octavius (the future Augustus), his great-nephew (his sister's daughter's son), on condition that he take Caesar's name. His own father had died when Octavius was only four years old. This "condition of taking the name" (*condicio nominis ferendi*) appears to have been not uncommon among the Roman elite, both men and women, merely as a way of preserving a family name (Champlin (1991)144–46). In the end,

Caesar died without children of his own. Under the will, the posthumous child's portion was divided between two other heirs in the next grade, also Caesar's great-nephews through the female line, L. Pinarius and Q. Pedius, sharing one-quarter of the estate, while Octavius received the other quarter (Suetonius, *Julius* 83).

This final will of Caesar's was carefully drafted, and gave priority to some of his nearest male relatives (all cognates); but what if it had, for some reason, failed? Once again there were no *sui heredes* or *agnati proximi*, so under civil law the inheritance would have been open immediately to claims from *gentiles* (of whom Octavius was not one). Under the praetor's edict, as it now stood, *cognati* could claim. Octavius' chances, however, of inheriting anything at all as a cognate relative would have been slim, unless, improbably, he could have dissuaded all those *cognati* nearer in degree to Caesar than himself (who included his own mother Atia) from claiming. Even so, there would still have been several of his own generation, including his sister, who were as near in degree. Worst of all, there would have been no pretext for taking Caesar's name and making political capital out of it, as he did, by representing himself (falsely) as the dictator's adopted son. He even staged a ceremony imitating that used for *adrogatio*, adoption of an orphan (Appian, *Civil Wars* 3.94; Dio 45.5.3).

As far as the course of history is concerned, the validity of Caesar's will may be claimed to have been as influential as, proverbially, the length of Cleopatra's nose. For Octavius' immediate political ambitions, his great-uncle's intestacy could have been disastrous; Caesar's nearest kin, however, would have benefited. True, Caesar himself would not have succeeded in fulfilling social expectations by bequests to friends and associates or in favoring any one family member over another. Nevertheless his property, no longer subject to payment of legacies and bequests, would still have stayed with his nearest blood relatives, his sisters' descendants. Caesar's family was perhaps unfortunate in its paucity of male agnates, but by no means unique, and the introduction of the praetorian category of *cognati* certainly helped to restrict the dispersal of property away from family.

5   Inheritance by *Liberi*

The category *unde cognati* in itself gave only a relatively small chance of inheriting anything at all on intestacy, either to relatives through females or to those primarily singled out for mention by Gaius (*Institutes* 3.19, 25–26), emancipated children. The position of the latter was considerably improved by the introduction of the praetorian category *liberi* (literally "children"), along with related changes in the rights of *sui heredes*. The history of developments is tangled, and has to be reconstructed from a few Republican literary references and later legal sources (Schulz (1951) 227–33, 270–73; Gardner (1998) 37–38, 42–46).

Emancipation seem to have been intended from the start not as a punishment for the child in question, but as a strategy variously employed in different families to enhance the economic situation of that whole particular family group (Gardner (1998) 104–14). However, civil law rules of succession left emancipated children unprotected. Under these rules, *sui heredes* were the primary heirs on intestacy, without the

option of refusal, regardless of whether the estate was valuable or debt-ridden; obviously this was a mixed blessing for them. Emancipated children, whether they had done well or badly for themselves, had no claim at all. If a *paterfamilias* wished to help an emancipated child who had not prospered, he could make a will and leave him something, but he was under no obligation to do so.

The praetorian rules allowed emancipated children, as *liberi*, to make a claim on intestacy, if they wished, in the same category as *sui heredes*. However, their claim could be outranked by that of any *sui heredes*, who had a civil law right of inheritance; emancipated children ranked as "external" heirs, and the praetor could grant them only *bonorum possessio* ("possession of goods") (Gaius, *Institutes* 2.148–49, 3.25, 3.32, 3.35–37). This would be *cum re* (effectual) only if there was no one entitled to take it away, and *sine re* (ineffectual) if it could be taken away. It was still worthwhile, however, for the emancipated child to claim. If he did not, and no civil law heirs came forward to make a claim within the time limit, he would have missed his chance. The inheritance would be offered to the next category, the *legitimi*, and he was not an agnate (whereas belated *sui heredes* were, of course, and so could still claim).

6   Opting Out (*Ius Abstinendi*) and Bringing In (*Collatio*)

Gaius' technical discussion, intended for law students, of *bonorum possessio* and related matters is to be found partly in the section of Book 2 of the *Institutes* concerning wills, valid or otherwise, and partly in that concerning intestacy in Book 3. By the time at which he was writing, there had clearly been other important changes to the law; until the reign of Hadrian, the praetor's edict was still liable to modification. Perhaps the most important change is that *sui heredes* were no longer obliged to accept the inheritance (Gaius, *Institutes* 2. 157–58). This was still the case in civil law. As Gaius explains, "They are called *necessarii heredes* because they become heirs in any event, whether they wish to or not, just the same on intestacy as when there is a will"; however the praetor's edict now allowed them to abstain on intestacy.

This important piece of information comes in Gaius' account of testamentary succession, and he associates it particularly with avoidance of personal liability – and personal shame – for a parent's debts. One "particularly rotten trick" (Crook (1967a) 125), where there was a will, was the institution of a slave, to be freed by the will and designated as the heir liable to pay creditors (Gaius, *Institutes* 2.154–56, 185–90), although, clearly, this device would not work on intestacy. However, being saddled unavoidably with a debt-ridden estate, a "ruinous inheritance" (*damnosa hereditas*), was by no means a new situation. What had brought about the change, and allowed abstention?

There seem to have been various interacting factors at work, social, emotional, and strictly practical, which made compulsory inheritance by *sui heredes* seem sometimes unfair, especially since, as we have seen, the civil law system was not working well. Gaius (*Institutes* 3.25) commented that some *iniquitates* (literally "inequalities," that

is "unfairnesses") of the civil law on intestacy had been remedied by the praetor's edict. However, he has in mind not such contingencies as the burden on *sui heredes* of unavoidable inherited debt, but, for instance, the lack of provision for emancipated children who might have fallen on hard times.

In civil law, a man's will was automatically invalid if his *sui heredes* were not instituted as heirs or specifically disinherited (Gaius, *Institutes* 2.123). This did not apply to emancipated children; however, the praetor's edict allowed them, as *liberi*, to challenge the will if they were passed over without mention, and claim *bonorum possessio contra tabulas*, "possession of goods against the terms of a will" (Gaius, *Institutes* 2.124; de Zulueta (1953) 2.98–99; Buckland (1963) 324–26). It did not make the will invalid, but did entitle them to an appropriate share of the estate, along with the *sui heredes*.

Again, this was optional, and emancipated children were unlikely to claim unless it was worthwhile. It was advisable to think carefully before committing themselves. If someone who could abstain chose to "meddle with the estate" (*bonis se immiscere*), that is, to make a claim, either against a will or on intestacy, then he could not subsequently back out, unless he was under 25 years old. In that case, the praetor's edict would help him to avoid the consequences of his youthful rashness (Gaius, *Institutes* 2.163). Moreover, *collatio* (the slightly quaint modern term is "hotchpot") might be required of emancipated claimants, as also, among *sui heredes*, of daughters who had received a dowry.

An *emancipatus* who did claim might find himself required by the praetor to contribute to the total value of the estate an appropriate part of his own property (*collatio bonorum*), before the great share-out with *sui heredes* (*D* 37.6; Schulz (1951) 229–31; Buckland (1963) 325). This was only fair, since an *emancipatus* who had prospered had had the opportunity of acquiring property for himself, whereas the *sui heredes* had not (and his claim would affect their shares). *Emancipati* were not, however, expected to make *collatio* with each other (*CJ* 6.20.9).

Among *sui heredes*, a married daughter who chose to claim *bonorum possessio* became liable to contribute the value of her dowry, *collatio dotis*. According to Ulpian (*D* 37.7.1 praef., Ulpian), the praetor's edict compelled her to do so only if she applied for *bonorum possessio*. Whether Ulpian meant *contra tabulas* or on intestacy is unclear; Gardner (1986) 110 assumes the former, but both were possible once the edict allowed *sui heredes* to abstain. However, she could be compelled to "bring in" her dowry even if she did not apply for possession, but at any point later should "meddle with her father's estate," *se bonis paternis misceat*, that is, assert her civil law right of inheritance (Gaius, *Institutes* 3.37). Hadrian's successor Antoninus Pius stated this in a rescript, saying that she could be compelled to "bring in" her dowry when the division of the estate was under arbitration (the *actio familiae erciscundae*, mentioned above). The reasoning is clear. *Sui heredes* were regarded as inheriting what was, in a sense, already their own. Married daughters had, however, already received part of the patrimony as dowry (and might, depending on events, eventually get all or some of it back), so that had to be taken into account in reckoning their share (see *CJ* 6.20.3). There were other legal difficulties, because, while a marriage lasted, the dowry was the property of another *paterfamilias*, the woman's husband (or his father), and she could not bring an action against him for its return (*CJ* 6.20.5).

Gaius does not discuss *collatio* in the *Institutes*, and our knowledge of both types comes mainly from the texts in *D* 37.6 and *D* 37.7, where jurists discuss how the law is to be interpreted in a variety of – perhaps imaginary and invariably complicated, but possible – family circumstances. These are not just examples of legal pedantry; families are infinitely variable, and it was important for both lawyers and their clients to reach a just settlement. Bradley (1991) showed that the social structure of the Roman family could be complicated; as these juristic texts show, the same might often be true of its legal structure and also of the calculation of the amount to be brought in. Anxieties, jealousies, uncertainty about the law and perhaps family rows (feelings tend to run high when inheritances are in question) are discernible in rescripts from the emperor, or rather his legal secretariat (the office *a libellis*), answering queries from individuals (see especially *CJ* 6.20 *De collationibus*). We have only the replies (which often merely restate the law) but from these the problematic situation may be deduced, at least partly.

Aemilianus' unmarried sister had apparently "jumped the gun" in promising a dowry without waiting until the heirs agreed on how to divide the property. Diocletian tells him (*CJ* 5.12.16): "Your sister, who is also heir on intestacy to your father, is not prevented from giving as dowry a share in the farm you own jointly, before the estate is divided" (that is, before the *actio familiae erciscundae*). Aemilianus may be concerned that his new brother-in-law will be shrewder than his sister in bargaining.

Sometimes enquirers merely need to be told what to do. Emancipated brothers, Gordian tells Claudius (*CJ* 6.20.6) customarily "bring in" to their brothers who remained *in potestate* only property they had at the time of their father's death (but presumably not any acquired since), though not, of course, also liability for their debts. Onesimus (*CJ* 6.20.9) seems very ill-informed even about his own situation and that of his brother; Diocletian's office has to spell out for him what needs to be established.

There are glimpses of some more serious family squabbles. Callippus' sister apparently cheated him when the property was divided and did not make *collatio* of her dowry (*CJ* 6.20.8). The provincial governor, Callippus is told, on investigating the statements of the parties concerned, will order the dowry to be counted in with the rest, and any excess found to be still with the sister will be restored to Callippus.

The widow Stratonica's husband had been his father's intestate heir, and his posthumous son had succeeded him (*CJ* 6.20.14). Her sister-in-law, the child's paternal aunt (*amita*), had applied for an action to claim the estate (*actio hereditaria*) at the time of her father's death (*patris sui temporis morte*), without bringing in her dowry. However, the emperor reassures Stratonica that the provincial governor will refuse this application. The chronology is not made explicit, but the simplest explanation, and one best fitting the Latin, is that the son's death followed soon after the father's, and the one-year time limit for applications by *sui heredes* of the latter had not yet expired. Aunt and nephew were now both *sui heredes* of the child's grandfather, but she would be rejected because she did not bring in her dowry. One may assume that relations between the sisters-in-law were strained.

7   Other Changes

Besides *liberi*, *legitimi* and *cognati*, the praetor's edict specified several other grades of succession, in descending order of priority, mostly concerning inheritance to freedmen, a specialized area, not covered in this chapter (Ulpian, *Regulae* 28.7; Justinian, *Institutes* 3.3; Buckland (1963) 384–85). What Gaius would have said about any of these grades, or about other subsequent changes to the law of succession, we do not know. We have a few disjointed phrases of *Institutes* 3.33, after which more than a page of the text of the Verona manuscript is missing or practically illegible. It seems, though, that he did not intend to discuss the praetorian categories here in any detail, apparently referring students to a separate work.

Gaius wrote (according to the conjectural reconstruction of *Institutes* 3.33) that the praetor's motive in creating several other grades was "so that no one should die without an heir" (*ne quis sine successore moriatur*). Under the Empire, if no one claimed *bonorum possessio*, the estate went "to the people" (*populo*: Ulpian, *Regulae* 28.7); that is, it vanished into the treasury and was no longer available as part of the resources of any individual household. In the interests of social stability, this outcome was to be avoided if possible.

This helps to explain the addition of the category *unde vir et uxor*. If there were no parents, *liberi*, *legitimi* or cognates to claim the estate, the husband (*vir*) or wife (*uxor*), as the case might be, of the deceased could apply for *bonorum possessio* (*D* 38.11, Ulpian; *CJ* 6.18.1). Practicality, rather than sentiment, is likely to have been the motivation behind the addition of this category. The death of either spouse could dramatically reduce the resources of a household. Roman law keenly protected the separate property of husband and wife, particularly when assigning assets at the end of a marriage, whether by death or divorce (*D* 24.1; Treggiari (1991) 365–96). Nevertheless, juristic discussion reveals clearly that it was commonplace in daily life for both partners' property to be put to use for the purposes of the household (see, for instance, *D* 24.1.28–31). Advocates defending the interests of clients, whether hostile divorcing spouses or potential heirs, might understandably tend toward strict interpretation of the rules. However, Paul advises a more realistic and humane approach (*D* 24.1.28.2): "Obviously, the law banning gifts should be applied not harshly, nor as though between enemies, but between persons bound together by the strongest affection and afraid only of want (*solam inopiam timentes*)."

The striking feature about the category *unde vir et uxor* is that it depended on no blood connection, real or (as with patrons and freedmen) a legal fiction. Assisting a household to stay viable (and perhaps form the basis, through remarriage, of a new one) was preferable to allowing property to be absorbed in the public funds. The date of this addition to the praetor's edict is unknown, but it may belong to the reign of Hadrian. Hadrian is also known as the actual or probable initiator of several measures sharing Augustan aims (encouraging marriage, the production of legitimate children and access to citizenship for outsiders prepared to live by Roman values), while remedying the unfortunate consequences of Augustus' own inept attempts at social engineering (J.F. Gardner (1996)).

Hadrianic also is the first of two important senatorial decrees concerning inheritance between mother and child, the *senatusconsultum Tertullianum* of about 133 CE and the *senatusconsultum Orphitianum* passed in 178 CE (Paul, *Sententiae* 4.9–10; *D* 38.17; Buckland (1963) 372–73; Gardner (1986) 196–200; (1998) 228–33).

The *senatusconsultum Tertullianum* allowed certain mothers, who might be either freeborn or freedwomen, to succeed to their own children not as cognates, but as *legitimi*. They came well down this category, however, ranking only just above remoter agnates and having to share with any surviving consanguineous sisters (that is, sisters by the same father) of the dead person. The mothers must have qualified for the *ius liberorum*, "right of children," either by special imperial grant or by having on three occasions (four for a freedwoman) given birth to freeborn, live, legitimate (a requirement dropped later in the century: *D* 38.17.2.1, Ulpian) children, not necessarily all by the same marriage. One more barrier was raised to dispersal of property among remoter agnates, but the net effect of these limitations was that few mothers were likely to succeed in this category.

In contrast, the *senatusconsultum Orphitianum* of 178 CE greatly improved the rights of all freeborn children to inherit from their mothers. Agnation (or "civil cognation": *D* 38.10.4.2, Modestinus) was through males only and clearly irrelevant, and the nearest degree of cognation, whether "natural" or "civil," was that between parent and child. Women's children now had priority over the entire class of *legitimi*, including manumitting parents, agnates and mother's patrons. In particular, illegitimate children and the children of freedwomen (who were sometimes the same) benefited. There were, however, drawbacks for children still under the control of a *paterfamilias* (particularly if parents were estranged, perhaps divorced and remarried), since property left to them would be absorbed in his. Some *patres* might confidently be expected to comply with social expectation, and pass the property on in due course to the mother's "natural" heirs, her children. Otherwise, mothers might try to ensure this by provisos in their wills, such as a trust (*fideicommissum*) or a condition that the *pater* emancipated the children; obviously, such strategies could work only where there was a will.

There matters rested, for almost a century and a half. Legislation starting in the reign of Constantine left the *pater* with only the right to usufruct (that is, to derive an income) from property coming to children from the mother's side. The inheritance rights of cognates, as against agnates, were further strengthened, and the two were gradually assimilated (Buckland (1963) 374–75; Evans Grubbs (1995) 114–18; Arjava (1996) 98–105).

Eventually, Justinian scrapped the old rules of inheritance, and introduced in the *Novellae* a new system, summarized by Buckland ((1963) 375). The distinction between agnates and cognates was dropped. The sexes were treated equally and inheritance now went by nearness in blood (and failing all relatives, to husband or wife). The problem of keeping the property in the family was settled. Agnation no longer mattered, at least as far as intestacy was concerned.

No obvious reason now remained (other than those due to the selfishness of individual survivors) for "horror" at the prospect of anyone's intestacy.

FURTHER READING

Modern books about Roman private law, written by and for academic lawyers, can be daunting for the non-specialist. For historians, useful introductory books are Robinson (1997) and Kunkel (1973). Borkowski and Du Plessis (2005) is a clear and accessible survey of Roman private law and legal procedure, which takes into account much recent work on Roman social history. On Roman law in its social context, the most comprehensive and readable account is still Crook (1967a).

On family law in particular, there are two collections of translated selected texts which are much more than just sourcebooks. Evans Grubbs (2002) contains a wide range of legal, literary, and epigraphic texts, many not otherwise easily accessible, with explanatory linking commentary and detailed endnotes, which in effect turn the book into a companion to the subject. Frier and McGinn (2004), designed to accompany undergraduate courses in Roman law and using the "case-law" approach to selected legal texts, is suitable for both lawyers and historians, and informative on Roman society and the nature of Roman legal thinking. Both books are equipped with good bibliographies.

On inheritance from ex-slaves (a subject mentioned only incidentally in the above chapter) a convenient starting-point for further study is two chapters in Rawson and Weaver (1997): Gardner (1997) and Weaver (1997).

Promoting *pietas* through Roman Law

Judith Evans Grubbs

1 Introduction

Pietas was the quintessential Roman "family value." The word itself cannot be translated with one or two words into English: "family feeling" is too nebulous, and "sense of duty and responsibility to family members (and to the gods and the state)" conveys the idea only very imperfectly and leaves out the more affective aspect of *pietas*. Although usually associated with the dutifulness expected of children towards their parents, *pietas* was a two-way street; as Richard Saller has stressed, "the Romans associated *pietas* in the context of the family not so much with submission to higher authority as with reciprocal affection and obligations shared by all family members" (Saller (1988) 399).

   Pietas was expressed and celebrated in Latin literature; one thinks especially of the *pius* Aeneas of Virgil, dutiful to father, son, gods, and allies. The moralist Valerius Maximus devoted a chapter of his *Memorable Deeds and Sayings* to examples of *pietas* toward parents, brothers, and fatherland (Valerius Maximus 5.4; Saller (1994) 105–14). *Pietas* features on imperial coinage (Rawson (2003) 40, 64) and epitaphs praise children for their *pietas* towards parents (Sigismund Nielsen (1997); Laes (2004b)). And *pietas* was also a concern of Roman law, for often it was in the legal realm that family *pietas* was manifested or violated.

   This chapter looks at how the Roman government promoted the ideal of *pietas* through law in the second and third centuries of the Empire. It focuses on the evidence of imperial rescripts, replies by the emperors to inquiries from officials and to petitions from ordinary subjects. Rescripts from second-century and early third-century emperors have been preserved in the *Digest* in the writings of jurists (legal

experts) who either summarized the gist of the rescript or quoted it verbatim. An even more informative source, the *Code of Justinian*, preserves about 2,500 rescripts of emperors from Hadrian through to Diocletian, with the vast majority of those preserved coming from the third century, especially the reign of Diocletian (284–305). Whereas most rescripts found in the *Digest* were sent to officials inquiring about particular cases, the majority of the rescripts in the *Code of Justinian* were addressed to ordinary men and women throughout the empire, including freed people, soldiers and even slaves. Unfortunately neither the *Digest* nor the *Code* (both compiled under the sixth-century emperor Justinian) has preserved the text of the petitions which prompted the imperial replies, but it is still possible to discern the issues underlying them (Evans Grubbs (2005a)).

The rescripts of the *Code of Justinian* have engendered a great deal of scholarship, primarily about the mechanics of the rescript system and the question of their authorship. Composition of rescripts to private petitioners was the responsibility of the secretary *a libellis* ("for petitions"), but they were issued in the name of the current emperor (or emperors). It is unlikely, however, that third-century emperors had much personal input into the contents of rescripts emanating in their name. Tony Honoré has proposed that secretaries *a libellis* were responsible for both their wording and contents and has identified several of the secretaries with jurists whose writings are found also in the *Digest* (Honoré (1994)). But for the purposes of this study it does not really matter whether the emperor himself wrote or even was aware of the contents of rescripts under his name. The men and women who received rescripts in response to their petitions regarded them as the decision of the emperors, and could approach their provincial governor or other authority for redress based on the imperial ruling. The rescript system illustrates the "hands-on" style of ruling and the access to the imperial ear that Roman subjects were supposed to enjoy (Millar (1977) 240–52, 466–77, 537–49).

Most of the third-century rescripts in the *Code of Justinian* are responses to petitions from provincials. Those from the period of Diocletian (284–305) and his Tetrarchy (293–305) are almost all from the eastern half of the empire (and therefore the product of Diocletian's chancellery, although they appear in the *Code* under the names of all those reigning); earlier rescripts also frequently refer to the governor or give other indications that the recipient was a provincial. After the Edict of Caracalla in 212 which granted Roman citizenship to all free inhabitants of the empire, these petitioners were Roman citizens, and therefore subject to Roman law, including family law. The rescripts inform these new citizens of their obligations under the law and clarify aspects of Roman law that differed from local law and custom. In the rescripts, Roman emperors set forth the expectations of *pietas*, informing petitioners of their responsibilities and reproaching those who had not acted in accordance with Roman family values. Thus the rescripts served as an instrument for "juridical Romanization," the spreading of imperial law and legal procedure (Coriat (1985)).

As recent studies have shown, however, "Romanization" was not merely a top-down process of imposing the Roman way on passive provincials, but a mutual accommodation and adjustment. And even before 212, non-citizen provincials were availing

themselves of the Roman legal system. The first-century Flavian municipal law, as known now from a bronze inscription found at Irni in Spain, assumes the existence of *patria potestas* (paternal power) and *tutela impuberum* (guardianship of fatherless children below puberty) among Latin citizens of Irni, who as long as they were at Irni lived under Roman rules as "pretend-Romans" (Gardner (1993) 188–91; (2001)). Irni was in a Latin-speaking western province which had been exposed to Roman culture and law since the Republic. But also in the much less "Romanized" east, some provincials resorted to Roman law, like the Jewish woman Babatha who lived in the early second century in the recently created province of Arabia and undertook legal proceedings against her son's guardians (*PYadin* 13–15; Cotton (1993); Evans Grubbs (2002) 250–54).

The assimilation of Roman law into provincial practice accelerated after 212 (Modrzejewski (1970) 347–62). This included even the adoption of Roman *patria potestas* (paternal power), the all-encompassing authority of the father over his children which the jurist Gaius had said was "a right unique to Roman citizens" (*Institutes* 1.55). By the end of the third century, papyri from Egypt, where there is extensive documentary evidence for actual practice, show adoption of such Roman legal institutions as *patria potestas* and the *curatela* (curatorship) of minors below 25 (Arjava (forthcoming)). This does not mean that everyone fully embraced Roman law or changed their traditional ways, of course. Some new citizens in Egypt appear to have interpreted paternal power somewhat differently than did Roman jurists (Arjava (1998) 155–59). As we will see, rescripts of the late third century indicate that some provincials continued practices that certainly did not meet with imperial approval.

2   *Pietas, Obsequium,* and Proper Family Feeling

Although the *paterfamilias* in theory had complete power over the persons and property of his children, a father who used his *potestas* arbitrarily or abusively faced social disapprobation and sometimes legal penalties. Trajan forced a man to emancipate a son whom he had mistreated "contrary to *pietas*" and after the son died, denied the father possession of his son's property to which he would normally have been entitled (*D* 37.12.5, Papinian; Gardner (1998) 110–11). Hadrian exiled a father who had killed his son while hunting; the son had been having an affair with the father's wife, his stepmother. "For paternal power ought to be based on *pietas*, not savagery," remarks the jurist Marcian (*D* 48.9.5).

Particularly egregious was the selling or pledging of one's child into slavery (Vuolanto (2003); Fossati Vanzetti (1983)). Although a passage in the Twelve Tables (ca. 450 BCE) implies that in early Rome sale of a child into temporary debt-slavery was allowed (Watson (1975) 117–21; cf. Kelly (1974)), by the imperial period sale or pledging of a freeborn child was illegal and the sale was void. There does not, however, seem to have been a penalty for the parent who sold or pledged a child.

Several rescripts of the period of Diocletian's Tetrarchy clearly condemn the enslavement of children by their parents in this way (*CJ* 4.43.1 (294 CE), 2.4.26 (294 CE), 8.16.6 (293 CE)). Diocletian and Maximian reply to Olympius:

> If you sold your own free son to your son-in-law who, as he is joined in the closest
> relationship to you, is not able to pretend ignorance, both of you, confederates in crime,
> lack an accuser. (*CJ* 7.16.37 (294 CE))

A century earlier, Septimius Severus and Caracalla told Optatus that it is "unbelieva-
ble" that anyone would give his *alumni* (foster children) as a debt-pledge; evidently
Optatus had done this very thing (*CJ* 8.16.1 (197 CE)). *Alumni* were in a particularly
vulnerable position, since they were not the legitimate children of the *paterfamilias*
but occupied a quasi-filial role in the family (Rawson (1986b) 173–86; Sigismund
Nielsen (1987); Smodlaka Kotur (1994)). Since they may have been slave-born orig-
inally or even foundlings, their foster parents could have considered them expendable
during hard times.

Mothers who sold their children also came in for criticism. Caracalla told a woman
named Saturnina:

> You confess that you have committed an illegal and dishonorable deed, since you claim that
> you sold your freeborn children. But since your deed ought not to be an obstacle to your
> children, approach the appropriate judge, if you wish, so that their case may be undertaken
> according to the procedure of the law. (*CJ* 7.16.1 (between 211 and 217 CE))

As a woman, Saturnina did not have *potestas* over her children. Since no mention is
made of a father, she may have been a widow, who had been forced into selling her
children out of extreme need. (In the fourth century Constantine did allow parents to
sell their newborn, though not older, children out of need: *CJ* 4.43.2 (329 CE).) The
children may have been illegitimate, and therefore would never have had a *paterfa-
milias* at all. In that case they were still Saturnina's responsibility: mothers of illegiti-
mate children could be forced by law to support them, and they her (see below).

Children also were bound by filial duty and respect not to abuse or malign their
parents. To treat a parent disrespectfully merited punishment at the hands of Roman
authorities. Even a serving soldier who offended against his parents was to be punished,
because a man who accused the father and mother who had raised him of wrongdoing
was unworthy of the military. Freed people too, although they had no legal relation-
ship to their own parents (because slaves did not legally have family), were expected
to venerate them, for "the rule of *pietas* ought to be preserved according to nature"
(*D* 37.15.1, Ulpian).

Proper behavior towards parents included *obsequium*, the obedience owed by
children to parents and freedmen to patrons (Gardner (1993) 23–25), and *reverentia*,
submissive respect. Provincial governors were authorized even to "threaten and
terrify" a son whose father had denounced him for lack of *obsequium* (*D* 1.16.9.3,
Ulpian). After a mother named Galla petitioned Valerian and Gallienus about the
disrespect shown by her son, they replied:

> It certainly seems more fitting that any controversies arising between you and your
> children be brought to an end within the household. But if the matter is such that
> because of their injuries to you, you have proceeded to go to law and [to seek] punish-
> ment, the governor of your province, after you have approached him, will order that the

usual legal rule be employed concerning disputes, even of money. Moreover, he will force your children to show the reverence owed to a mother, and if he discovers that their wickedness has advanced to unkinder injuries, he will punish more severely the insult to filial duty. (*CJ* 8.46.4 (259 CE))

The dispute between Galla and her children seems to have started over money; under Roman law, women could and often did own property and make wills, and mothers with property to bequeath had an important weapon to use against uncooperative children (Dixon (1988)). But in this case, things had gotten so serious that Galla began legal proceedings, and the rescript hints at "unkinder injuries," possibly even physical abuse by the (probably adult) children. This reply tells us not only about a domestic situation which would otherwise have left no trace in the historical record, but also about the imperial ideology of family relations: injuries to *pietas* are reprehensible and the governor can enforce filial respect, but such affairs really ought to have been kept "within the household."

In general, imperial law did not approve of family members acting against each other in court; a rescript of the Tetrarchy states succinctly: "Parents and children should not be admitted to testify against each other even if they want to" (*CJ* 4.20.6 (294 CE)). And it was a clear breach of *pietas* for a child to take his or her parents to court. Alexander Severus was displeased by the desire of Petronius and his sibling(s) to bring their mother to court on a charge of forging a *fideicommissum* (trust) to herself, evidently in their father's will. "It is not allowed by my school of thought (*secta*) for you to move an accusation of forgery or any other capital crime against your mother," he replied; rather, if the children had doubts about the veracity of the writing, the truth could be determined without criminal charges being brought (*CJ* 9.22.5 (230 CE)). Diocletian and Maximian told Roxana that children who had been emancipated from paternal power could sue their parents if they had received official permission; she evidently wished to sue her mother (*CJ* 2.2.3 (287 CE)). Another emancipated daughter, Aphrodisia, was in a dispute with her father over property she had inherited from her mother. She had made an agreement with him (probably not to bring charges against him regarding his management of her property) but now thought that the arrangement had been to her disadvantage. Diocletian and Maximian told her that although there might be other legal remedies, she should not bring an action for fraud against him because of *paterna verecundia*, the deference owed a father (*CJ* 2.20.5 (293 CE)).

Emperors frequently tell their subjects what filial *pietas* allowed or required. Gordian informed Justa that if she freed a slave whose manumission her mother had prohibited, she would be violating the "laws of filial duty" (*iura pietatis*). Evidently Justa's mother had left Justa the slave in her will, but had specified that he not be manumitted (*CJ* 7.2.7 (240 CE)). Alexander Severus assured Artemidorus, an offended father:

> If your son is under your power, he was not able to alienate things he acquired for you. You will not be prevented from chastising him under your right of paternal power if he does not recognize the *pietas* owed to a father, and if he perseveres in the same contumacy you will be able to use a more severe remedy and bring him before your province's governor, who will give the judgment which you indeed wish to be given. (*CJ* 8.46.3 (227 CE))

Under Roman law, fathers owned anything that children under their *potestas* acquired, which not surprisingly was a source of discontent to some adult children. Here it seems that Artemidorus' son was acting for his father in acquiring property, and assumed that he could also dispose of the property as he wanted. The provincial context suggests that the son may not have fully comprehended the meaning of *patria potestas* which, as the jurist Gaius remarked, was unique to Romans (*Institutes* 1.55).

A more unusual violation of filial duty emerges from a rescript of Alexander Severus replied to Perpetuus:

> Children are not able to take as wives the concubines of their own parents, since they appear to be doing a not at all pious (*religiosa*) or acceptable thing. If they have done so contrary to this rule, they are committing the crime of *stuprum*. (*CJ* 5.4.4 (228 CE))

Perpetuus' reason for petitioning the emperor is not clear – was he an outraged father or a son who wished to marry his father's concubine, perhaps after the father had died or discarded her? The tone of moral disapproval is notable, though not unique amongst the rescripts. Interestingly, the response puts a father's concubine in the same category as a stepmother: both are off-limits to a son, and sexual relations between a son and his father's concubine, even in marriage, is considered *stuprum*, illicit, and dishonorable sex punishable under the Augustan adultery law (Treggiari (1991) 277–94).

Proper familial behavior also included the mutual obligation to provide financial support and shelter. Second-century emperors had a particular interest in the duty of parents to provide nurture and support to their children and the reciprocal obligation of adult children to support aging or infirm parents (Parkin (2003) 213–16). There are at least ten rulings of second-century emperors on the topic of support for children or parents preserved in either the *Code of Justinian* or the *Digest* (*D* 25.3; *CJ* 5.25). Although such a concentration of decisions in this period could be simply an accident of source preservation, contemporary imperial alimentary foundations for needy Italian children evince the same concern for the welfare of children, and *pietas* is often invoked on second-century Roman coins (Rawson (2003) 59–70).

One of the very earliest rescripts in the *Code*, from the emperor Antoninus (whose sense of duty to his adopted father Hadrian earned him the sobriquet of "Pius"), declares: "It is right for children to hasten to assist their parents' needs" (*CJ* 5.25.1). Bassus may have been a parent or child involved in some inter-generational dispute, who had petitioned the emperor for a legal ruling, or a judge faced with adjudicating a family quarrel. Another second-century rescript, from the "deified brothers" Marcus Aurelius and Lucius Verus, is more specific: "The appropriate judge will order that you be supported by your son, if he has the means to be able to offer you support" (*CJ* 5.25.2 (161 CE)). The recipient, Celeris, was probably elderly or infirm and was seeking support from his son, who was evidently reluctant to help. With this rescript in hand, Celeris could approach a local official and ask that his son be forced to take care of him. Daughters as well as sons were responsible for maintaining

indigent parents. Diocletian and Maximian reassured Donatius, the father of an allegedly disrespectful and negligent daughter, "Your daughter will be compelled by the authority of the governor of the province to show you not only respect (*reverentia*), but also support of your means to live" (*CJ* 8.46.5 (287 CE)).

Nor were children expected to provide only for needy fathers or other male relatives in the agnate line; according to Ulpian, a judge might decide that mothers and other maternal relatives required help. This should be decided on a case-by-case basis, depending not only on the needs or infirmities of the recipient, but also on what a sense of fairness and affection for kin required (*D* 25.3.5.2, Ulpian). *Pietas* demanded that a son serving as a soldier should support his parents, if he had the resources (*D* 25.3.5.15, Ulpian). Even a son who had not yet reached puberty, if he had been emancipated, could be forced to support his needy father, though such a situation was probably unusual (*D* 25.3.5.12, Ulpian). Again, the rescripts offer examples. Gamica had given a gift to her granddaughter in return for support (*alimenta*). But the granddaughter did not wish to fulfill the condition, and therefore, Valerian and Gallienus ruled, Gamica was justified in seeking revocation of the property she had given (*CJ* 8.54.1 (258 CE)).

The existence of fathers dependent for basic sustenance on their children, including daughters, runs counter to traditional ideas of paternal power and the principle that a *paterfamilias* had legal ownership over all the property possessed by the children in his *potestas*. But *patria potestas* may have little relevance here. The fathers who ask the emperor to force their children to support them are not the wealthy landowners of the senatorial and local aristocracies, but working-class men whose livelihood depended on their ability to do manual labor. When they could no longer work, because of old age or ill health, they had to fall back on family. In a society with no Social Security or other state "safety net," the elderly and infirm depended on their children for support. The lot of an elderly man who could no longer work for himself and did not have the comfort and security that wealth bought could be wretched indeed – and even worse was the fate of a destitute woman (Parkin (2003) 203–72).

Parents were also expected to support their children. Rescripts and jurists' discussions suggest there was a regular procedure for ordering a parent to pay child support (*alimenta*), which could come into play in cases where the parents were divorced or where the alleged father denied paternity (Evans Grubbs (2005b)). Septimius Severus and Caracalla assured a petitioner named Sabinus that if his father refused paternal *pietas* to him, he could approach a judge to order his father to support him; they add, however, that if the father disputed paternity, that question would have to be decided first (*CJ* 5.25.4 (197 CE)). In another case Antoninus Pius responded to a son who was evidently already an adult that he could request a judge to order his father to support him "according to his means" but "only if, since you say you are a craftsman, you are in such a state of ill health that you are not able to provide for yourself by your work" (*D* 25.3.5.7, Ulpian). Clearly, both father and son were not from the wealthier strata of society. The rescripts on *alimenta*, whether from parent to child or child to parent, reveal a level of society not usually seen in Latin literature or Roman law (Saller (1994) 126–27).

3   Maternal Expectations

Mothers, too, had a duty to provide *alimenta* in cases where a father would not or where there was no father, since illegitimate children were the responsibility of their mother alone (*D* 25.3.5.4, Ulpian). Several rescripts reprove mothers for expecting to be reimbursed for the money they spent on their child. Marcus Aurelius told a mother named Antonia Montana that judges would decide how much of the money she had spent on *alimenta* for her daughter ought to be paid by the girl's father, but added, "You should not demand what you would have expended on your daughter out of maternal feeling (*materno affectu*) even if she were being raised by her father" (*D* 25.3.5.14, Ulpian). Similarly, Alexander Severus told Herennia, "You do not ask with good reason for the *alimenta* which you offered to your children to be repaid to you, since you acted at the demands of maternal *pietas*" (*CJ* 2.18.11 (227 CE)). He added that if Herennia had actually acted not out of maternal liberality but with the intention of being repaid, she could bring an action for *negotia gesta* (administering affairs on the behalf of others), which would enable her to be reimbursed. But in other cases emperors make it clear to mothers that they should not expect compensation for money they had spent on behalf of their children. Septimius Severus and Caracalla told a widow named Sopatra that if she brought charges of malfeasance against her children's guardians, she could not be reimbursed, since her efforts on their behalf was a *munus pietatis*, a gift made out of her maternal sense of duty (*CJ* 2.18.1 (196 CE)). And Diocletian and Maximian reproached Diogenia for expecting to be reimbursed for redeeming her son from captivity: she should have done this out of desire to recover her child and distress at his capture rather than in expectation of gain (*CJ* 8.50.17 (294 CE)).

Other rescripts inform mothers of the obligations that maternal *pietas* placed on them. Widowed mothers were responsible for seeing that a *tutor* (guardian) was appointed for children who were still *pupilli* (boys below the age of 14, girls below the age of 12); those who failed to do so lost their succession rights to the child under the second-century *senatusconsultum Tertullianum* (*D* 38.17.23–47, Ulpian; *D* 26.6.2.2, Modestinus). A rescript of Diocletian and Maximian refers to this responsibility as an *officium pietatis* (obligation of *pietas*: *CJ* 5.31.9 (293 CE)). Alexander told a mother named Otacilia, "A mother's *pietas* can tell you whom you should seek as *tutores* for your son, but also to observe that nothing is done in regard to the property of a *pupillus* son other than what is necessary" (*CJ* 5.31.6 (224 CE)). A mother could not appoint a *tutor* herself, however; she had to approach the appropriate magistrate (the praetor or a provincial governor) to see that one was appointed. Still less were mothers allowed to serve as tutors themselves; as Alexander also informed Otacilia, "To undertake guardianship is a man's obligation, and such a duty is beyond the weakness of the female sex" (*CJ* 5.35.1 (224 CE), originally part of the same rescript as *CJ* 5.31.6, above). The idea that "womanly weakness" prevented women from participating fully in public and legal life appears frequently in legal writings, even though it was recognized that many women were quite capable of managing their own affairs (Gaius, *Institutes* 1.190; Dixon (1984); Gardner (1993) 85–109).

Thus Diocletian and Maximian tell another widowed mother, Dionysia, "It is generally agreed that undertaking the defense of someone else is a man's duty and beyond the female sex. Therefore if your son is a *pupillus*, request a *tutor* for him" (*CJ* 2.12.18 (294 CE)).

These cases point up the legal and social responsibilities assigned to mothers in the imperial period. Mothers did not have *potestas* over their children as fathers did. Yet they were not only supposed to see that a guardian was appointed for their children but also had the right, indeed the duty, to ensure that the guardian did not abuse or cheat his *pupilli* and to bring legal charges against him if he did. And mothers, including provincial women, did challenge the motives or competency of their children's guardians, as we know not only from several rescripts addressed to mothers contemplating legal action (*CJ* 5.43.1 (212 CE), 5.43.3 (229 CE)), but also from the archive of Babatha, the Jewish woman living in the province of Arabia (*PYadin* 13–15; see above). The legal texts that refer to this right often cite the demands of *pietas* to justify allowing a woman to act in court on behalf of her child (Evans Grubbs (2002) 240–42). Mothers were also expected to provide financially for their children and make provision for them in their wills. By the second century these expectations were being expressed in law as well, as the *senatusconsultum Orphitianum* gave children priority in inheriting from their mother (Dixon (1988) 41–70; Gardner (1998) 209–67; Vuolanto (2002)).

4   Undutiful Will

Perhaps no legal action so well encapsulates the duty of family members to respect and support each other as the *querela inofficiosi testamenti* (complaint of undutiful will). This complaint could be brought in cases where a deceased family member had not properly provided for the claimant in his or her will (Dixon (1988) 51–60; Gardner (1986) 183–90). Ulpian remarks that complaints of undutiful will were frequent (*D* 5.2.1, Ulpian), and the large number of rescripts devoted to that topic in the *Code of Justinian* (3.28.1–26) confirms his observation. Often a child would challenge the will of a negligent or even hostile parent, perhaps because children of a first marriage were passed over in favor of a new spouse. Gaius says that parents generally injure their children in their wills because they have been "corrupted by a stepmother's enticements or incitements" (*D* 5.2.4) and Pliny the Younger recounts a case where he acted on behalf of a woman disinherited by her 80-year-old father shortly after his remarriage; the stepmother, who had been heir to a sixth of her husband's estate, lost the case (Pliny, *Letters* 6.33). A rescript from Diocletian and Maximian to a woman named Statilia, whose husband had made her sole heir and disinherited his daughter, tells her that there is no doubt that the daughter can bring a claim against her father's will and take the entire estate; presumably Statilia is the second wife and the daughter is from a previous marriage (*CJ* 3.28.22 (294 CE); Gardner (1998) 227). But not only children could bring a claim; Carinus and Numerianus tell Flora, whose son had made his sister heir but passed Flora over, that she could ask her provincial governor to hear a claim of

undutiful will (*CJ* 3.28.17 (284 CE); Watson (1973) 28). Many of these rescripts are clearly directed to recipients in the provinces, showing how widespread Roman inheritance law and ideas about equitable distribution of family wealth were throughout the empire.

Disinheriting a child was a serious move, and a parent needed good reason to do so, or the will would be open to challenge. Diocletian and Maximian caution Apollinaris, a father who was contemplating cutting off his misbehaving daughter:

> If your daughter is living shamefully and in criminal foulness so that you think she should be excluded from inheriting from you, you will have the free choice of your final judgment, if you have been impelled to this hatred because of her deserts and not from rash anger. (*CJ* 3.28.19 (293 CE))

Some omissions were justified. Alexander Severus told Ingenuus that although a man who fought in the arena of his own free will retained his citizenship and could receive inheritances, if he were disinherited he had no right to bring a complaint of undutiful will, since a parent would quite rightly judge such a son unworthy of succession (*CJ* 3.28.11 (224 CE)). Ingenuus may have been a father contemplating disinheritance or a son facing it; his name, meaning "freeborn," suggests that gladiatorial combat was beneath his social station. On the other hand, parents were not justified in threatening a daughter with loss of inheritance if she did not divorce the husband whom she had married with their approval. This situation occurs in two rescripts of Diocletian and Maximian, one addressed to the son-in-law whose wife's mother was trying to break up their marriage (*CJ* 3.28.20 (294 CE)) and one to the daughter who had married at her father's wish and later was disinherited by him for not divorcing (*CJ* 3.28.18 (286 CE)). Maxima, who actually did divorce at her mother's demand, was chided by Valerian and Gallienus: not only was her mother's threat to disinherit her if she did not divorce of no use, but Maxima had preferred material interests to marital harmony. "Return to your husband," they tell her (*CJ* 6.25.5 (257 CE)). The right of a father to force his daughter to divorce against her will was curtailed in the second century; a mother had never had such a right (Evans Grubbs (2005a) 112–22). But this did not prevent parents who disliked their son-in-law from trying to exert financial pressure.

Several rescripts address cases where an angry relative has tried to take back a gift already given; in one case the petitioner's mother-in-law even burned the documents attesting the gifts she had given to her granddaughter, thinking that would nullify the gifts (*CJ* 8.55.2 (277 CE)). It did not, of course; in classical Roman law a gift legally given could not be revoked, as two brothers whose mother tried to sell the property she had already given them were no doubt relieved to learn (*CJ* 8.55.3 (284 CE)). More often, it appears that parents played favorites and gave more to one child than another while they were still alive (*CJ* 6.50.5 (223 CE), 3.29.1 (245 CE), 3.29.2 (256 CE), 3.29.7 (286 CE), 3.29.6 (286 CE), 3.29.8 (294 CE)). The neglected children could bring a suit of "undutiful gift" on the analogy of the complaint of undutiful will (Gardner (1998) 83–85).

Even when parents did not take the drastic step of disinheriting a child, they could still make their displeasure known in a way that would chastise and mortify. Alexander Severus told Juventius:

> Those things which a father wrote in his will reproving his children do not make them infamous in law, but they do bring down the reputation of the one who displeased his father in the eyes of good and serious-minded men. (*CJ* 2.11.13 (229 CE))

Sometimes it was hard to know if a parent had actually intended to disinherit a child. Januarius' wife had made their two children heirs in her will, but had died in childbirth with a third child, who was unmentioned in the will. Januarius wanted to know whether the child should bring a complaint of undutiful will. Septimius Severus and Caracalla counsel against this step: better to rectify the inequity by a "conjecture of maternal *pietas*," assuming that only her unexpected death had prevented his wife from changing her will and dividing the total inheritance by three rather than two (*CJ* 3.28.3 (197 CE)).

This is not the only time that emperors, or the lawyers whose advice informs the rescripts, interpreted a mother's will to accord with their ideas of maternal duty. Sometimes a mother would make her children heirs on the condition that their father emancipated them from paternal power, so that rather than her property going to the children's father (as it would if they were still under his power), the children would receive it directly (see Pliny, *Letters* 4.2 for an example). Several cases are known from the legal sources, particularly involving divorced women who distrusted their ex-husband's intentions (*D* 32.50 praef., Ulpian; *D* 36.1.23 praef., Ulpian; *CJ* 6.25.3 (216 CE), 8.54.5 (294 CE); Gardner (1998) 104–10). In one rescript we hear of a mother, "who had unfavorable suspicions about her husband's character" and so required that he emancipate her children before they could inherit from her. The father refused to do this, instead trying to bring a complaint of undutiful will on his children's behalf. The emperors were having none of it: not only had the mother not done her children an injury but she was actually looking out for their best interests (*CJ* 3.28.25 (301 CE)).

Provincial women who held Roman citizenship (which would include all free women after 212) readily adopted the Roman strategy of making their children heirs in such a way that the property would not come under their father's control. One of the earliest cases known is that of the divorced wife of the Spartan Tiberius Claudius Brasidas, who left property by means of a *fideicommissum* (trust) to her sons to take effect after their father died. As it happened, Brasidas emancipated his sons, and Marcus Aurelius, after holding a hearing about the case, decided that the sons could receive the property from their mother then rather than waiting until their father died since that would accord with their mother's intention (*D* 36.1.23 praef., Ulpian; Gardner (1987)). Brasidas was a Roman senator, and he and his wife were of the "Romanized" elite of second-century Achaia, so it is perhaps not surprising that she knew enough about Roman law to employ a *fideicommissum* in order to avoid the consequences of Roman paternal power. But a century later we find a similar strategy used by a mother of less exalted rank in Hermopolis, Egypt (*CPR* VI.78, 265; Arjava (1999)).

5   Roman Law and Provincial Practice: Accommodation and Conflict

Sometimes, however, provincials did not so readily adapt to Roman ways. One aspect of family life where Roman law differed from local practices, particularly in the eastern empire, involved a widowed mother's guardianship of her fatherless children. Maternal guardianship was recognized in some cultures: rabbinical sources of the first and second centuries indicate that Jewish law allowed a widow to be guardian to her children if her husband had appointed her (Cotton (1993) 98–100), and inscriptions from Asia Minor and papyri from Egypt attest mothers serving as guardians and managing the property of their fatherless children (Montevecchi (1981); Chiusi (1994); van Bremen (1996) 228–30; Vuolanto (2002)). Roman jurists were aware of this; Papinian notes that if a man's will had entrusted the guardianship of their children to his wife, this was of no effect in Roman law. "Nor," he adds, "if the governor of the province erred through inexperience and decided that the father's wish is to be followed, will his successor be correct in following his ruling, which our laws do not accept" (*D* 26.2.26 praef.). Apparently even some provincial governors were unaware of the Roman prohibition on mothers serving as their children's guardian, and were ratifying such appointments when they had been made by the father in his will. Papinian's emphasis on "our laws" suggests that the husbands making such appointments were provincials who had recently acquired Roman citizenship but were continuing to use their native laws and customs.

Papinian (who was executed in 212) was writing in the years before Caracalla's Edict which granted Roman citizenship to all free inhabitants of the empire. Before and after 212, newly enfranchised provincials developed ways of circumventing the Roman prohibition on women as guardians; in Egypt, we find widowed mothers named as "assistants" (*epakolouthetriai* or similar terms) to the official guardian, who were no doubt fulfilling the same functions as they always had (Modrzejewski (1970) 361; Vuolanto (2002) 218–23). Eventually, Roman law officially recognized the right of a mother to act as her child's guardian. The first explicit statement of this is a law of Theodosius I allowing a widow to serve as her children's guardian provided she made a formal declaration not to remarry and thereby subject her children to the potentially hostile influence of a stepfather (*Codex Theodosianus* 3.17.4 = *CJ* 5.35.2 (390 CE)). However, there may have been earlier fourth-century legislation on this matter that has not survived (Chiusi (1994) 191–95; Arjava (1996) 91–92).

Other local practices, however, never became acceptable to imperial law. Three rescripts from the reign of Diocletian explicitly reject non-Roman customs. A rescript to a petitioner named Zizo says:

> No even among foreigners (*peregrini*) was anyone able to make himself a brother through adoption. Therefore, since what you say your father wanted to do was invalid, the governor of your province will take care to restore to you the portion of the inheritance which the man against whom you are appealing holds as if he had been instituted heir as an adopted brother. (*CJ* 6.24.7 (285 CE))

Adoption in Roman law, whether by *adoptio* (adopting someone who was under the paternal power of someone else) or *adrogatio* (adopting a person who was already legally independent) was intended to create a vertical family bond, not a horizontal one, and the adoptee would come under the legal power of the adopter. By the third century adoption could be done before a provincial governor, though imperial rescript was needed to ratify special cases; adrogation required imperial approval (Gardner (1998) 126–32). Since women did not have *potestas* over another, even their biological children, they could not legally adopt others (Gaius, *Institutes* 1.104). However, a rescript of Diocletian and Maximian to a woman named Syra, dated six years after the reply to Zizo, makes an exception: "Since, as a comfort for the loss of your own children, you wish to have your stepson in place of legitimate offspring, we agree to your wishes" (*CJ* 8.47.5 (291 CE); Gardner (1998) 155–59). Here the loss of her biological children meant that Syra would have no one to take care of her in her old age or to inherit her property after she died. Her stepson, a blood relation of her husband and someone with whom she already had an affective relationship (he was probably living with her), could do both in a way that conformed to Roman ideas about family roles.

The case of Zizo's father and his adopted "brother" was quite different. Not only was lateral adoption alien to Roman law, but Zizo's father already had a natural heir – Zizo himself who, if he had no siblings, would by rights have inherited the whole estate (although the father could have left a legacy to his "brother" in his will). A similar situation appears in another rescript of Diocletian and Maximian to Celsus, who charges that another man has taken possession of slaves from Celsus' mother's estate "as a son by reason of adoption" – an adoption by a woman who already had a son and did not, unlike Syra, have reason (or imperial permission) to adopt. Like Zizo, Celsus is told he can get the property back (*CJ* 7.33.8 (294 CE)).

Zizo's name and the custom to which he refers suggest that he was living in a frontier province in the Balkans, where the practice of "making a brother" is known from antiquity all the way up to the twentieth century (Shaw (1997); Ellis and Alexianu (2003)). The custom may well have been familiar to Diocletian and his adopted "brother" and co-ruler Maximian (Shaw (1997) 339–40). But it was not Roman.

Another rescript of Diocletian and Maximian to Hermogenes attacks an attempt not to bring someone into the family, but to drive him out: "Abdication (*abdicatio*), which was practiced under Greek custom to alienate children and was called *apokeruxis*, is not approved under Roman laws" (*CJ* 8.46.6 (287 CE)). There has been considerable debate over the meaning of *abdicatio*, which is known from Roman literature (especially rhetorical sources) rather than law; most of the discussion has centered on the unusual case of the abdication of Agrippa Postumus, Augustus' grandson and adopted son (Levick (1972); Jameson (1975); Thomas (1990)). Abdication was apparently a "kicking out" of the child by the *paterfamilias*, a breaking of a moral, not legal bond (Thomas (1990) 463). On the other hand, *apokeruxis*, which is here equated with abdication, is known from Greek law and was a harsh practice of expelling the child not only from the home but, in Classical Athens, from the father's *phratry*; it involved a public declaration that the child was henceforth a stranger (*xenos*) to the family (Thomas (1990) 460–61).

The recipient of this rescript, Hermogenes, has been identified with Aurelius Hermogenes, governor of the province of Asia at this time. In that case, this was the emperor's response to an inquiry from an official rather than to a private petition, and Hermogenes was asking the emperor to decide on the validity under Roman law of a practice which still existed in his province and had been brought to his attention by a plaintiff (Levick (1972) 688; Wurm (1972) 80). The imperial response clearly denies the legality of the practice, at the same time describing it as a thing of the past. *Apokeruxis* continued, however, at least in Egypt. Two long written declarations of *apokeruxis* survive on papyrus from the second half of the sixth century, in which angry fathers denounce the misbehavior of their children (sexual delinquency in one case; negligence and attempted murder of the father in the other) and deprive them of their inheritance, except for the so-called "Falcidian portion" required by law (*PCairMasp* 67097v, dated 567–570; *PCairMasp* 67353, dated 569; cf. *POxy* LIV.3758, dated 325). But such denunciations were not legal documents; *apokeruxis*, even in this milder form, continued to be invalid in Roman law, as the inclusion of the rescript to Hermogenes in the *Code of Justinian* shows (Wurm (1972) 80–95).

The third rescript is addressed to a woman named Sebastiana:

> It is in general obvious that no one who is under the authority of the Roman name can have two wives, since also in the Praetor's Edict men of this sort were branded with legal infamy (*infamia*). The appropriate judge, when he learns of this matter, will not allow it to go unpunished. (*CJ* 5.5.2 (285 CE))

Sebastiana may have been considering marriage to a man who already had a wife or she may have already been married and having doubts about the validity (or desirability) of her marriage. Perhaps this is just a case of a man who had deceived two women into thinking each was his only wife and set up households in two different places. That happened to Theodora, who discovered that the man who had wooed her was not the bachelor he claimed to be but had left a wife in his home province; she was reassured by Valerian and Gallienus that she would not be liable to a charge of *stuprum* (illicit sex) because she had believed she was married, but she could not claim the betrothal gifts he had promised (*CJ* 9.9.18, 5.3.5 (258 CE)). However, the reference to "the authority of the Roman name" in the rescript to Sebastiana implies that bigamy is something practiced by those who are living in the empire but are not following Roman marriage law. Rabbinical writings of the Roman imperial period indicate that some Jews in the Near East (in the Roman provinces but also in the Persian Empire) practiced polygyny, although not all rabbis considered it appropriate, particularly those in Palestine, where the Roman ideology of monogamous marriage had taken hold (Satlow (2001) 189–92). It has been suggested that Babatha, the Jewish woman from the province of Arabia who used the Roman courts to sue her son's guardians, was married to a man who had another wife at the same time, but the evidence is ambiguous (Lewis (1989) 22–24; but see Katzoff (1995)). The un-Roman distinctiveness of some Jewish marriage practices concerned Roman emperors; a century after the rescript to Sebastiana, the emperor Theodosius declared, "No one of the Jews will retain his own custom in marrying nor choose marriage according to

his own law or enter into different marriages at the same time" (*CJ* 1.9.7 (393 CE)), and Justinian, who in 535 had attempted to outlaw all marriage practices "contrary to nature," especially endogamy (*Novel* 12), later gave in to the pleas of otherwise law-abiding Jewish families in Tyre and allowed them to retain their traditional practices (*Novel* 139). We cannot say for certain that Sebastiana (or her husband) was Jewish, but she certainly lived in the eastern half of the empire (the provenance of almost all the rescripts of Diocletian's reign found in the *Code*), perhaps in a frontier region where the "authority of the Roman name" was less strong than further west.

The three rescripts that reject practices as non-Roman all derive from the reign of Diocletian and his co-rulers. They apparently were all composed by the same secretary for petitions, who has been identified as Gregorius, the compiler of the *Codex Gregorianus* from which many of the rescripts in Justinian's *Code* were taken (Honoré (1994) 148–55; Corcoran (2000) 8–9). In rejecting the validity of customs alien to Roman law, these rescripts reflect the same championing of traditional Roman ways and morality as found in other pronouncements of Diocletian's reign, including a long edict against close-kin marriages which repeatedly invoked Roman law and stressed the emperor's own *pietas* (*Mosaicarum et Romanarum Legum Collatio* 6.4 in *FIRA2* 2: 558–60 (295 CE); Evans Grubbs (2002) 140–43). It is ironic that a soldier emperor from the Balkans, one of the least Romanized regions of the empire, would be so strong an advocate of traditional Roman "family values." But Diocletian was attempting to revive an empire that had suffered loss of both territory and identity during the third century. For him, observation of *pietas* was essential in order to gain the support of the Roman gods who would ensure military success. The same anxiety to suppress non-Roman practices is seen in his edict against the new religion of Manicheanism and, most famously, his legislation against the Christians.

And what of the petitioners, those who sought advice and legal support for their family conflicts? Did they endorse Roman "family values" or do the rescripts suggest resistance to the imposition of Roman law? There was no conflict between the basic demands of Roman *pietas* – respect for parents and reciprocal support among family members – and the traditional norms of parent–child relations throughout the empire. Classical Athens had laws mandating that children support elderly parents, and papyri from Roman Egypt indicate widespread belief that children should assist aged and needy family members (Parkin (2003) 205–12). In other areas of family relations there might be significant differences between local practices and Roman mores. Close-kin marriage is an obvious example; after 212, Roman incest taboos came into conflict with practices in parts of the eastern empire, notably marriage between siblings or half-siblings. Diocletian's edict almost a century later against close-kin marriage, which was given at Damascus, and sixth-century laws of Justinian aimed at eastern provinces where his edict against incestuous marriages had not been followed, indicate that Roman norms did not make headway everywhere (*Novel* 154 on the inhabitants of Mesopotamia and Osrhoene, *Novel* 139 to the Jews of Tyre, above). On the other hand, men and women who felt they had been unjustly treated in family wills could take advantage of Roman inheritance law and avail themselves of the complaint of undutiful will. Zizo, whose father had instituted his "adopted brother" heir, benefited from the rescript he received that declared such adoptions void (the adopted

"brother," of course, lost out). Roman law offered women like Babatha and other mothers dissatisfied with their children's guardians the means to challenge them. On the other hand, it did not allow them until the late Empire to serve as guardians themselves – but they found ways around this.

For most inhabitants of the vast empire, however, Roman family law would have had little impact. The cases we see in the rescripts arose because petitioners wished to have a ruling from the emperor that they could use to obtain what they wanted – an order from the governor that their child support them, the right to challenge their child's guardian, a bigger share of the parental inheritance. For them, Roman law was a tool for rectifying domestic conflict, and was useful only insofar as it complemented their own family values.

FURTHER READING

The Latin text of the *Digest* of Justinian, the source for most second-century imperial rescripts, was edited by Theodor Mommsen and Paul Krueger and can be found, with accompanying English translation, in Watson (1985). The Latin text of the *Code of Justinian* (*Codex Justinianus*) was edited by Paul Krueger (1967). There is no reliable English translation, but translations of many rescripts relevant to Roman family law can be found in three useful sourcebooks: Gardner and Wiedemann (1991); Evans Grubbs (2002); and Frier and McGinn (2004). For more on the rescript system, see Millar (1977); Honoré (1994); and Corcoran (1996). On Roman law and the family, see especially Gardner (1998), which discusses many rescripts that relate to inheritance, emancipation, guardianship, and adoption. For the interplay between paternal power (*potestas*) and familial affection and obligation (*pietas*), see Saller (1994). For Roman children, see Rawson (2003); and for articles that look at family relationships in the wider Roman world, including many of the provinces, see George (2005).

PART IV

City and Country

Greek Cities and Families

Sara Saba

1 Introduction

The traditional space of the family can be described as the private sphere of any given individual. The family, however, is also an institution and for this reason it becomes important to examine its position in antiquity in respect to the space of another, more comprehensive institution: the Greek city. This is a somewhat new perspective in the study of the family in Greek history, as it focuses on a social entity's evolution in the framework of the changes occurring to the *polis* – or, better, to the city's political institutions. This approach supplements other, more socially oriented contributions to the theme, including Patterson (1998) and Pomeroy (1997a). Indeed, these studies paid attention mostly to the "private" sphere or, when tied to legislative and political aspects, were limited in their scope, as Patterson's work on Pericles' citizenship law shows (Patterson (1981)).

The scholar who has approached the theme from the institutional point of view is van Bremen (van Bremen (2003), (1996), where she carefully studies evidence coming from the Greek and Roman worlds), as one of her aims is to study the changes that the institution of family underwent in the Hellenistic period with an eye to the public and political spheres. These works focus mainly on the Hellenistic age, which is also the timeframe with which this chapter is concerned. Although the Classical age keeps fascinating generations of students of the ancient world, the emerging copious evidence dating to the post-Alexander years has been a great stimulus to many researchers with different backgrounds, which prompts me also to study and elaborate further the available data.

The Hellenistic period was an extremely lively phase of antiquity that for many decades was seen as a moment of decadence and crisis. Robert's observation ((1940) 37–42) according to which the *polis*, that is, the core of ancient Greek culture and life, did not die at Chaeronea, when in 338 BCE Philip of Macedon defeated a combined Greek army, greatly helped in re-evaluating this age. As a result, important followers of Robert have been working successfully on these premises with increasing vigor. Alexander's conquests, his death and the subsequent creation of several kingdoms changed radically the political scenario of the Greek world starting from the end of the fourth century BCE. City-states continued to exist, but they had to accept the new role played by dynasts and kings, who often had the last word on matters such as foreign policy, interstate conflicts, commerce, thus limiting the freedom of the *polis*. As Ma (2000a) showed, cities developed a new language to communicate with the central power and although they never gave in, they still had to reach compromises that would allow their existence in an acceptable fashion. It would be wrong, however, to think that Hellenistic *poleis* did not experience any state of war because of the presence of a central, higher authority. On the contrary, conflicts multiplied and "big wars" added themselves to "small wars," to echo Ma again (2000b), since *poleis* found themselves involved in wars brought about by dynasts and kings for their own interests and, at the same time, they had to deal with interstate conflicts concerning, for example, boundaries. It is in this new historical frame that the family had to move in the Hellenistic period, with its unavoidable consequences.

Scholarship has shown growing awareness for the importance of the family theme in this age, although the available sources make a clear interpretation difficult, as they are mainly epigraphical, that is, official (except for epitaphs), and no "continuous" historical narrative is left. For example, Pomeroy stated at the end of one of her contributions:

> In conclusion, the picture of the Hellenistic Greek family that emerges is not one of linear progression, but is complicated by nostalgia, by the influence of historians who were politically conservative, and by exploitation of the past as propaganda. (Pomeroy (1997a) chapter 3; (1997b) 216)

Pomeroy supported this statement with an accurate analysis of a wide range of sources, among which she listed a few inscribed testaments. These prescribed the creation of foundations whose ultimate goal was the preservation of the memory of deceased family members through, eventually, an enlargement of the relatives' circle. This appears to be due to the premature death of all the immediate family members – especially males. The foundation was to be financed with the family's property and required new "members" to allow its practical existence. The best-known example for this is Epikteta's testament from Thera, which dates between 210–195 BCE (Wittenburg (1990)). This document records a short family history along with a list of provisions given by Epikteta for the maintenance and continuous performance of the honorific cult for the deceased family members and can be seen as an example of the progressive disappearance of the traditional family. The inscription illustrates the

necessity to create a para-familial structure that would guarantee the support that in the past was provided by the kin willingly. The question I pose here is whether other types of documents convey equally interesting pieces of information on the family and its role, only from a "more official" point of view.

2 Pidasa-Latmos

In 2003, van Bremen contributed to a volume on the Hellenistic world with a chapter entitled "Family structures" (van Bremen (2003)). This provided the reader with an insightful analysis into some of the most important evidence for the role and evolution of the family in the Hellenistic *poleis* in the public and private spheres of different social classes. At the very beginning of this contribution, the author briefly examined an interstate treaty, namely the *sympoliteia* agreement between Latmos and Pidasa, which, as the text itself informs us, had been promoted by Asander, the satrap of Karia, to form a new community, probably around 313 BCE.[1] The inscription records exceptional pieces of information on the possible and wished for, at least by the promoter, social consequences to the formation of this new community. These can be guessed at with the reading of a noteworthy and unparalleled provision in lines 21–25 that established that, once united in *sympoliteia*, Latmians and Pidaseans had to intermarry for six years.

Given the peculiarity of these lines, it is worth reproducing the Greek as well as its translation:

[ὅπ]ως δ' ἂν καὶ ἐπιγαμίας ποιῶνται πρὸς ἀλλή-

λους, μὴ ἐξέστω Λάτμιον Λατμίωι διδόναι

θυγατέρα μηδὲ λαμβάνειν μηδὲ Πιδασέ‹α› Πιδ[α]-

σεῖ, ἀλλὰ διδόναι καὶ λαμβάνειν Λάτμιομ μὲ[ν]

Πιδασεῖ, Πιδασέα δὲ Λατμίωι ἐφ' ἔτη ἕξ·

Translation: "Also, it has been decreed that it is prohibited to a Latmian to give or take [as a wife] a Latmian, or to a Pidasean a Pidasean. This because for six years a Latmian should be given to or taken by a Pidasean and a Pidasean to or by a Latmian, so that they intermarry among them"

Commenting upon these lines, van Bremen appropriately defined this as "a project of social engineering" (van Bremen (2003) 313–17), at least in the intentions, as it is almost certain that this plan did not reach the results that had been hoped for and the two cities never became one community.

The final outcome, however, is not what strikes a modern reader. Of great interest instead is the fact that with this clause the authorities in charge of establishing *sympoliteia* revealed their belief that the *conditio sine qua non* for the creation of a new, long-lasting community was the formation of families whose members could identify themselves with both original civic elements. In other words, Asander's

idea was to break their sense of belonging to a certain community through the entrance into a more important – because more personal – social structure: the family.

Let us then try to consider a treaty as more than a bare political-diplomatic act. A new perspective would be instead to look at the details conveyed by provisions with an eye to the possible consequences on society. It appears then that these apparently "dry," formulaic texts hint at complex social transformations that should take place by intervening in the structure of the basic social cell that society calls "family." *Poleis* may have thus operated to facilitate institutional measures that were often indispensable for the survival of the community, as a few case studies may show. In light of these considerations, I propose to analyze further the social aspects and impact of institutional phenomena, such as *isopoliteia*, *sympoliteia*, *anaplerosis* and the selling of citizenship, on the Greek family in Hellenistic cities. A last *caveat* should serve as a premise: none of the surviving texts offers evidence as clear as that provided by the Latmos-Pidasa treaty. Hellenistic sources are mainly of epigraphical nature and at times this makes it more difficult to provide a full account of the historical and social realities of this age. The difficulties depend on the overwhelmingly official character of these documents, which often does not allow a glimpse into the private sphere of people's existence. Also, the valuable details that Hellenistic inscriptions record are only rarely supplemented by a parallel continuous narrative, as happens instead for the Classical period.

3 The New Institutional Tools and the Family

The institution of the *polis* in the Hellenistic age has increasingly become the center of attention for scholarship in the past 30 years. This happened originally thanks to the memorable words of Robert about the continuation of the *polis* after 338 BCE. However the historical events and the new forms of power determined equally new dynamics in the life, development and creation of communities (Ma (2000a)), which caused their constant construction, destruction and reconstruction. Often these mutations can be described institutionally as, for example, *sympoliteia*, *anaplerosis*. Conceptually different, yet relevant, is *isopoliteia*. Sources testify also to the selling of citizenship on behalf of a few cities, and, although this could hardly be thought of as a means to increase the size of the citizen body or change radically its ethnic structure, it could still have had an impact on the *polis'* social composition and could be revealing of the financial status of a community. Each of these institutional measures has its own peculiarities that allow us to assume that, when applied, they had different influences on the inhabitants of a community.

Sympoliteia was the union (real or attempted) of two or more communities into one. If taken to completion, this process brought two communities – mainly neighboring – into one *polis*. Although *sympoliteia* projects are often attested, their success rate seems rather low, probably because the strong civic identity that characterized many communities hindered the completion of such a radical intervention in the civic structure.[2]

Anaplerosis is more difficult to pinpoint and define, but must be distinguished from the other known procedures. The literal meaning of the term ranges from "filling up" to "satisfaction." In an official context, it indicates the human contribution given to a social group organized in *polis* life, that is, still a means of filling up. Only a handful of possible *anapleroseis* survives and these are always characterized by a state of emergency, such as a demographic crisis, often due to wars and the necessity to enroll citizens, maybe to employ them as soldiers. Among the best-known instances one should cite Larissa (*IG* IX.2, 517 records a letter written by Philip to Larissa on the problem of the repopulation of the area) or Miletus (*Milet* I.3, 33–38), whose concession of citizenship to a group of Cretan mercenaries had other goals along with an increase of the citizen body.

To both *sympoliteia* and *anaplerosis* corresponds the arrival or the integration into the population of new elements, while this is not always the logical – and hoped for – consequence of *isopoliteia*. This is the concession of potential citizenship, which could have been reciprocal and thus involve two or more *poleis*, or could have been granted by one community without reciprocation or, finally, individual grants (*ad personam*) are attested. Inscriptions testify to the use of all of these institutional tools, but from an official angle. Once more, the question is whether, just on the basis of these official texts, one can determine the influence that the eventual introduction of new citizens had on societies.[3] Furthermore, one should query the motive(s) behind the conclusion of these treaties: was this only political convenience or did they really depend on a social need? Finally, in this chapter, I try to focus on the family and understand the role it may have played in a constantly changing *polis*, which translates into how and how much the traditional family adjusted itself in the new face of the institutions.

4   The Case of Myus and Miletus

According to ancient literary sources, one of the causes for the vanishing of the traditional family was *oliganthropia* or *oligandreia* that is, lack of men. In the middle of the second century BCE, for example, Polybius laments:

> Nowadays the whole of Greece is afflicted by childlessness and a shortage of population, because of which the cities have been emptied and also a general barrenness is detectable. Furthermore this falls on us without a persistent state of war or a pestilence. (*Histories* 36.17.5–6)

The sources, however, suggest that this tendency had started well before Polybius' time. The case of Myus, whose destiny was marked by geomorphological changes in the territory due also to the continuous overflows of the Hybandus-Meander rivers, represents a possible example (see Pausanias 7.2.2; Vitruvius 4.1.4). The town was located northeast of Miletus, on the Hybandus, and suffered from the consequences of the vicinity of the river, the ultimate effect being that marshes progressively occupied its territory. Herrmann (2001) stresses nonetheless that Myus' independence

and status had been endangered by Miletus' presence and power before ecological factors determined a more substantial move of its citizens. In his *Geographia*, Strabo provides an additional explanation for the subsequent *sympoliteia* between Miletus and Myus: "[Myus], which now is in *sympoliteia* with Miletus because of the lack of men" (δι' ὀλιγανδρίαν) (Strabo, *Geographia* 14.1.10).[4]

However, a fragmentary inscription (*Milet* I.33, Fr. E) suggests that, after the *sympoliteia*, at some level Myus continued to exist, or at least its territory seems to have retained a certain identity. According to Lonis' interpretation of this fragment (Lonis (1992b) 264–66), which I here accept, the inscription testifies to an additional increase of the Milesian citizen body through *anaplerosis*. This was accomplished by granting citizenship to a group of Cretan mercenaries, whose allocation in the ex-Myan territory is testified in lines 12–13 of *Milet* I.33, Fr. E: "Those among the Mysians who possess houses in the territory should take up [the Cretans]" (Μυσ[υσίων δὲ τοὺς κ]ε̣[κτημ]ένους τὰς οἰκίας ἐν τῶι χωρίωι δέ̣[ξασ]θαι αὐ[τούς...]). According to this text, the Myans, who clearly still lived – at least partly – in an area that must be identified with the former territory of Myus, had to give up part of their houses to the benefit of the new citizens who came from Crete.[5] What is striking is not only that the residents were forced to share their homes, which is an often attested provision (Saba (2007); on this text, see Hennig (1994) especially 340–43), but that the Myans still identified and thus described themselves as people from Myus. Furthermore, they appear as Myans in a Milesian official document, in spite of the fact that their *polis* had lost its autonomy, which means by default that its territory could be given to newcomers.

Myus must have been a rather small town and its contribution to Miletus in terms of population had certainly been minimal,[6] but its territory had raised the interest of Miletus and others over time (Herrmann (2001)). The Cretan mercenaries who occupied this territory after being granted citizenship had probably given the human contribution that the *polis* needed, since fragmentary lists further testify that several of them came accompanied by their families. The total count of newcomers is of about 1,000 men and, if women and children are taken into account, one should reckon about 3,000–4,000 new people who arrived several years apart (234/233 and 229/228) (Petropoulou (1985) appendix 6, 128–31; for the date, see now Herrmann (1997) 160–65 where he updates Rehm's (1914) *corpus*; see also Chaniotis (1996) 14; (2002) 100). These lists were studied by Petropoulou (1985), who concludes that the attested Cretans, who went to Miletus to stay, form two distinct groups: young unmarried men and men with, mainly, young families. One wonders whether the unmarried men had the right to marry also Milesian women or could only choose a bride from perhaps the daughters of the married Cretans who brought along their families or from among other foreign residents. These surviving decrees are not informative on this point and do not provide any indication on whether intermarriage with Milesian women was allowed or foreseen. The only restricted right still attested on stone concerns property (*Milet* I.33, Fr. E), but what can be stated with certainty is that at no time is a grant of *epigamia* attested.

A quick look at the general policy on marriage of Miletus might be useful. The existing sources seem to indicate that marrying a foreigner was not allowed or,

rather, was not very common or particularly encouraged. This could support the thesis that the newcomers, although they had been just granted citizenship, as new citizens saw their marriage options restricted. This is a plausible limitation for incoming citizens, especially in light of other considerations concerning this text as, for example, the hypothesis according to which the attested restrictions on property were meant to avoid the immediate and too direct involvement of the mercenaries in the life of the *polis* (Sugliano (2001)). If this is so, the idea that restrictions on marriage had been imposed also is not farfetched. One more consideration is due: two Cretan decrees, passed later, when Myus was in the hands of Magnesia on the Maeander, testify to the wish of a few Cretans to return to their homeland, pushed by the new hegemonic *polis* of Magnesia (*IC* I.8 (Cnossos), 9; *IC* IV (Gortyn), 176; but see now Chaniotis (1996) 281–85). The Cretan cities, however, did not allow this return in full, but distinguished among those who were residents in Miletus and those who took up its citizenship. The logical consequence to this distinction is that only the former group was permitted to return. This allows the inference that not all Cretans who went to Miletus took Milesian citizenship. Indeed one should take into account that a second group of Cretans arrived a few years after the first wave entered the city, and that, citizens or not, even after many years of permanence they still were a group to themselves in the Milesian citizen body which certainly does not speak for integration and intermarriage (see Asheri (1971) 83–85).

Besides the case of the Cretans, Miletus has preserved to us other citizens' lists that testify to a constant introduction of new elements to the citizen body (*Milet* I.3, 4093; new texts in Günther (1988) 383–419). It is also from these texts that we learn two interesting facts. (1) Although Miletus practiced endogamy, a few lists testify to the option of legitimizing children born out of a mixed union. This would happen only after the father had so requested. (2) Several mixed couples are also attested, that is, the man and his wife were foreigners to each other, but later became naturalized Milesians. The second point is here less relevant, but the option to legitimize a child technically "bastard" is noteworthy. This opens the way to a wide range of considerations also in light of the fact that in Miletus this legitimization was standard practice and not an exception, as opposed to what we know for Athens and Byzantium (Vérilhac and Vial (1998) especially 64–65). First of all, one has to ask whether the mother of the bastard child was naturalized as well, since in Miletus women held citizenship. If not, as it seems, one should not feel faced with discriminatory double standards, but, I hold, with practicality. The naturalization of *nothoi* meant new male citizens who could have contributed to the development and defense of the city, which was crucial in Hellenistic Asia Minor. Also, naturalizing bastard daughters was important from the point of view of the future generations, since they would have been directly allowed to marry a citizen and given birth to citizens. This is one way to read it, although Ogden (Ogden (1996) 296–310) offers a partly different interpretation and argues that if naturalizing bastard sons was progressively easier, it would have not been strictly necessary to ask that bastard daughters became citizens. There is insufficient evidence to disprove this argument, but it seems to me more plausible that it was not necessary to naturalize

foreign mothers new to the *polis* because this procedure might have had a cost, and it was even less necessary if they knew a woman would bear no more children. A baby girl born in the city, however, might have been a different story, especially given that mixed marriages were not favored.

5 Dyme and the Selling of Citizenship

In Miletus' case scholars tend not to talk about the selling of citizenship, which is instead attested in other communities, including the Achean town of Dyme. Two interesting inscriptions survive from this community (*Syll*³ 529, 531) that date to the third century BCE. The first testifies to the concession of citizenship to men who are normally identified with mercenary soldiers, while the second attests the procedure of the selling of citizenship. These two texts must be studied together in order to allow a few considerations on the theme of population and family.

*Syll*³ 529.7–10 records the grant of citizenship to men "who fought together [with us] and helped save the city." To this rather succinct decree is attached a list of 52 names and patronymics; these were the men who became Dyme's new citizens granted they passed the citizens' exam, *dokimasia*. It has been suggested that the justification for the grant as recorded in the inscription was that these were mercenaries or, according to other readings, non-professionals who served in any case as soldiers and who, maybe after the end of the hostilities, wished to stay in Dyme (or maybe Dyme needed their presence and human contribution?). The list allows identification of family ties among these men, who were brothers, fathers, sons, and even cousins. Do these kinship ties mean that families had moved together and they were all to stay as families in Dyme? It is highly likely that this was the case; if so, this inscription represents a parallel to Miletus' grant to the Cretan mercenaries, except that for the latter we were informed in writing of the presence of women, children and of their relationship to the soldiers. Furthermore, through those detailed lists one could see that in Miletus not all the soldiers actually came with family, but a few were unmarried men. It would then be plausible, indeed logical, to assume that this had also been the case for Dyme.

One could then wonder whether some provisions of the second inscription (*Syll*³ 531) should be read in light of this consideration. The second text testifies to the sale of citizenship on behalf of Dyme's authorities to free men, who were already *epoikoi*,[7] "settlers"(?), whose parents had also been free and were, of course, ready to pay. Detailed provisions on the naturalization of young sons and unmarried daughters follow. Another interesting provision appears in lines 17–25, which record that citizenship could be sold also to widows, who met the same status criteria. Furthermore, widows who brought along their children, who were technically orphans since they arrived following only their mothers and were thus without a father,[8] could legalize the children's status too, provided that they satisfied the same requirements, that is, young men under 17 years of age and unmarried daughters. The text cannot be dated precisely and editors provide us with a generic third century

BCE. It may be farfetched to establish a strong connection between the two inscriptions (Gauthier (1985) 199–201, however, proposes this), but, if considered together, they allow us to see the "bigger picture." Authorities could have thought that facilitating the arrival of young widows could provide new brides, probably wealthy ones if they could afford to buy citizenship and remarry, while a somewhat older widow with children could in any case strengthen the city with new, young blood. In short, a possible assumption is that a few of the young men attested in *Syll*³ 529 could take as a bride either a young widow or one of the young unmarried daughters.

It may be interesting to reflect on a possible discrepancy in the provisions on selling and buying citizenship with regards to the women involved. The free men who bought these rights could have had wives, who, however, do not appear in this context, which allows for the hypothesis that they did not become citizens.

Widows, on the other hand, could buy citizenship, which proves that women could become citizens in Dyme. The evidence, if so read, suggests that in Hellenistic Dyme a paradoxical situation could have taken place. On one hand, the provisions in *Syll*³ 529 and 531 promoted the creation of culturally mixed families, since man and wife could have legally obtained Dyme's citizenship, although they might have come from completely different areas. On the other hand, married couples that had come together as a family might have found themselves in the peculiar situation of becoming a mixed couple at a citizenship level, even if they were culturally homogeneous and their children could be legally citizens.

A pending question pertains to the status of children eventually born after citizenship had been bought. Could the father register them or were they just considered bastards? To answer this question, it is necessary to try to understand Dyme's approach to the problem of *metroxenoi*, who can be defined as individuals born of a foreign mother. The second text, *Syll*³ 531, could be of help in deciphering Dyme's attitude in this regard. No woman with a living husband is attested as a citizenship buyer, but the progeny of these wives could acquire citizenship rights provided they were males up to 17 years of age born γνησίοι, or unmarried daughters. By extension, it can be assumed that Dyme was lenient with its *metroxenoi*, although the union of two citizens was privileged, as the acquisition of citizen rights by the unmarried daughters of the new families allows us to assume. An interesting basis for comparison of the way *metroxenoi* were handled is attested in an inscription from Phalanna in Thessaly (*Moretti ISE* II, 108) that dates to 250–200 BCE. Lines 13–20 assert:

> The city of the Phalannians decreed to grant citizenship to those of the Perraboi, Dolopeis, Eaneis, Acheans and those born of a Phalannian mother who are registered and have undergone the public examination according to the law.

A list of names of what we assume to be the new citizens follows and, in their regard, Gauthier (Gauthier (1985) 201–202) remarks that several pairs of brothers are recognizable. Also, he assumes that this decision was taken by the city to strengthen

the population, since the text states that those who were granted citizenship had already been registered and passed *dokimasia* – a scrutiny of the applicant to verify he fulfilled the requirements. This means that the city offered once the option to acquire citizenship and this probably was not to be repeated (see also Moretti's comment on *Moretti ISE* 108). Consequently, if this text offers the basic guidelines to follow in citizenship cases, one can say that Phalanna was not as generous as Dyme with its *metroxenoi*, given that they had one chance to apply for citizenship and were equaled to members of other *ethnoi* who had no parent coming from Phalanna.

One last remark on the selling of citizenship is appropriate. Robert (1940) in his brief article on the topic suggested that cities resorted to this provision mainly for financial reasons and, if the reading of the figure of one *talent* (i.e. the assumed and restored cost of citizenship) for Dyme could be confirmed, it would be easier to subscribe to this theory.

The state of the sources recommends a skeptical approach to it, since it seems possible that other causes may have contributed to the use of this procedure. For example, given the timeframe, but without forgetting the difficulty of exactly dating *Syll*[3] 529 and 531, Dyme's provision may have depended on both a financial and a demographic need. This would allow interpreting the option widows had to buy citizenship as a way to promote the creation of new families. If they were young enough, they may have become once more wives and mothers, given that the practice of remarrying is well attested (see Günther (1993) 313), or they could have contributed to the increase of the citizen body with their offspring if somewhat older. As a comment on this new mobility of substantially independent women, Pomeroy states (Pomeroy (1997b) 215): "Emigrant widows without kinsmen are a new feature of the Hellenistic period, and symptomatic of both dislocations in the traditional family and the loosening of family bonds on respectable women."

This is an illuminating comment formulated by a scholar who has contributed greatly to the understanding of the mechanisms that regulated the existence and development of family structures in history. Here, however, I would like to ask why *poleis* extended citizen rights to these social categories. From the point of view of the history of the family, the Hellenistic period is in a way a watershed. By extending a privilege such as the capability of legally buying citizenship to "unusual" social groups, it becomes clear that categories formerly underrepresented started being considered a financial and human resource, an asset to the *polis*. At the same time, the role meant for them was potentially as traditional as ever. Indeed in Dyme they were still seen as mothers, and it is possible that the city considered them also potential brides meant to foster the birth of new families.

6   Conclusions

The sources here discussed do not even come close to providing an exhaustive view of the complex situation of the Hellenistic *poleis*, at least from the institutional point of view. The attempt to grasp the role of the families within them, however, is a different matter. What should emerge from these pages is, among other aspects, the difficulty

of conducting such research; if, on one hand, it is true that the presence of the family as institution is detectable almost in each available document, on the other, these cryptic data could be interpreted in different ways. Scholars who have studied longer and profitably the social dynamics pertaining to this theme have analyzed mainly the evidence for the status of families in Athens and Sparta. For these, literary sources are more generous in their contribution and allow sketching an almost continuous (if not entirely satisfactory) narrative of the history of the family from diverse points of view, for example legal issues as well as architectural through the study of ancient houses. Clearly, this is not my approach. I have tried instead to look at the evidence coming from areas that were long considered periphery, but, all of a sudden, found themselves to be the object of general attention and the new setting for important historical events. This applies, at least partly, to Miletus. Here I focus not on these events or new roles played by the *polis*, but rather on how it responded socially to these new stimuli. The answer to this formerly unknown pressure can be seen partly in the integration of new elements into its citizen body. Its immediate consequence was a more or less rapid increase of the population with the consequent complication of the social dynamic within the *polis*.

Another question may be whether this increase was meant to be temporary. In reference to the case studies I have touched on, one can reasonably argue that in the eyes of the Milesians, for example, it was not meant to be temporary, rather they wanted it to be a springboard for a long-term strengthening of the population, which means they wanted these new citizens to stay and create and foster new families. This can be one key to read other provisions such as the systematic naturalization of bastard children or of mixed couples. Miletus was, however, a rather big *polis*, busy in the struggle that led to increasing its territory, it was not under the risk of disappearing as happened to Myus. Dyme ran this risk at some point, Phalanna probably did as well, and for that might have naturalized members of different *ethnoi* and *metroxenoi*. Being granted citizenship meant very often having the right to marry citizens and sometimes even to create new lawful families.

To return to our first case study, in his plan to unite Latmos and Pidasa in *sympoliteia*, Asander, or whoever dictated the provisions to follow in order to accomplish this result, foresaw forced intermarriage and therefore the creation of mixed families as a means, probably the most effective, to reinforce the sense of being a new, single community.

This topic might have been approached from many other different angles and also by using other evidence from, for example, Rhodes or Delos, thus providing, at least partly, a different picture. By choosing a significant site like Miletus and a less-known, but historically relevant, place like Dyme, I did not intend to provide a gloomy picture of depopulation, wars and financial crises. On the contrary, I believe that the evidence brought forward has shown again the vitality of the Hellenistic age, this time in the crucial social context of the family. The energy and capability to adjust the institutions to current events and the moods of the age, especially an institution like the family, which could be defined as the *animus* of a society, without causing too much disruption, is a further proof of the vitality of these times.

FURTHER READING

The theme of family is often approached from the point of view of women's history. A recent, valuable contribution from this perspective is the work by Stavrianopoulos (2006). Works that are specifically concerned with the family are those by Pomeroy (1997a) and van Bremen ((1996), (2003)), which must be consulted, along with the useful chapter by D. Thompson (2006) that analyses some of the material presented here along with the evidence from Egypt. For the institutional aspects treated here, see on *sympoliteia* Reger (2004), although a general study is under preparation at the Kommission für alte Geschichte und Epigraphik, Munich. For *anaplerosis*, see Lonis (1992b), while the standard study on *isopoliteia* is Gawantka (1975). On the selling of citizenship, the only treatment is that provided by Robert ((1940) 37–42).

NOTES

1   *Editio princeps*, with photo, by Blümel (1997); now see Wörrle (2003) 121–43.
2   See the case of Lebedos-Teos, in particular Ager (1998); Bencivenni (2003). *Welles RC* 3–4 testifies to the union of two *poleis*, Lebedos and Teos, at the end of the fourth century BCE (306–302). Antigonos One-Eyed played a key role in this event, although scholarship still disagrees on whether he was the promoter or only an arbiter for this. The many details provided in the text interestingly concern the most practical aspects of a *synoikismos*. These include provisions on housing, measures taken for the extension of honors previously granted by the city of Lebedos, that was supposed to disappear, and legislation to be used in the "new" city. In spite of the detailed document, it is commonly held that this unification never took place.
3   This is easier to determine in the case of *sympoliteia* and *anaplerosis*, while the consequences foreseeable for *isopoliteia* vary greatly since a major movement of people was not the natural consequence for this grant. The option to take up another citizenship for an entire community often was offered, but how this was received is a different matter. Certainly, a few *isopoliteia* treaties foresee the right to intermarry, *epigamia*, which is already telling of its potential social impact, even without a mass move. This grant was not only the premiss to, for example, the free circulation of material but also of people.
4   In this section, Strabo describes Ionia and includes Myus in a list of *poleis* located between Miletus and Magnesia on the Meander. This fragment is difficult to interpret, but here the most important query pertains to the value to ascribe to συμπεπόλισται, whether one should understand it as if it were institutionally accurate or not.
5   A recent contribution by Mazzucchi (2008) translates the word *chorion* as fortress and dates the *sympoliteia* between Myus and Miletus to a moment following that of the arrival of the first wave of Cretan mercenaries. Although the term has often this technical, military meaning in inscriptions, in this text I still prefer the translation of "territory." Still, see Mazzucchi's arguments in his article.
6   Beloch (1886) especially 228–30. It may be interesting to compare the trireme contribution of Miletus and Myus at the battle of Lade in 496 BCE that opposed contingents from different Greek *poleis* to the Persians and virtually ended the Ionian Revolt. According to Herodotus 6.8, Miletus had 80, Myus only 3 triremes. Although this period is significantly distant from that under analysis, these numbers still give an approximate idea of the proportions between the two *poleis*.

7 The meaning of this term is unclear. According to Dittenberger (1901): *sine dubio inquilini intelleguntur, qui Athenis et in aliis civitatibus* μέτοικοι *alibi* πάροικοι *aut* συνοικοι *dicuntur* ("without any doubt, by it must be understood the settlers who were called *μέτοικοι, πάροικοι* or *συνοικοι* in Athens and in other cities"). Rizakis ((1990), (2008)) stresses that the term may indicate also people who moved into an empty, or almost empty, city to repopulate it.

8 This is an interesting fact by itself, since the sources stress that being or becoming an orphan – especially when the dead parent was the father – was a big social setback. In this text, however, sons and daughters of widows seem to be equaled to the progeny of living parents. See Pomeroy (1982) on this.

A Walk with the Dead:
A Funerary Cityscape
of Ancient Rome

Christopher Johanson

1   Introduction

Funerary imagery permeated Roman culture and riddled the visual landscape. Static representations – funerary monuments and statuary – commingle with the kinetic imagery of the Roman funeral parade. Roads leading into the city were lined with tombs, and upon the death of a Roman aristocrat the already teeming streets conveyed the recently deceased and the long-dead ancestors brought back to life after a fashion. To live in Rome and to walk its streets required that one encounter representations of the dead on a daily basis. In Rome, the dead were ever-present.

The scene was by no means entirely morbid. Rather than only mourn the death or commemorate the deceased, the Roman funerary cityscape offered myriad opportunities for the display of familial, political, and personal symbolic capital (Hölkeskamp (2006) 483). The funeral ritual inserted itself into the political heart of Rome, and the accouterments of the funeral – chariots, triumphal regalia, the garb of magisterial office, and the display of past familial accomplishments – were intended to underscore the accomplishments of the deceased and demonstrable clout of the family (Bodel (1999) 260–65). In turn, the family could use funerary imagery as an internal yardstick that would present clear goals for its younger members to achieve. The dead offered *exempla* of past success, and reminders of one's own place within the generational power structure of the family (Bettini (1991) 167–83).

Capturing the experience and understanding the effect of this funerary cityscape is difficult through conventional scholarly discussion. The impact of the imagery was visceral,

meant to be experienced from the ground and often at close-quarters. As the remains of ancient Rome affect the daily life of modern Romans, so the ever-present funerary landscape influenced the ancient inhabitants of the city. Visual representations that depict overhead views of the city, or textual discussions that focus on individual monuments devoid of context, fail to convey the effect of funerary syzygies that would have been clearly visible (if not intelligible) to a pedestrian. To experience the imagery of the city as it was designed, one must perform the impossible: walk through the neighborhoods, consider the sights, and digest the semiotics of the space. This experiential narrative is an attempt to bring the reader closer to the experience of moving through the ancient city and confronting the profound and omnipresent symbolism of event and cityscape.
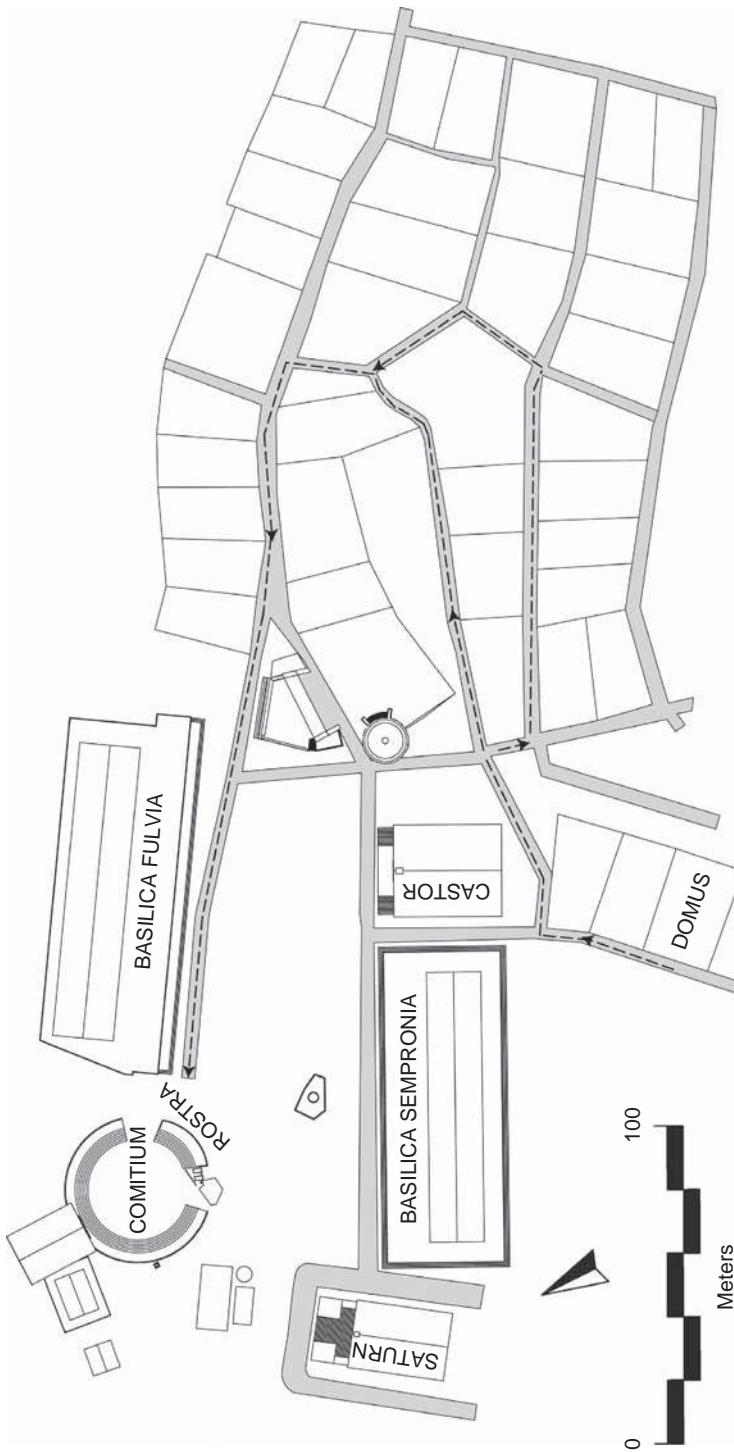
This chapter will follow two hypothetical Romans through the funerary cityscape of ancient Rome. The first walk will accompany the procession of a funeral dating to the middle Republic. The second walk will follow a hypothetical Roman aristocrat of the early third century CE as he enters the city on a journey from Campania in anticipation of the funeral for the recently deceased emperor Septimius Severus. The construction of fictional Romans introduces a host of scholarly problems.[1] Nonetheless, by accompanying them and attempting to view the Roman world through their eyes, new questions are raised and new ideas confronted.

2 The Aristocratic Funeral of the Middle Republic (169 BCE)

The first part of the journey would have been familiar to the recently deceased (see Map 2). Just as he had walked nearly every day of his life in Rome, so he would move the short distance from his home to the Forum once more. Even in death, the walk to the Forum carried with it a vivid display of political imagery replete with symbols of power. For once, however, the entire family had reason to attend.

The eldest surviving son – the designated eulogist for the upcoming event – having only just turned 22, examined the funeral bier (*feretrum*).[2] A deep purple coverlet purchased for the occasion dressed the double-mattressed bed upon which the deceased rested (Figure 25.1). The funeral bed, which had been set up in the *atrium* for seven days, surrounded by candles and suffused with burning incense, lay next to a cupboard with its doors propped open. During the lying-in-state the waxen masks (*imagines*) of his family's most prominent ancestors could be found within, staring out as if in observation of the deceased (Toynbee (1971) 45).[3] Today, however, they were outside the home, ready to participate in the funeral procession. Behind the cupboard, the painted-on family tree had expanded over the years nearly to cover the wall. The young man had committed to memory the names and most notable deeds of every ancestor listed. While the rest of his family balanced displays of mourning and controlled restraint, the eldest son could not let his mind wander. The day was, to some extent, just as much his own as that of his father.

Symbol carried extra weight on such days. He had passed the threshold to his home a thousand times, nonetheless, the young man paused briefly to reflect upon the *spolia*

Map 2   The first walk: the Roman Forum of 169 BCE; possible routes. Map and design by Christopher Johanson.

Figure 25.1 Relief of a Republican funeral procession, from Amiternum, ca. 50 BCE (top) with close-up of a smiling pallbearer (bottom). Photographs by Christopher Johanson.

his father had added to the façade of the home (Pliny, *Natural History* 35.6; Wiseman (1994b) 98–100). A worthy accomplishment for any Roman, though here diminished slightly by the actual ship's prow his great-grandfather had affixed to the house many years before – one of many visible reminders that his father, though great, was not the greatest man in the family.

Outside was funerary cacophony. On a normal market day, the Vicus Tuscus, the road that ran alongside the house, would be filled with carts, merchants and the crushing pedestrian flow of a densely populated city center. Today the two shops at the front of the home were closed. Their proprietors – both clients of the deceased – could hardly miss the event. In contrast, the bar and kitchen embedded in his neighbor's house was capitalizing on the lack of competition. A few passers-by who had stopped in for a snack paused to assess the funerary display. The normal city din was kept at bay by a more local riot: funeral horns and pipes added a loud and slightly eerie ambient layer to the soundtrack of the event. As was often the case with the musical elements of a Roman ritual, it served both to announce the event to others and to enfold the participants in a protective sonic shell. The horses did not share the musical tastes of their masters. Though they were well trained, they let out the odd snort and whinny – off-beats to the funerary score.

Rising above the music was the sound of the mourners. At times screaming, at times mumbling incoherently, the *paid* mourners (*praeficae*) filled the mid and high registers of the funerary symphony. For the women (and not a few men) of the family (Richlin (2001) 229–48), the mourners guided and enabled an emotional outlet. Their incessant wailing let tears pour forth more easily and offered a model for the daughters to emulate. For the eulogist son, however, the sounds of mourning and the emotion of the event made it difficult to concentrate. He tried to hold back tears, but fears of his imminent speech and the sight of such familial grief contributed to a hyperemotional response (MacMullen (1980) 254–55).

The young man could only see the bier in front and his immediate family gathered behind. There were doubtless more attendees assembled to the rear, but the procession snaked around a corner. He knew the household's three *imagines* were somewhere in front, but he was able only to see one from behind the bier: riding in a chariot a purple togate figure, a hired actor, had donned the waxen mask of his grandfather.[4] He wore the purple toga to indicate that he had been elected censor, the highest office attained by the man (Polybius 6.53.7). Had he triumphed, his toga would have been bordered in gold. His head would twitch to the right every so often. The old man had suffered from an incessant nervous tic. The actor mimicked the motion perfectly, or so the boy was told. As was far too common, his grandfather had died only a year after his grandson's birth.

Directly in front of the bier, the *dissignator* (the choreographer and director of the procession) signaled the start. Eight men, two sons and the rest, freedmen and clients of the father, lifted together (Figure 25.1). The clients of the deceased wished to show their love for the man (Plutarch, *Aemilius Paullus* 39.6–8) and perhaps to reassure the family that they were still to be counted on during a tenuous transfer of power. For the last time, the father gazed out with sightless eyes at the surrounding city. He towered above the rest of the participants in the procession. No longer reclined on his deathbed as he had been while he lay in state, the deceased was now propped upright.[5]

The procession moved slowly. The bier rocked precariously to one side as one of the brothers stumbled, unaccustomed to walking encumbered by such a heavy load on the rough basalt pavers (Figure 25.2).[6] The eulogist glanced ahead, beyond the bier and the line of the procession that turned sharply to the right after passing the neighboring two homes. He shuddered at the sight, and another wave of anxiety washed over him. Framed by the narrow streets he glimpsed the central Forum, which was clearly more packed with people than usual. There were even a few people standing atop the balconies on the distant basilica – perhaps early attendees to the eulogy waiting to watch the main event, he thought.

The turn to the Forum introduced a new problem. The wooden Basilica Fulvia, replete with portrait busts and painted columns, stood in the distance, while dirt and filth covered the narrow Vicus Tuscus, the shortest and easiest approach to the southwestern corner of the Forum space. (The Basilica Paulli, so-called Aemilia until recently, would later replace the Basilica Fulvia: *LTUR* 1.167–68.) It was a fitting image of his home city, he thought. The tightly knit façades of the surrounding shops and the abrupt verticality of the Temple of Castor at the mouth of the Forum emphasized the narrowness of the Vicus Tuscus – an alley by modern standards. As through-

Figure 25.2   Basalt pavers along the Via Appia. Photographs by Christopher Johanson.

out the city, significant monuments flitted in and out of frame. Mere glimpses of the monumental plaza were all that was available. More striking than the view, especially on such a solemn occasion, was the juxtaposition of grand monument in the distance, residential area in the immediate surrounding and prostitutes and hawkers lining the narrow street in between (O'Neill (2000) 259–77). While the world had seemingly stopped for the eulogist's family, it did not for the professionals whose livelihoods relied on such occasions.

The stark dichotomy of funeral pomp and continuing daily life in the city mirrored that of the alternating cries of mourning and carnivalesque laughter internal to the procession. It might have been jarring in other contexts, but in a Saturnalian city of carnival, no procession occurred without a share of laughter, mimicry and mockery (Sumi (2002) 559–85). Even the pallbearers would crack a smile when one of the actors repeated a particularly outrageous aphorism made famous from an ancestor (Figure 25.1).[7]

The immediate destination, the Forum, was only a few hundred feet away from the house, but this slow procession would not follow the most direct route. Instead of proceeding along the Vicus Tuscus, it turned sharply down the narrow street a block before the Temple of Castor. While a shortened route might save the feet of the participants from fatigue, it would diminish one of the primary functions of the procession itself, which was to demonstrate familial symbolic capital *and* to attract an audience. The longer route would also avoid the awkwardness of moving through the
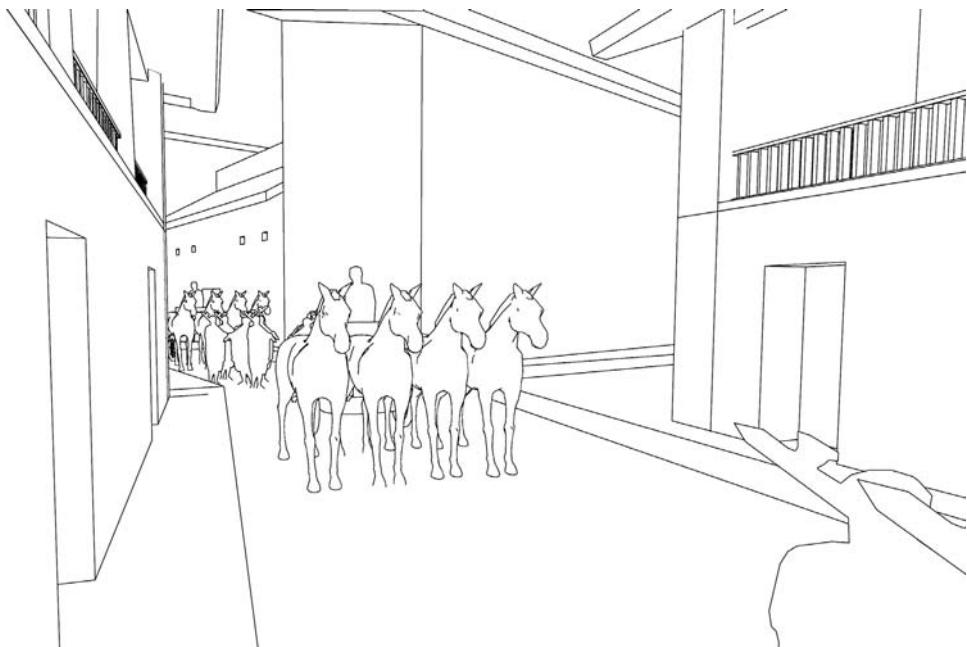
Figure 25.3 Hypothetical view of the procession in the narrow streets along the northern slope of the Palatine. © and courtesy of the Regents of the University of California, Christopher Johanson and the Experimental Technologies Center (ETC), UCLA.

dirtier entrance to the Forum proper. The turn toward the Palatine enhanced the intimacy of the event. The street was narrower than the Vicus Tuscus, which at least was wide enough to accommodate a fair amount of traffic. The neighborhood road heading south was never designed (if one can speak of urban planning in such a city) to be a processional thoroughfare; it was only a means of accessing the surrounding homes. The music was louder in this space, and the disconnection from the rest of the city was more distinct. Here was the procession at its most intimate (Figure 25.3).

As they slowly passed the houses of the elite, a built-form procession unfolded before the eulogist. Since he could not yet see the totality of the funeral procession – his gaze was blocked by the bier, the propped-up body of the deceased and the first chariot driven by his "grandfather" – he was instead able to observe the façades of the homes that he passed. Rome was a walled city of a kind. The houses encroached on the pedestrian space, ever compressing those that walked between them. Their façades during the Republic shared a certain uniform appearance. No one house in this area presented a substantially larger façade than another. The more powerful families distinguished themselves through adornment, rather than scale. Some spoils of war remained affixed to the entryways of each home. The eulogist was struck by the number of ships' prows (*rostra*) affixed to the front of one home. The next, however, sported acanthus leaves that indicated another body lay within and another funeral would soon occur.

Every house he passed left its doors wide open, inviting the gaze of the passer-by. There again power was on display (Wallace-Hadrill (1994) 3–37). Two neighboring homes were filled with newly imported Greek statuary in greater numbers than his

family could afford. A fresh coat of paint covered the interior walls everywhere marble revetment could not be seen, and internal colonnades emphasized the public nature of the home. These views of the space within revealed additional symbolic capital that external embellishment rarely showed. Balconies loomed overhead. Having heard the noise of the coming procession, slaves, children, women, and various associates of each family stood above to watch the event as it proceeded. The eulogist spied his good friend, Marcus, whose mother had one hand resting on his shoulder. Both nodded slightly to acknowledge the other. While hardly the time for such thoughts, Marcus, who showed great promise as a future orator, had intimated that he thought it was not fair for our eulogist to beat him to the Rostra through such a fortuitous event. One balcony was empty, however, and the inhabitants visible through the open doors carried on, indifferent to the passing cortege. Not all neighbors were interested in paying their respects to the deceased.

The overall effect of this display reminded the eulogist of the stakes of the political game in Rome. At each turn in the neighborhood, he saw another family like his own, and was reminded of their own processions from the past. (For in this area of the city, great men lived. Lesser families avoided the Forum and marched the body straight to the grave.) Some held magnificent funerals, like the interiors of their houses, others more modest ones. This part of the journey triggered such thoughts, and he could not help but compare his own family to these others and to compare his own father to the other great men looking out from their homes. As the houses passed him by, he thought that this walk was every bit a parade of the aristocracy of Rome as it was a procession for his own family.

The domestic sphere shifted out of focus at the final left turn onto the Sacred Way. The religions of Rome now offset the domestic façades. To the left were the aristocratic homes, but on the right were homes of the divine, and those doors were open as well. The gods were watching. His father's particular devotion to Jupiter Stator was revealed as they passed the small temple on their right. The bier halted for a moment, as if to give the elevated man one final chance to acknowledge the deity. The street opened wide as they neared the Forum. A new monumental and predominately religious gateway marked the entrance to the main public plaza of the city. On the left, the *domus publica*, the home of the Pontifex Maximus, had been readied for the event. The doors remained open, but a veil had been hung within. Thanks to the advance warning from the sounds of the procession he had had time enough to situate himself behind the veil, his presence discernible to all, but his gaze hidden from the dead body as it passed in accordance with an old rule.[8]

While the gentle broadening of the Sacred Way offered partial relief from the narrow streets at the foot of the Palatine, the final walk past the Regia offered an extraordinary visual transition: the first wide-open horizontal and vertical vista of the route. Perhaps the clearest indicator that the eulogist had moved away from the private sphere into a more public space was the shift from walled façades with limited external openings to the light almost airy buildings and broad panorama of one of the largest public spaces in the city.

He looked up at the body of his father, which was now surrounded by the super-scale buildings of the Forum. To his right, the Basilica Fulvia stretched westward for over 300 (Roman) feet, to his left, the recently constructed Basilica Sempronia walled off the other side of the Forum (Figure 25.4). His gaze followed the vertical lines
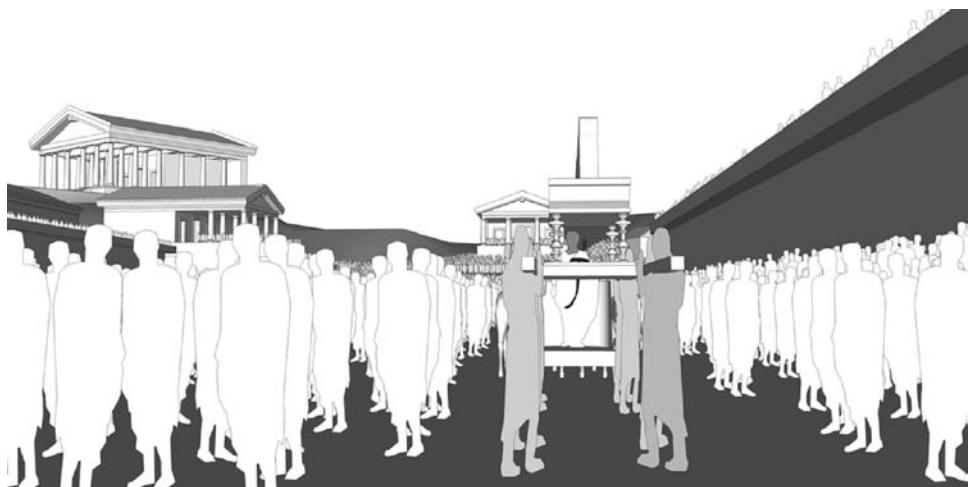
Figure 25.4 Hypothetical view of the Forum (169 BCE) from within the procession. © and courtesy of the Regents of the University of California, Christopher Johanson and the Experimental Technologies Center (ETC), UCLA.

traced by the columns of the Basilica Sempronia to light upon the rooftop of the Temple of Jupiter Optimus Maximus looming overhead. The Capitoline triad were, of course, present during the event, though after the construction of the basilica they could only figuratively look down upon many of the activities in the Forum. The works of Roman men had partly obstructed the view of the gods. And like all denizens of the city, they too must settle for partial views, cut off by haphazardly placed monuments. Castor and Pollux watched from their temple on the southeastern side of the Forum. Saturn, to the west, had a front-row seat for the upcoming eulogy. Concord looked on from the Capitoline Hill as did Juno Moneta, perched high above on the Arx, the northern hump of the Capitoline. Some of those gathered in the Forum plaza climbed the steps of these temples to gain a better view of the incoming procession, thus transforming even the sacred architecture into a standing-bleacher system.

The slow walk along the Sacred Way to the Rostra, the Roman speaker's platform, magnified the importance of the event and the chaotic nature of spectacle in such a city. While it was clear that a crowd had gathered up ahead, and the eulogist was rightly nervous upon seeing his audience for the first time, it was equally clear that not all those in the Forum had come to see the funeral events. The butcher in his stall at the front of the Basilica Sempronia was hard at work, since the recent new year's sacrifice by the incoming consuls had provided him with fresh meat. He had little time to spare. Many of those walking from the north and east, some coming from the less-privileged homes as far away as the Esquiline, seemed noticeably perturbed that their entrance into the Forum was blocked by the procession. It also appeared that a small crowd was gathering in front of the Temple of Castor and Pollux not to hear the funeral eulogy, but apparently to hear a haranguing of the people on the speaker's platform formed by the front approach to that temple (Cicero, *Philippics* 3.27).
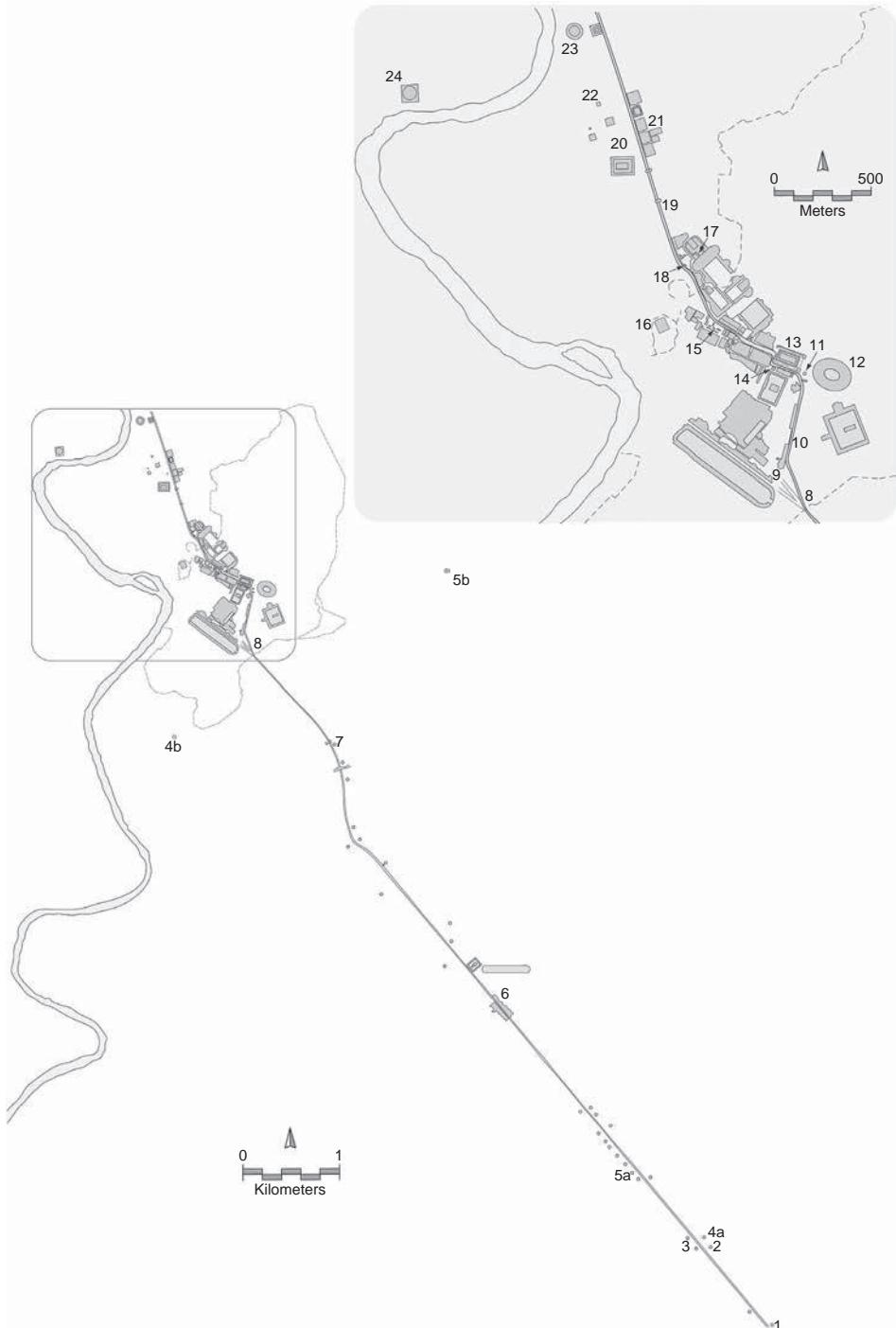
Figure 25.5 The eulogist's view of the Forum from the Rostra. © and courtesy of the Regents of the University of California, Christopher Johanson and the Experimental Technologies Center (ETC), UCLA.

The procession stopped in front of the Rostra. His family's three most successful ancestors had already dismounted from their chariots and had seated themselves atop the platform. Now the pallbearers were negotiating the steep steps of the platform to let the father take his place among his long-dead relatives. There was a slight disconnect between the deceased and his forebears. They were animated, living beings, looking around and acting as if they were still active members of the family. The deceased, propped-up and motionless, appeared more akin to the statues that already stood on the Rostra. For a fleeting moment, the eulogist thought, his father had been given a place among the great men preserved in stone in the Forum.[9]

He had little time for reflection, since the *dissignator*, who was standing next to the Rostra, motioned for him to mount the platform. The young eulogist took a deep breath and climbed the steps. He placed his feet on each step with care to avoid an embarrassing stumble in front of the crowd. As he reached the top step, he surveyed the surrounding panorama. The rest of the family spread out in front of the Rostra in a small sea of black.[10] Their mourning clothes clearly distinguished them from the other attendees. The surrounding architecture seemed alive. Men and women watched from the balconies (*maeniana*) surmounting each of the rows of shops at the front of the two great basilicas. To his right a small group of men and women, separated from the family but still wearing black, were standing on the steps of the Temple of Saturn. The family of his father's best friend did not want its attendance at the event to be missed. They displayed their affiliation and support of the family by sitting on the elevated approach to the temple and wearing mourning clothes. Farther from the Rostra the crowd thinned. Traffic no longer obstructed by the procession moved into the Forum. A few new arrivals appeared to stop to watch the event unfold. Many, including a number of slaves striding quickly through the Forum, intent upon fulfilling a specific task for the day, hardly paid attention to the gathering of people. Afternoon meals would wait for no one and the butchers might sell out their supply if one delayed.

Only a small percentage of Roman men would ever climb the Rostra. It was said to be the most conspicuous place in the Forum (Pliny, *Natural History* 34.24). It also commanded an amazing panorama (Figure 25.5). Such views were unavailable to the crowd in

Map 3 The second walk: Rome, 211 CE. (1) Casal Rotondo; (2) Villa of the Quintilii; (3) Tombs of the Horatii and Curiatii; (4a) Pyramid-shaped tomb; (4b) Tomb of Gaius Cestius Epulo; (5a) Tomb of Rabirius; (5b) Tomb of Eurysaces; (6) Tomb of Caecilia Metella; (7) Tomb of the Scipios; (8) Porta Capena; (9) Septizodium; (10) Aqua Claudia; (11) Meta Sudans; (12) The Flavian Amphitheater; (13) Temple of Venus and Rome; (14) Arch of Titus; (15) Roman Forum; (16) Temple of Jupiter Optimus Maximus; (17) Column of Trajan; (18) Tomb of Bibulus; (19) Catabulum; (20) Column of Marcus Aurelius; (21) apartments; (22) so-called Horologium of Augustus; (23) Mausoleum of Augustus; (24) Mausoleum of Hadrian. Map by Marie Saldaña and Christopher Johanson; design by Marie Saldaña.

the Forum – blocked by their fellow pedestrians. While the basilicas and the Temple of Castor framed the ground-level view, the Palatine towered above to the southeast and the Capitoline did the same to the west. Together they offered a certain thematic symmetry. The homes of the aristocrats filled one's view in one direction, and, in the other, the sacred area of the gods on Capitoline. Life in the city atop the hills took place with little regard for the activities below. In particular, the eulogist noted, there appeared to be activity in front of the Temple of Jupiter on the Capitoline. No matter the circumstances, some ceremonies could not be interrupted (Plutarch, *The Life of Publicola* 14.5). It was a highly visible reminder that many rituals in Rome were experienced at a distance. These ceremonies took place in front of all, but their details could be discerned by only a select few.

He remembered little of the speech once it was over.[11] As can often happen during public performance, the end of the speech arrived very quickly. He had stumbled when he pointed at his father and addressed him directly – he was not completely prepared for this last, public farewell (Cassius Dio 44.49.3). Nonetheless, after he had praised each of the three, seated ancestors (each waved when his name was called), he ended the eulogy by declaring his father the best of Roman men.[12] He waited as his father left the Rostra for the very last time before following the bier down the steps. He had survived the most nerve-wracking part of the day, but not necessarily the most difficult. The family now turned the procession toward the Appian Way outside the city walls. It was time to take a long and very slow walk – over six miles – to the newly built family tomb where they would cremate the body, a process that might last more than eight hours (Noy (2000b) 186–96), and inter the remains (see Map 3).

At the renewed sound of horn and flute, the audience cleared a path along the Sacred Way. The ancestors mounted their chariots again, and the procession reformed. Many of those in the Forum returned to their own affairs. As the young man followed the bier, he looked over his shoulder and noticed that a small group of family friends had joined the procession. Their neighborhood baker caught his eye and nodded ever so slightly. The procession had thinned considerably in comparison to the much longer group that had followed them into the Forum. It became smaller still once they passed into the residential area to the southeast. There the chariots of the ancestors turned away from the main procession.[13] The waxen masks were to be returned to their cupboard in the house and the lictors could return to their homes. There would be room for only a small group at the tomb.

His mind wandered as the procession turned south toward the Circus Maximus and then southeast toward the Porta Capena. The road remained busy and the approaching traffic, on foot and in cart, forced the procession to the right side of the road (Poehler (2006) 53–61). As he passed under the gate, he officially exited the city. It was at this point that the sacred boundary of the city manifested itself, not through an explicit barrier, but rather by the striking shift in architectural form. Alongside the Temple of Honos and Virtus stood the first of many tombs. The procession had left the city of the living and entered that of the dead.

The first tombs he encountered were always the most recognizable to him in part due to their proximity to the walls of the city. The tomb of the Marcelli stood nearby, further down the road, that of the Scipios (Figure 25.6).[14] These were tombs of the renowned Roman men. While he admired his father and his accomplishments, it was difficult not to feel humbled by the tradition of these families. Many would pass by tombs at the fourth or fifth milestone without noting whose remains were inside, but
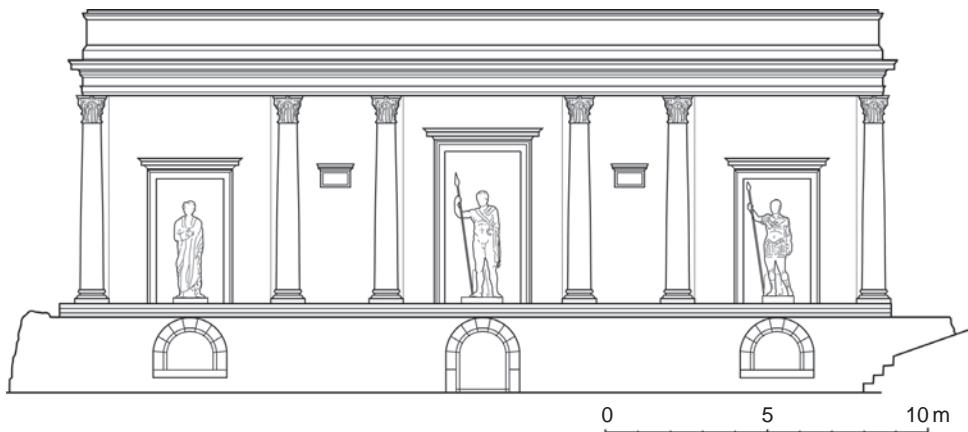
Figure 25.6   Reconstructed façade of the Tomb of the Scipios. Image by Marie Saldaña. After LTUR 4, fig. 138.

the tombs at the entrance to the city benefited from association with such a visible location. In addition, these tombs were large. Their façades stretched nearly 20m and they were decorated with statues, not merely reliefs, of some of the families' most decorated members. (At the tomb of the Scipios, a statue of the well-regarded poet Ennius stood alongside the statues of family members.)

The procession stopped every so often to relieve the pallbearers. The distance was simply too great for a single group of eight men to carry the bier. At these stops the young man focused more on his surroundings. The tombs (during the Republic) were decidedly less grand the farther they moved away from the city. He tried to read the inscriptions, but his vision was not the best, and he could rarely make out the letters. Instead, he focused on the sculptural reliefs. The eulogist's father had commissioned his own tomb a few years before his death. The land had been purchased, the sculpture made and the grave marker set up on site. He had seen the land twice on trips south to the family's Campanian villa. At both visits, his father noted that the size of the tomb (20 feet by 20 feet) was much greater than that of their next-door neighbor and that the final monument would carry on its façade a beautiful representation of him and his wife. At these various stops, the young son was surprised to see many versions of this same motif. In fact, it was becoming increasingly difficult to discern major difference between the tombs he passed.

At last the small procession reached the gravesite, located near the fifth milestone. The group gathered next to the tomb and spilled out into part of the road. While the eulogy on the Rostra was meant to be a public affair, the final rites at the tomb were intended to be more private. Nonetheless, the road remained busy. Even at the fringe of the city, one could not escape the urban flow. Travelers passed them, some offering brief words of condolence, others averting their gaze in obvious fear of the dead body. He hoped that some of them would pause long enough to read his father's accomplishments written on his tomb, and to study the relief of the man who would soon reside there (Feldherr (2000) 209–31). After his own walk, however, he wondered if any of them ever would.

3   Funerary Symbols in the Imperial City (211 CE)

It was the smell that made him look up. He had been dozing off for the last few miles, but the distinctive smell of burning human flesh made him aware of his location: the city was near (Hopkins (2000) 10). Smoke rolled out of a private crematory (*ustrinum*) that adjoined a collective tomb of freedmen. He was traveling to Rome, where he hoped to arrive well in advance of the funeral for his emperor Septimius Severus.

The urban sprawl still shocked him. Rome the empire spanned the Mediterranean, and Rome the city was equally impressive in its reach. The potential open vistas along the Appian Way at the outskirts of the city were largely closed off by the dense walls of tombs extending for miles beyond the city walls. There were no high-rise tenements and no grand hills capped with majestic temples, but there were monuments of all sizes and shapes pressed together. He would pass small *aediculae*, countless shrines, massive round tombs, enormous façades and even a pyramid. Hundreds of monuments to the dead hugged the nearly plumb-bob straight line cut by the Appian Way. It was a strip of a city built for the dead, but one that accommodated the living.

To his right, an enormous circular structure greeted him and served as a welcome reminder: he had just reached the sixth milestone (see Map 3). He could never remember the name of the tomb's inhabitants and had missed reading the inscription on its front.[15] No matter, its most important purpose for now was to serve as a landmark that helped him measure his journey. The tomb also reminded him of its more useful neighbor. On the left stood an inviting bath complex. He stopped to refresh himself and chat with some of the other travelers. Though he stood amidst a row of tombs, he had encountered a tendril of the city.

When he resumed his northwestward journey, he studied his surroundings and shook his head. So many of these tombs were forgettable. Most were small, weathered monuments, built during the Republic out of now fading peperino stone. Since they clustered along the route, lined-up one after the other, their repetitive effect was amplified. Doubtless these were memorials of once great men, but he could scarcely discern the letters and had no hope of reading the words incised on their façades. He wondered whether the Romans housed there had considered how quickly their memory would fade (Horace, *Odes* 3.30).

The gently increasing sound of falling water and the voice of a hawker selling bread in the distance interrupted his brief reverie. On his right, rising two storeys above him was the support structure for a large fountain and the entryway of a veritable city. Once the Villa of the Quintilii, but now a part of the imperial properties, this massive stretch of land served as a backdrop for many of the smaller tombs along the Appian Way. A group of slaves was working on the grounds just inside the main entrance. As he observed the bustle within, a cart bearing supplies of some sort from the city crossed in front of him. He heard the galloping of horses rounding a corner and the encouraging shouts of a trainer. Of course, he thought, they must be preparing to host a horse race in the hippodrome of the villa.

Opting to pass by the shops, having already lunched at the bath, he pressed onward toward the city. Ahead on the left, two tumulus-style tombs stood at the beginning of

Figure 25.7   The eroded remains of a pyramid-shaped tomb on the Appian Way (left) along-side the well-preserved remains of the Pyramid of Cestius (right). Photographs by Christopher Johanson and Tom Beresford.

the lone turn of the otherwise perfectly straight Appian Way. These mounds he knew. They were said to mark the location near the fifth milestone where the three brothers Horatii from Rome defeated the brothers Curiatii from Alba Longa. Or were the Horatii the Latins and the Curiatii the Romans? He could never remember.[16] In any case, the tombs were part of a very old and widespread burial tradition. One could expect to see many similar tumuli scattered around Italy and the Mediterranean (Papadopoulos et al. (2008) 686). Their presence was welcome, for he knew by heart that they were located near the fifth milestone.

Just to his right, rising above some of the trees and nearby tombs was the triangular peak of a pyramid-shaped structure (Figure 25.7). On this trip he had encountered a number of tall rectangular and circular tombs, but the pyramidal shape immediately stood out. He recalled a similar though much larger pyramid, built by a certain Cestius, that stood at the southern entrance to the city near the warehouse district (Figure 25.7). Though out of fashion now – the Pyramid of Cestius dated to the time of Augustus – such a distinctive shape clearly served its mnemonic purpose.

As his journey continued, he encountered many graven faces staring back at him. He was accustomed to seeing such images in much larger numbers in many cities in the south (Koortbojian (1996) 210–33). The full and partial body representations of the Republic had established a standard, soon imitated by thousands of Romans. In this particular stretch of the road, the busts of freedmen dominated his view. Their monuments were remarkably restrained, however, especially given the derisive jokes made at their expense by some among the aristocracy. They were called *nouveau riche* who tried desperately to demonstrate their new status and their achievements (Petronius, *Satyricon* 26.6–78.8). Nonetheless, this area indicated the contrary.

Many of the monuments were relatively small. Their busts figured prominently on the façades, sometimes dominating the scene. He noted that few of the sculpted

Figure 25.8 The heavily reconstructed tomb of Gaius Rabirius Hermodorus along the Appian Way. Photograph by Christopher Johanson.

portraits looked directly at him (see Figure 25.8 and Huskinson, this volume, Figure 31.6). Instead they stared into space in multiple directions. He paused briefly, approached one of the busts and read that it commemorated a Gaius Rabirius Hermodorus (*CIL* 6.2246; Cicero, *In Defence of Rabirius Postumus*). Most likely a freedman of the famous banker once defended by Cicero himself, he thought. This tomb was nearly 200 years old. Yet as he looked around, he saw more of the same elevated portrait busts that were virtually indistinguishable when viewed from a distance. He was reminded of the tomb near the entrance to the city on the Esquiline Hill. There, surrounded by other, larger tombs, stood a remarkable funerary construction. Eurysaces – he remembered the name well, since he had marveled at the brilliance of his effort – constructed a tomb that was a testament to the art and power of baking bread. Its reliefs depicted the process of bread making, and it was built in the shape of a monumental oven (Petersen (2006) 84–122). Again, the decision to create a relatively unique architectural form contributed directly to the legibility of and interest in the monument.

Each monument told a story, which a traveler intent on reaching his destination could only briefly consider. In some cases he could discern power and importance from the size or the shape of the monument, such as when the cylindrical tomb of Caecilia Metella (Figure 25.9) came into view or when he passed the enormous *columbaria* of

Figure 25.9 The tomb of Caecilia Metella. Photograph by Christopher Johanson.

the freedmen of Augustus. But in so many cases, he overlooked the details, which were lost in a sea of variegated yet ultimately similar monuments.

The curving of the road to the left, as if to indicate the coming entanglement of the streets within the city, was the first sign that he had reached his destination. The Temple of Mars, near the first milestone, introduced a change of landscape. The Appian Way contained a veritable city of the dead, but this city, low-lying compared to its living sister, differed in one other fundamental way: the temples to the gods were for the most part enmeshed in the living city. While the form of some tombs resembled that of small temples, the cultic practice associated with the dead differed greatly from the state-sponsored activity that occurred in the spaces dedicated to gods.

In the distance he saw the archway that once carried the old gates of the city, but no longer delineated its boundaries. The urban environment had already extended far beyond them. One of the most revered and renowned tombs stood nearby. The Tomb of the Scipios contained the remains of a famous and powerful Republican family (Figure 25.6). It was fronted by three statues and presented a billboard-like façade, as if it were a single-level version of the more elaborate *scaenae frons* that served as the backdrop to the monumental Roman Theater. The monument was larger than many of the oldest he had encountered, but it hardly compared to the mega-monuments

that were constructed during the time of Augustus. It once must have appeared to be the grandest of the ancient city. Now its memory was more potent than its physical form. In fact, this monument remained one of the last remnants of the Republican city he would meet. Even the oldest buildings inside Rome had been extensively remodeled and only vaguely resembled their earlier forms.

The slow curve of the Via Appia had ended. He continued his journey, now on foot, through a neighborhood of large houses. Off to his left, a gentle slope up the Aventine Hill carried more aristocratic homes. Cart traffic had picked up a bit in his immediate vicinity, but the walk remained relatively peaceful. Directly in front, he could see the original entryway of the Republican city, the Porta Capena. On both sides stretched the now ancient Servian walls, held by tradition to date from the time of King Servius Tullius himself.

The sounds of the city seemed to emanate directly from the arched entryway. Though the walls were merely symbolic, the scenery shifted dramatically as he passed the old walls. In comparison to the city of the dead along the Appian Way, the living city was defined by sheer verticality. The Appian Way forked in three directions. To the left, the massive curved façade of the Circus Maximus rounded a corner. Straight ahead, virtually filling his view, was the enormous, three-storey marble façade of the Septizodium. Behind, rising even higher and framing the façade, was the imperial palace on the Palatine Hill. The expense required to build such an extraordinary monument as the Septizodium must have been incredible. He knew that Emperor Severus had commissioned the monument only a few years earlier, but he was still puzzled every time he encountered it. Why was it there, and what purpose did it serve?

Turning right, another vertical wall stood in his path. The arches of the Aqua Claudia, recently fortified by Severus, spanned the wide road leading to the heart of the city. It was as if these vertical lines divided the city into clear urban zones. As he stepped through the arch of the aqueduct, he entered another panorama. Directly ahead, he saw the Meta Sudans, the so-called "Sweating Fountain," and towering above it, the large golden statue of the sun-god Helios. To the right towered the Flavian amphitheater. To his left, the Temple of Venus and Rome looked down upon the valley he had entered.

He turned sharply to his left to march up the gentle incline of the Sacred Way that led to the valley of the Forum. Again, the elevated place markers caught his eye first. Up ahead, the Arch of Titus signified the peak of the short slope he was climbing. It was a curious arch, he knew. Since this arch's dedicatee was called divine, it indicated that the emperor had not lived to see it built. Unlike triumphal arches, it was dedicated to him posthumously, and served both as monument to his apotheosis and, perhaps, as a kind of cenotaph (Davies (2000) 19–23). He had such a clear view of the arch because the road was empty in comparison to the valley of the Colosseum below. The Sacred Way had once been a major thoroughfare, but the Forum to which it led had long since fallen into relative disuse. Most of the municipal activities of the city took place in the adjacent imperial Fora.

He descended to the Forum below. As he passed through the triple arch of Augustus, he paused to observe the once great heart of the capital of the world. Workers were transforming the Forum into a spectator space in anticipation of the

Figure 25.10 Hypothetical view of the Roman Forum from the Sacred Way, 211 CE. © and courtesy of the Regents of the University of California, the CVR Lab and the Experimental Technologies Center (ETC), UCLA.

upcoming funeral ritual. Though the emperor had already passed away, his cremated remains were being carried to the city for the official rites. The workers were building bleachers and constructing a *baldacchino* next to the Rostra to display an effigy of the emperor (Herodian 4.2). Their work was undisturbed by passing crowds. The space was already more a monumental museum than an active civic headquarters. The towering basilicas flanking the entrance to the Forum were self-contained buildings that, in effect, walled in the Forum (Figure 25.10). Most of the buildings surrounding the central plaza, the Temple to the Divine Julius Caesar, the Temple to the Divine Vespasian, the Temple of Saturn, the Temple of Castor and the Temple of Concord, had been standing for at least 100 years, some much more, and were in need of refurbishment. The Forum was a monument of gleaming marble and fine stone, but it was also showing its age.

The recently constructed Arch of Septimius Severus stood at the western end of the Forum. Like the Septizodium that he had passed near the Porta Capena, this Severan monument also acted, in effect, like a billboard that blocked off a clear view to the older temples that stood behind. It also seemed to be an anomaly, a breath of freshness amidst austere decay. Like those of the Appian Way these older monuments were markers of a past that sought desperately to assert their symbolic importance on those passing by.

He moved north to survey the route of the upcoming procession. He climbed the steps of the Arch of Septimius Severus and ascended the Clivus Argentarius. Having risen out of the confines of the Forum plaza he could now see the Temple of Jupiter Optimus Maximus to his left, atop the Capitoline Hill. To the northeast stood the Temple of Juno Moneta, above a multi-level high-rise apartment attached to the

northeastern face of the Capitoline.[17] The gods clearly held their place above men, he thought. But as he scanned the horizon ahead, he noticed another monument rising above the cityscape. The statue of Trajan atop the emperor's column reflected the setting sun. Again, the imperial house had claimed privileged vertical space in the visual panorama. This monument was not merely a testament to imperial power and to the achievements of the emperor, it was also a tomb. Having just walked along the Appian Way, he immediately thought that it was as if a small portion of the street of tombs had extended into the city itself. Just as each of the tombs competed for an audience along the roads entering the city, so the Column of Trajan did the same within the city.

He continued his walk along the Clivus as it curved to the northwest and wrapped around the Arx. Once it descended it became the Via Flaminia, the major northbound exit from the city. On his right, another funerary oddity: the tomb of a Plebeian aedile named Bibulus. It was a small *aedicula* within the Pomerium, the area where by law the dead could not be buried (Cicero, *On the Laws* 2.23.58). Children were playing around the monument. Doubtless they came from the opposite side of the road where an apartment building hugged the wall of the Arx. The feel of the city had changed again. The whinnying of horses and the scent of manure coming from the stables that served as the headquarters for the *cursus publicus*, the imperial postal service, lent a slightly bucolic air to the walk. To the west, tall apartment buildings (*insulae*) with street-level shops and the outer walls of more monumental structures encroached upon the Via Flaminia.

After a few minutes he passed under another arch, and a vista opened to the west. He saw the statue of another emperor perched upon another column, this time the Column of Marcus Aurelius. Further to the west his eyes were drawn to another monument, which he thought, after brief contemplation, might be a column built in honor of the emperor Antoninus Pius. It was difficult to tell from a distance, since this column was a plain, red granite shaft. As he turned his attention back to the road, he met the gaze of an older woman staring down at him from the third floor of the nearby apartment. She quickly looked away, turning slightly to face the column and the setting sun before shuttering her window. The residents in these apartments must have excellent views of the Campus below! They at least might be able to read the upper registers of the nearby column.

As he continued northward, the plane of the Campus Martius to his left revealed an imperial graveyard. The monumental remnants of imperial funeral pyres stood nearby, but their presence was dwarfed by the massive architectural arrangement that followed. The granite obelisk of the Augustan gnomon (Heslin (2007) 1–20) and the distant statue atop the gargantuan Mausoleum of Augustus framed the small Altar of Peace located on the left side of the road. When he turned to face the altar directly, the obelisk appeared to be part of the monument. In the distance, framing the view was the newer addition of the Mausoleum of Hadrian. As he turned right, the Mausoleum of Augustus filled the rest of his view. The imperial households, over time, had appropriated a massive section of the landscape and the panorama of the viewer. Moving further north to the Mausoleum itself, he saw a similar set of connections. Over the *Ustrinum* of Augustus stood the Mausoleum, and, further back, the

Mausoleum of Hadrian. The open vista, the extended landscape, the visual coherence and the sheer scale of the combined and designed urban plan contrasted with the disorderly mess of funerary monuments that he had seen along the road leading into the city. The emperors had done what many before had hoped to achieve: their funeral monuments could not be ignored.

4   A City of the Living and the Dead

The city of Rome presented a paradoxical arrangement of the living and the dead. By rule of law the dead were buried outside the realm of the living. But in a city of shifting and fuzzy boundaries, the dead and symbols of death were everywhere. The living walked alongside the dead at funerals, bathed next to their tombs and walked or rode among them for miles whenever they traveled. A traditional scholarly discussion might easily overlook these connections and ignore the continuous visual narrative experienced every day by a pedestrian who walked the streets of Rome. Spaces and places derive their meaning from experience, however (Tilley (1994) 7–34). A hypothetical journey forces author and reader to consider the sights and sounds encountered along the way. Even the emotions of the protagonist cannot be ignored.[18] A speculative experiential narrative offers a unique and necessary mechanism for exploring the phenomenology of a landscape or, as it were, a funerary cityscape.

FURTHER READING

Scholars have undertaken only a handful of experiential investigations. In his exploration of Pompeii, which attempts to capture the pervasiveness of Roman religion in the daily lives of its citizens, Keith Hopkins (2000) underscores the concomitant pitfalls of such fictional narratives. Diane Favro's (1996) pioneering work on the urban image of the city follows a fictive father and son as they walk through Rome of the late Republic and a grandfather and his granddaughter as they walk through Augustan Rome. More recently, Alex Butterworth and Ray Laurence (Butterworth (2006)) have collaborated on a project that intersperses fictional narrative with scholarly discussion. Their work on the Roman funeral in Pompeii is particularly relevant. The best starting point for any discussion of the Roman funeral is John Bodel's (1999) examination of funerary spectacle and the evolution of the Roman funeral from Republic to Empire. Toynbee's (1971) survey of death and burial practice provides valuable additional sources. For the eulogy, Crawford offers a concise and still valuable introduction (1941). Flower's work on aristocratic masks (1996), especially the chapters on the home, the procession, and the eulogy, is comprehensive and offers a nearly exhaustive list of conveniently translated sources. Simon Price examines concepts of divinity and the imperial funeral (1987). Davies looks closely at the footprint left on the landscape of the city by the funerary monuments of emperors (2000). On the tombs of Roman freedmen, see Petersen (2006). Carroll gives an excellent survey of Roman commemorative practice (2006). To navigate the ancient city and explore the enormous amount of debate and controversy surrounding its reconstruction – necessarily omitted from this short experiential study – one should consult the recent translation of Coarelli's guide to

Rome (Coarelli (2007)) in conjunction with Claridge's archeological guide (1998). The most accessible collection of translated ancient sources relating to the monuments of the city is that of Aicher (2004). In addition, numerous digital resources ranging from the Roman Forum Digital Library, the Rome Reborn 3D models and the HyperCities Rome project will aid the virtual traveler.

NOTES

1   See Hopkins (2000) 44–45 for a discussion of the various pitfalls inherent in experiential studies of the past.
2   The following account leans heavily on the detailed description of a Roman aristocratic funeral in Polybius (6.53–54).
3   The masks remain an archeological enigma. No convincing remains survive (Wallace-Hadrill (1999) 233). Even by the first century CE the masks had become a distant memory (Pliny, *Natural History* 35.6). The lying-in-state may have lasted as long as seven days (Servius, *ad Aeneidem* 6.218) but there was no firm rule (Cicero, *In Defence of Cluentius* 9.27).
4   According to Polybius (6.53.8), the men wearing the masks rode in a chariot, but it is not entirely clear whether they were actors who trained specifically for the part (Diodorus Siculus 31.25.2) or family members.
5   Modern understanding of the positioning of the body has been guided primarily by the relief from Amiternum rather than by a literal reading of Polybius (6.53.1), who writes only that the body was propped upright. It is worth considering the visual effect of the body standing fully upright (Swan (2004) 321, note 191) as if he too were actively participating one last time in a procession through the Forum.
6   The first major paving effort within the city of Rome was in 174 BCE (Livy 41.27.5).
7   Curiously, while mourners can be found surrounding the bier the two men hefting the back end of the bier appear to be smiling (Figure 25.1). Their faces are the only two clearly visible. The expressions of the other pallbearers display considerably more wear.
8   A veil was interposed between the emperor Tiberius and the corpse at the funeral of his son Drusus (Seneca, *To Marcia* 15.3). Even the ancients did not fully understand the reason for the act (Price (1987) 66).
9   Rüpke (2006) contends that the funeral cortege presented a parade of living statuary, though it is only the body of the deceased, not that of the ancestors that is stationary.
10   On mourning attire, see Bodel (2000) 141–42.
11   We know surprisingly little about the Roman funeral oration of the middle Republic. Only fragments or fictive accounts of funeral orations survive (Flower (1996) 128–58).
12   No evidence survives to indicate how the ancestors gestured atop the Rostra or anywhere else during the funeral. There was also apparently a custom, not discussed above, where a mime would imitate the deceased himself (Diodorus Siculus 31.25.2; Suetonius, *Vespasian* 19.2). These mimes played a mocking humorous role. When all other evidence points to a carnivalesque atmosphere surrounding the funeral, perhaps we should expect the same from the eulogy.
13   No evidence survives to indicate what the ancestors did after the eulogy. The following is speculative.
14   The Tomb of the Scipios dates from the early fourth century BCE. The description given above details a mid-second century BCE remodeling, which may postdate the dramatic

date of this section of the narrative. The precise dating of this second phase remains controversial (*LTUR* 4.283).

15 Unfortunately the occupant of this monument, the so-called Casal Rotondo, is unknown (Coarelli (2007) 398).

16 Even Livy professed ignorance, though he added that the Horatii were thought to be Roman by general consensus (Livy 1.24).

17 The location of the Temple of Juno Moneta remains the subject of much debate. For the most recent proposed reconstruction and a discussion of the problem, see Tucci (2005).

18 Tarlow (1999) 1–2, 20–49 uses the case of William Mainland, who died in 1894 on the island of Rousay, to study an archeology of emotion.

The Family and the Roman Countryside

Stephen L. Dyson

Writing the family into the Roman countryside is a difficult task. Our literary and epigraphic information is spotty and oriented toward the elites. Archeology can provide some information concerning family life. However, its extraction requires the most sophistication of archeological techniques and often even then remains controversial. Roman history has great time depth stretching over more than a millennium, and family life along with all other aspects of Roman society changed significantly. Finally, the current debates on Romanization and its limits have forced us to realize that much of "Roman" history is not really about Romans, but a variety of societies that existed within Roman-controlled territory. That is especially true of the always-conservative world of the countryside. This chapter will be a tentative and certainly controversial effort to explore that diversity within the concept of the Roman family.

It is useful to begin with a stereotype. That will be a "model" Roman rural family of the middle Republic before the traumatic events of the Second Punic War. The household is presided over by the *pater familias*, the patriarch who has farmed and improved his land for decades. He is assisted in his tasks by three hardy sons, also soldiers as well as farmers. The daily rounds of the *domus* are regulated by the wife and the daughters, thrifty folk, who spin and weave in their spare times. Slaves and animals make up the rest of this farm unit.

The first point to make is that the nuclear family was a unit defined and control-led by Roman law. The father's control, the *patria potestas*, was theoretically and even legally absolute over all members of the household including the grown sons. The days when fathers slew sons for acts of disobedience were presumably long gone, even in the conservative country districts. However, the sons remained dependent on the father, especially in the area of control of property, until the old

man passed on or the son was legally emancipated. However, this *de iure* world must have clashed with reality, especially in the country districts. Adult sons, and especially those starting their own families, would have wanted their own farms, and available land would not necessarily have been adjacent or even close to the paternal farm. The creation of multi-generational families also raised questions of labor as well as land. New farms required new hands, while the paternal farm lost important sources of labor.

The same applied to the daughters, who depended on the father for the dowry that made marriage possible in a property-driven rural world. The case of the daughter/wife was even more complicated than that of the son/husband. The most common form of marriage at that point in Roman history involved a dowry that came into the usufruct of the husband, but legally remained the property of the wife's family. If the wife died or the couple divorced that dowry went back to her father's household. Such legal provisions partly explain the relatively self-confident status of Roman women in comparison to their Greek counterparts.

The Roman term *familia* as used in this mid-Republican context had a broader, less sharply defined conceptual framework, one closer to the English word "household." Mention has been made of slaves. In our "Golden Age" household they were probably few in number. Legally they were little different from the horses and cows, "speaking animals" as the Romans cynically referred to them. However, family social and emotional attachment varied within the household slave community. Special was the respect and care for the *nutrix*, who both literally and figuratively nursed the children of the household. That attachment was reflected in the tombstones set up to the memory of such *nutrices*. While the institution was obviously more of an elite, urban phenomenon, a considerable number of these dedications have been found in the small towns of Italy (Bradley (1991) 13–36).

Legally slaves could not contract marriages or create *bona fide* families. However, informal but durable bonds of affection were formed and *de facto* households with "wife" and children created. Their hope of improvement of status lay in obtaining their manumission either through the beneficence of the master or through the purchase of their freedom. Freed slaves became citizens, albeit with certain restrictions. They could then contract legal marriages. Children born after manumission were full, free citizens. While such ex-slave families, now *cives Romani*, were certainly less common in the countryside than in the city of Rome, tomb monuments and inscriptions show that they did exist.

The loosest extension of the rural *familia* or "family" would have included tenants and other free dependents. Gone were the days when great families like the Fabii and Claudii could, like Scottish lairds, lead their private armies of dependents into battle. However, the Roman rural rich controlled large numbers of tenants and sharecroppers, who provided income, but also key social and political support, sometimes at Rome, but especially in the local community.

Roman Republican political history was principally about competition among families, starting with the senatorial elite at the top and continuing down to the seediest town council of the sleepiest full citizen community. It operated vertically as the senators called on client heads of leading secondary households, while they in turn

rallied their own clients, and so it continued down the line. Always worth remembering was the fact that the rural base, the *bonus agricola*, was a Roman citizen, whose person and whose family enjoyed full legal protection. This was a world of free men, and such words as "peasant" or "serf" have little meaning.

The family world that has just been described was one of Roman citizens. However, most of Italy in the third and even the second century BCE did not have full Roman citizenship. The rural districts immediately around Rome, but outside the *ager Romanus*, were Latin territory with their own legal traditions linked to, but separate from Rome. Cosa in Etruria, the best-known Republican archeological site in Italy, was technically a Latin colony, where farmer/soldiers and their families, formerly full Roman citizens, had been willing to become Latins in exchange for substantial plots of land. The fact that Roman law provided for *conubium*, the right of legal intermarriage with groups like Latins, suggests that their family customs were relatively similar. However, full Roman *familiae* they were not.

The differences, especially in the rural areas, would have compounded themselves as one moved into other parts of Italy. While our evidence for rural Etruria between the third-century conquest and the first-century BCE Social Wars is sparse, there is enough to suggest social and economic structures very different from Rome. Slavery and serfdom with a high level of rural tension and insecurity were more common. Family life would have been much more unstable. Samnite law and custom prevailed in many areas of mountainous central Italy. While we can say a certain amount about the societal patriarchs, we can say little about wider family structures there. It is probable that life was more "feudal," more like early Rome. However, it seems likely that at the base Samnites were free men and women with a core stability in family life. The Romans controlled the Greek towns of south Italy and most recently those of Sicily. Many retained their own Greek-based legal systems, which would have been different from those of Rome as they affected key components of the family, especially women and slaves. This patchwork of familial law and custom remained in place until the Social Wars of the early first century BCE.

Time has come to return to our archetypal family of the middle years to later years of the third century BCE. In spite of myths of ideal autonomy, their world was not an isolated one, and major changes were about to impact it. Several scenarios have been developed to explain the changes that came about during the later third and second centuries and altered the social and economic basic structures of the Italian countryside and in the families that were its base.

The most accepted version has the patriarch and most of his sons slaughtered in Rome's wars, first against Hannibal and then against the Hellenistic powers of the eastern Mediterranean. Carthaginian soldiers were present on Italian soil for more than a decade during the late third century. They raided farmsteads, burned buildings, slaughtered families and dependents, and carried off slaves and livestock. Even if wives and minor children survived they could not maintain the farms. They went into debt and soon their properties fell into the hands of senators and equestrians flush with the spoils of war. They in turn brought in gangs of field slaves also acquired during the recent wars. The small citizen farm became part of the emerging plantation or *latifundia* system. What was left of the rural farm families fled into the

capital, where they became part of the growing rootless, impoverished proletariat. Except for a few estate managers and their households and the occasional, visiting senatorial entourage, the family largely disappeared from the Republican countryside. Historians have seen the slave gangs as overwhelmingly male. A few females may have been available for household and breeding purposes, but hopes of manumission and new family formation in the rural areas were now severely limited.

This dismal scenario has many of its roots in the moralistic laments about the decline of Roman traditional society that appeared in the ancient authors and has continued with more modern historians of rural Rome. It has been reinforced by Marxist paradigms centered on the corrosive effects of ancient slave systems that since the Second World War have been so important to the interpretation of crises in the Roman Republican economy. Sadly we do not have for ancient Rome most of the various land and demographic records that provide information for more precise analyses of rural social and economic structures from the medieval period onward. However, the more skeptical consideration of the ancient authors, fresh looks at the realities of geography and Roman law and a growing body of evidence from archeology have forced scholars to rethink some of the more dire scenarios.

The Roman farmer in Republican Italy faced certain iron contradictions. Good land in most parts of the peninsula was scarce, and by this period there was a sizeable free population competing for that land. The Romans were legally supposed to practice partible inheritance, which meant that at the father's death the family land and other possessions had to be divided up among all of the children, both male and female. Moreover, death or divorce might also lead to the loss of the dowry land. Studies done in colonial New England have demonstrated how the application of partible inheritance in communities with large tracts of virgin land led in a few generations to a severe land shortage (Greven (1970)). In more densely populated Republican Italy an unfettered application would have been even more devastating. The Roman "blood tax," whatever the sentimental devastation it caused, by removing large numbers of young males, might well have helped stabilize the rural economy. While heavy war causalities continued in the decades immediately after the Punic Wars, they presumably diminished during the course of the mid to late second century.

That overpopulation rather than underpopulation may have been the major concern of the countryside even in the aftermath of the Punic Wars can be seen in the decision taken by the Roman government in the early second century BCE to found a number of large Latin colonies (Salmon (1970)). They were concentrated in the territories of north-central Italy that had recently been conquered from the Gauls. All such colonies were based on the establishment of hundreds, even thousands, of family-run farms. Most of the colonies flourished, and communities like Mutina (Modena) and Cremona became mainstays of rural/small-town Italy under the later Republic and the Empire.

Survey and settlement archeology have made their own important contributions to rethinking the fate of the rural family during this period. Changing agricultural practice in postwar Italy and especially the introduction of mechanized ploughing led to the unearthing of thousands of previously unknown rural archeological sites. The nature and extent of the remains from many of those indicated that they were family

farms. British archeologists pioneered the systematic collection and analysis of this new field data, first in the areas around the old Etruscan center of Veii north of Rome and then in other parts of Italy (Potter (1979)). While detailed interpretations of the historical meaning of that evidence have been subject to a variety of technical and even ideological debates, the increasing body of data has demonstrated the tenacity and the long-term survival of the family farm in many parts of Italy.

The concept of the plantation/villa as an emerging force destructive to Roman rural family values did not die quickly or easily. Indeed it was reinforced by an Italian Marxist school of ancient historians and archeologists who sought to combine their frameworks of interpretation with the high-quality excavation of villa sites to demonstrate the reality of the "slave mode of production." The best publicized of those was the project at the Villa Sette Finestre near the Roman site of Cosa directed by Andrea Carandini. Sette Finestre became interpreted as a place where elite family values and interests were supported by the de-socialized labor of the slave mode of production (Carandini (1985)). That such villas existed cannot be doubted. However, they were often special niche enterprises that exploited the productive and export possibilities of a limited area. They cannot be cited exclusively to deny the abundant evidence for a complex, family based social and economic world in late Republican rural Italy.

Even the villas were probably more complex social systems than just rich elite families facing off against chain gangs. As in the case of the Ante-Bellum American South, female slaves were probably present in significant numbers, and it is likely that *de iure* if not *de facto* families were formed on the estates (Fogel (1974); Genovese (1974); Roth (2007)). The legal structures of Roman slavery offered much more opportunity for manumission than did American slavery. While examples of freed couples who after manumission went on to form their own legal *familiae* were probably less common in the countryside than in the larger cities, the mortuary inscriptions demonstrate that they did exist in some numbers.

The legal structure of Roman Italy, including laws relating to the family, was changed dramatically by the Social Wars. As a result of the agreements that ended the wars, the bulk of the free population in Italy south of the Po became full Roman citizens. Our best insight into the rural social world of Italy in that period comes from a series of defense speeches that Cicero gave for clients, and especially his *In Defence of Roscius of Ameria* and his *In Defence of Cluentius* (Dyson (1992) 64–77). Both those trials represented sordid dramas centered on small-town elites. Key issues related to the control of property both within families and among the families who dominated politics and society in the many *municipia* that made up the backbone of Roman Italy. Resources in those communities were generally finite and scarce, and elite competition was keen. War no longer played so major a role in skimming off the surplus male population and providing for the survivors new, external resources. The laws of partible inheritance were at least on the surface as strong as ever. While the nuclear family remained key, tensions could develop between different lineages of the wider family as they fought over land and other rural resources. Marital politics clearly played a major role in those struggles.

The end of the Republic and especially the Civil Wars that accelerated its demise certainly impacted many rural families. Major land confiscations were carried out and

large, new colonies of veterans established on Italian soil (Keppie (1983)). However, this probably did not change the core patterns of rural family existence in a fundamental way. It is significant that when soldiers and veterans used their muscle to extract concessions from the government what they generally sought was land. The turmoil in the long run seems to have reinforced a rural world built on family farms. The Augustan period that followed seems to have been a prosperous time for at least the Italian countryside.

The new emperor was rigorous in his promotion of "family values." Divorce and childlessness were discouraged and reproduction rewarded. Most of our literary accounts focus on the Roman elite, and it is hard to tell how much impact the "new morality" had on the countryside. For practical social and economic reasons traditional mores still prevailed. Elite life probably changed little from the days of Cicero's quarreling clients. Municipal politics continued unabated. The emperor encouraged the *municipales* to invest in their communities. The local leaders also expanded and beautified their villas. The eras of Augustus and the early Julio-Claudians are archeological Golden Ages in rural Italy.

The establishment of peace with the end of rural destruction and confiscation initially supported this new prosperity in the Italian countryside. However, it also allowed some of the old contradictions to reassert themselves. Land remained a largely finite resource, although some of the evidence from survey archeology suggests that in some areas more marginal lands were being developed. Intergenerational succession, at least among citizen families, led to the division of land and other resources. The end of widespread citizen military service meant that fewer sons would be killed in war. Some continued to join the army, but, as the recruiting grounds moved closer to the frontier, that option probably played less of a demographic role in controlling growth in Italian communities. Infant mortality was high, although, in spite of enthusiastic efforts by modern students of ancient cliometrics, we cannot really say how high (Soren et al. (1999) 482–85 with associated bibliography). Rural areas were probably safer for infants than crowded cities. However, under normal circumstances in a world without effective birth control it could not prevent population growth. Occasional pandemics like that under Marcus Aurelius must have impacted the countryside, but our always-fragmentary evidence suggests that they were less common than often supposed.

An increased body of inscriptions, both pagan and Christian, allows us to document family formation practices that apply to both city and country. Males might delay into their late 20s or early 30s (Saller (1987), (1994) 33–41). Some girls married shortly after puberty and most by their late teens. Unlike many societies in post-medieval Europe, Roman law did allow for divorce. Since most couples in the later Republic and Empire would have contracted marriages *sine manu*, divorce would normally lead to the return of the wife's dowry to her family. The literary sources convey the impression that divorce was commonplace in ancient Rome. That picture reflects the urban elite. While statistics are not available for the countryside, it seems likely that social and economic constraints would have made divorce there much less common.

Roman women had a long fertility cycle with the possibility of multiple births (Hopkins (1965); Shaw (1987)). Delayed marriage and even the decision not to

marry at all have been strategies used in early modern societies to cope with potential land shortage. There is some indication of such practices among the Roman elite, although imperial legislation discouraged bachelorhood and childlessness. The avoidance of marriage presumably would not have been an option for most Roman farmers. Among other factors they needed the resources of a dowry and the labor of a wife and children on the farm. Certainly there were no nunneries or monasteries for unmarried males and females and little evidence of maiden aunts or bachelor uncles.

Infanticide and exposure (in many cases the same thing) certainly were practiced, although the practice is hard to document, and its extent almost impossible to document (Corbier (2001)). Rome did not have institutions like orphanages, convents, or foundling hospitals that took in unwanted infants. Common places of exposure existed in towns and cities. In the small communities of the countryside, where private business was very often common knowledge, the anonymity of newborn exposure would have been compromised. Certainly such practices existed, but their demographic and social impact can be exaggerated. The practice posed its own ambiguities. The raising of too many children could impoverish both present and future generations. However, excessive sacrifice of infants posed problems for many families, for again they needed the labor of growing children to maintain their farms. It is often claimed that girl babies were killed more frequently. However, there is little clear evidence from the overall demographic evidence that more infant females than males were sacrificed. In certain regions of Roman Italy males were more commonly represented in the funerary commemorative record than females. However, that probably reflects values and customs of commemoration rather than actual social behavior (Gallivan and Wilkins (1997)). Too great destruction of female infants can produce short-term advantages, but major long-term demographic problems when the supply of breeding females becomes too small. It is likely that disease and other health hazards kept the child population under control (Rawson (2003) 117). The epigraphic record from Roman Italy provides evidence for only one family with ten children, but 90 percent record having two or fewer children (Gallivan and Wilkins (1997) 241–42).

Evocations of the slave mode of production and the images of chain gangs still dominate many narratives about the imperial countryside. However, the days of massive influx of slaves suitable for agricultural work in the Mediterranean countryside were largely over. The large estates certainly maintained a considerable slave household. However, smaller farmers, free and tenant, become an increasingly important presence. They certainly had a few slaves and could hire some free labor. *Alumni/ae*, often foundlings and orphans, were attached to the household and supplied cheap labor (Rawson (2003) 252–54). However, the farmer still desperately needed the labor input of the nuclear family. Children as young as seven could provide help in tasks like caring for animals. As they grew older their labor contribution increased. However, those children, when they reached adulthood, would have needed their own land and labor resources.

The legal sources provide us with a great deal of information about the world of the elite under the Empire. Since the law is always largely concerned about property, and for the Romans much of that property was located in the countryside, study of the legal sources provides important information about rural life. Roman law of inheritance

incorporated a rich variety of instruments for passing on or not passing on property. The complexity of the processes led in turn to much litigation and hence many *exempla* of interest to social historians (Saller (1994) 161–80).

Since the law of the Roman imperial era is so much concerned about such issues as tutelage, inheritance and succession it provides much insight into family life. What becomes clear from the study of rural-related cases is the need to think once again in terms of an extended *familia* rather than what we think of as a nuclear family. That family that appears in the legal documentation was also a multi-generational family, where the rights of infant, mature children and *senices* had to be considered. The relatively strong property rights extended to women added other complexities to the Roman inheritance picture.

The widespread institution of guardianship (*tutela*) illustrates the ramifications of that complexity (Saller (1994) 181–203). Since most Roman males married in their late 20s to early 30s, many would not live to see their children and especially their male children reach adulthood. The problem of the loss of the father was normally dealt with by the creation of legal guardians or *tutores*. The guardians took on the complex task of maintaining the integrity and value of the property entrusted to them until the child reached the age to assume legal responsibilities. While not all *tutores* would actually be kin members of even the extended family, they took on complex, long-lasting obligations that *de facto* if not *de iure* made them members of that extended *familia*. Since much of the land they managed as part of the estate was in the countryside, they became an important presence in Roman rural life.

Many parents did not survive to see their children reach adulthood, let alone reach old age. However, some did. Indeed some of the country districts were famous for their examples of long-lived inhabitants. The germ pool was less complex and deadly, and air and water purer. Members of the urban elite escaped many tensions when they retired to their rural estates. Indeed, the contented rusticated senator became something of a *topos* in Roman literature.

The general position of the aged population in the countryside was probably stronger than it was in the larger towns and especially in the cities (Parkin (1997), (2003)). First of all, land was key to survival there, and the parental *senex* could control his property until his death. Tension was inevitable (Dixon (1997)). Not surprisingly in that social and legal situation, parricide was a much feared and brutally punished crime. Such an alleged parricide in the small Tiber valley town of Ameria was central to the case that Cicero defended in his speech *In Defence of Roscius of Ameria*. Women, especially those outside of the elite, were in a less secure position, because they did not have the same power and extent of property control.

Ancient Rome did not have pensions or formal institutions for the care of the elderly. Custom and increasingly the law forced children to care for elderly parents who were not in a position to use their control of property as a means of obtaining that support. The aged were also supported by the high level of social visibility in the small communities of the Roman countryside. A neglected parent, like an abused wife or child, was an ongoing object of reproach to a family, whose behavior would have been excoriated by the men and women gossiping each day at the village fountain.

Literary sources ranging from bucolic poetry to the more formal tracts on agriculture by authors like Varro and Columella provide us with important if always selective and slanted views of the social world of the Roman countryside (Martin (1971)). An especially good window into the rural social world of Italy under the high Empire comes from the early second-century CE letters of Pliny the Younger. Like most senators Pliny depended for much of his income on his rural holdings scattered in different parts of Italy. He talks in his letters much about both the economic and the social challenges of being an estate owner. His interactions with the rural-municipal elite figure large. So do the quarrels and protests of the tenants and smallholders who paid the rents on which he depended. The importance of the tenant in the social and economic life of Pliny highlights the ongoing importance of that institution that connected the rural world of the Republic with that of the late Empire. Details of lease structures and modes of production and payment are not important here. What is important is the ongoing importance of that type of family-based farm.

However, by the early second century AD the rural family in Italy was clearly facing serious economic and hence social challenges. Growing rustic poverty threatened the ability of both men and women to receive adequate education, form marriage alliances, and continue the world of small farms that provided both manpower to the empire and income to the elite. Pliny's anxiety about maintaining the social structures of his local countryside was shown in his establishment of a large endowment to aid poor boys and girls in his native town of Comum.

Such concerns shaped the behavior not only of important senators, but also of the emperor himself. The early second-century emperor Trajan promoted an ambitious programme for the creation of endowed foundations (the so-called *alimenta*), whose income would be used to support rural families. Of special concern to this imperial programme was the provision of dowries for country girls that would allow them to marry and become the mothers of the next generation of farmers. Trajan's great arch at the interior Italian city of Benevento has as one of its most prominent reliefs a scene showing the distribution of subsidies to local families. The message of supporting family values is made clear by the special attention given to the depiction of parents and children (Hassel (1966); Laird (2008) 511–12). The details of the operation of the *alimenta* are provided by several inscriptions commemorating their establishment. One of the most important of those was found at the site of the small town of Ligures Baebiani not far from Benevento.

These schemes were apparently of only limited success. The archeological evidence suggests that from the second century CE the Italian countryside experienced a progressive crisis. In some areas both substantial villas and the small farms were apparently abandoned as the century progressed. However, there is considerable regional variation, and it may be premature to talk about the total collapse of the family based agricultural structures that had sustained the Italian countryside since the days of the Republic.

With the consolidation of the empire the concept of the "Roman countryside" and the families that formed its base takes on greater geographical and cultural diversity. The area of Roman control stretched from the north of Britain to the banks of the Euphrates and incorporated a diversity of rural cultures with ancient, distinctive ways

of life. Most of the rural inhabitants under Roman administrative control in those areas were not citizens, and many aspects of their family life did not come under Roman law. Their lives were still shaped by dominant social and economic institutions carried over from the past whose own evolution will be considered shortly. However, the emperors created certain new institutions which had important, long-term impacts on rural economy and society, and on its family structures. Of those the most important was the army.

Augustus had laid the foundations of a new professional army that was to be largely removed from Italy and the Mediterranean and stationed along the frontiers. The soldiers of the legions were still expected to be citizens. The smaller and more numerous auxiliary units were recruited from provincial areas, where citizenship was rare. However, at the end of service their members were granted citizenship, a major inducement for joining that service. Most units of both types were stationed in non-Romanized rural areas, where they regularly interacted economically and socially with the rural population.

Until the early third century CE serving soldiers could not marry during their 20 to 25 years of service. However, they were not required to remain celibate. The service communities that soon grew up around the garrison camps included numbers of women, who provided sexual services. Some were slaves and professional prostitutes imported from the outside. However, many of the women, especially in the smaller, more remote garrisons, must have been drawn from the local, rural population. While many of the relationships between soldiers and rustics were casual and exploitive, it is clear that others became more stable, *de facto* families with households and children (Phang (2001)). In the poor, backward countryside around many garrisons, the soldiers with their regular, substantial pay packets were attractive partners.

When their terms of service were over, the legionaries could contract legal Roman marriages. For the auxiliaries honorable discharge meant citizenship and legal marriage, both rare privileges in the remote rural areas. It is unclear how many of those marriages were finally contracted with indigenous women. The inscriptions from certain areas like North Africa suggest that the soldiers mainly married free or freedwomen, who did not come from the rural areas around the bases (Cherry (1998)). However, the epigraphic evidence is highly selective and elite oriented. Many of the slaves, free and even freedwomen who paired off with soldiers, especially in the auxiliaries, would have been local. Sources of other suitable partners in a remote camp on Hadrian's Wall would have been very limited.

Some of the retired soldiers returned to their original home area. Finds of discharge diplomas in remote areas like central Sardinia show that. Others probably remained close to the camps that had been their homes for decades. Beginning in the early third century serving soldiers were allowed to marry and raise families. Archeology testifies to a breakdown between camp and support community with female-related objects present in the barracks. However, the sources of women would not have changed. In many cases sons followed fathers into the military. The more prudent and ambitious soldiers and veterans would have invested in local land and became members of the provincial town-country elite.

Focus on the Italian scene, the highly Romanized areas of the Mediterranean and a very Roman institution like the army provides insight into only a small part of the variety of rural customs and institutions including those of the family. Recent scholarship has stressed the limits of Romanization in many parts of the empire (Mattingly (1997); Keay and Terrenato (2001)). Such reservations are especially relevant for the countryside, where social change probably came most slowly. Roman citizenship must have long remained rare outside of the rural elite. Even the granting of universal citizenship by Caracalla in 212 probably had limited actual impact on social behavior. Institutions related to family structure probably blended Roman realities with survivals from Iberian and Celtic pasts.

Reconstructing the world of Roman northwest Europe and especially its sociology is not an easy task. Earlier scholarship that concentrated on inscriptions, villas and other manifestations of the elites has been increasingly complemented by archeological approaches that focus on the villages and farmsteads of the rural social base. Pictures have emerged of an incredibly complicated countryside with considerable regional variation. Older models that stressed Romanization have been largely replaced by those that talk about resistance and "creolization" (Webster (2001)). These rapid changes and diverse approaches can best be appreciated in the recent scholarship on Roman Britain (Millett (1990); Mattingly (2006)).

Studying the provincial rural family both as a social and economic unit in this climate of rapidly changing scholarship is a daunting task. While we know that a rich variety of customs and institutions must have continued long after the Roman conquest, they are hard to document. The literary sources and inscriptions are almost totally silent on the realities of family life for the ordinary country dwellers in formerly Celtic and now Roman Gaul and Britain. Visual representations of rural life from certain areas like Gaul and Germany are impressively rich (Esperandieu (1910–1938)). Those most often reproduced are generally associated with elite activities and tell us a certain amount about the family life of the most Romanized elements in rural society. We see the lady of the house being beautified by her servants or her children being taught by a tutor, depicted with the beard of a Greek philosopher. The latter is of special interest, for it was through the education of children that many elite families went from being "native" to Roman (Woolf (2000) 72–76).

The peasants only appear clad in their local dress of hoods and long cloaks on simple tombstones or on reliefs that show economic transactions like the payment of taxes. Some scholars have attempted to use later Celtic sources, like those from post-classical Wales, to understand the reality of customary behavior in the Roman northwest (Stevens (1966)). The approach is suggestive, but the problems of direct linkage very serious.

Western provincial archeologists have long concentrated much of their efforts on the study of villas, whose plans and furnishings reflect the high level of Romanized residential and presumably family structure that one would expect to find among the assimilated rural elite. Improved excavation techniques, more sophisticated analyses of plans and increased attention to the distribution of occupational debris within domestic spaces have allowed a better appreciation of the complex and probably diverse social worlds of the villa.

Some effort has gone into the definition of gender-related spaces within the villa complexes. Other archeologists, after detailed comparative study of villa plans, have argued that extended families or even wider kin groups, whose social organization still reflected Celtic family traditions, actually dwelt in some of those apparently very Roman spaces (Smith (1997)). Such approaches can be criticized on a variety of grounds, not least that Roman habitation spaces are proving to have been increasingly flexible in actual use and that Roman traditions as well as Celtic also could allow for the presence of extended, multi-generational families living in the same rural residential complex (Rippengal (1993); Woolf (2000) 155–57).

Archeologists working in Roman Britain have also increasingly documented the continuity of pre-conquest type rural habitation structures and of village-style communities into the Roman period (Hingley (1989)). Many areas in the north and the southwest of Britain never saw significant villa development. Native house forms presumably with elements of the attendant family structures survived in many areas long after the conquest. In the Romanized as well as the non-Romanized zones villages with very un-Roman looking buildings were much more common than formerly thought. Crowded, complex, native-style dwellings suggest complex extended families different from the Roman *familia* of the villa.

Our last glimpse into the world of the Roman rural family comes in the fourth and the fifth centuries, when Antiquity was beginning to transition into the Early Middle Ages. The period is well documented in the literary sources, the legal sources and in the archeological record, although here again the light shines most strongly on the elites of Italy and Gaul. The life of rich families maintaining aristocratic values and leading the cultured life in often-remote villas in Italy, Gaul, and Iberia persisted at least into the fifth century. They were decorated with fine sculptures, mosaics and wall paintings, which reflected the owners' strong adherence to classical norms in a changing world (Sperling (2005)).

More drastic changes came to the life of the ordinary country dwellers and their families (Nathan (2000) 170–71). Slavery appears to have played less and less of a role in the economy and society of the Roman rural West. The most important structural change that apparently did come was the process by which farmers were increasingly bound legally to a plot of land and a series of obligations to their landlord. What was left of the free farmer morphed into the *colonus* of Late Antiquity and then into the medieval peasant. It was a prolonged and complicated process, whose exact nature has generated much debate among historians of Late Antiquity and also of the Middle Ages.

The starkness of this picture of an increasingly oppressed rural base may be exaggerated and require more nuanced interpretation. Certainly tenancy expanded at the expense of the formerly "free farmer," but also at the expense of slavery. However, tenants were not always helpless pawns, and the change of status may sometimes have improved their condition. The powerful owners of the great estates to which they attached themselves gave them some protection against state officials and other rural magnates. Even town councilmen, the *decuriones*, who had long formed the backbone

of rural small-town society, sought the real protection of *colonus* status. One structural result of these transformations was likely the expansion of villages at the expense of individual resident farms, a solution more convenient for tenants who were working scattered plots of land and rural aristocrats who wanted great social and economic control. Whatever the social status or place of habitation, the basic unit remained the family. Indeed the decline of chattel slavery probably reinforced the importance of the rural family.

The slow conversion of the empire to Christianity had multiple impacts on the rural family as on all aspects of Roman life. Christianity placed great emphasis on the family and on all members from children to the aged. When Constantine became Christian, concern for the integrity of these peasant families was enhanced. That was reflected in imperial legislation that aimed at preventing the breakup of peasant families, as estates were refigured and workers were transferred both in the imperial domain and those of the great senatorial families. Marriage ties were, of course, reinforced and respect for the lives of children enhanced.

For a detailed understanding of the impact of Christianity on the rural family one has to look at the rich documentation provided by the elite sources, both pagan and Christian. The process of upper-class conversion was a long and complicated one, which can be well documented. Stress is often placed on the role of elite women in leading this conversion process, but that view has been challenged. Powerful and forceful women did at times lead the march into Christianity. Here, as in most other aspects of late Roman elite family life, patriarchy dominated in the slow and complex conversion process (Salzman (2002) 138–77).

Christianity for the first time offered an alternative to the procreating nuclear or extended rural family. Celibacy became an ideal state, especially for certain sectors of the elite, one which encouraged men and women not to marry or, if they were married, not to procreate. An increasing number of these elite rural Christians formed informal religious communities, where old-fashioned Roman family values would be replaced by new sacred communal values including celibacy. They were the prototypes of the monasteries that were to dominate the countryside during the Middle Ages. Religious officials encouraged such elite Christians with no human heirs to will their property, including the dependent farmers and their families, to the Church.

The most famous example that captures so many elements of this transition is the life history of Melania the Younger. She was an elite Roman woman, who as was common for her gender in Late Antiquity controlled large tracts of land in various parts of the western empire. Melania was a zealous Christian. After the death of her two children she persuaded her husband to adopt the celibate lifestyle. That ended any hope of family succession. While the holy couple awaited their eternal rewards, Melania transferred her vast holdings to the Church. The *coloni* continued to work for new masters, their rhythm of family life increasingly shaped by Christian values. The old villa elite disappeared, slowly replaced by new institutions and new types of rural nobility. The long history of the Roman family in the Roman countryside was at an end.

FURTHER READING

The standard work on the Roman family is Dixon (1992). That on Roman marriage is Treggiari (1991). A good general introduction to Roman law and society is Crook (1967a). The archeological evidence for the Roman countryside is summed up in Dyson (2003) and the social, cultural and economic structures of Roman rural Italy in Dyson (1992).

PART V

Ritual, Commemoration, Values

Families and Religion in Classical Greece

Janett E. Morgan

For I too have altars and household hiera and patrōia *and artefacts of the same type as other Athenians.* (Plato, Euthydemus 302C)

1 Introduction

While ancient Greek texts reveal that families performed religious acts in their houses, our knowledge of these occasions is tantalizingly incomplete. Family religion is not a subject of direct interest to ancient authors. We have no concise or lengthy descriptions of the role and practice of religion in the ancient Greek household; we have only fragmentary passages, where the subject or practice of family religion makes a brief and incidental appearance. These passages conceal as much as they reveal. While Socrates, the speaker in the passage above, is keen to assert that his household is religiously active, we do not know what artifacts he is referring to. We have no idea of the appearance of a *hiera* or a *patrōia*; we have no idea of how they were used or by whom. Many of the words used by ancient Greek authors, such as *hiera* and *patrōia*, cannot be translated clearly; we have no equivalent and cannot understand the meaning of such words. We can only guess that they are some kind of shrine. Our ability to understand the religious life of the ancient Greek family is constrained by source difficulties and the situation is exacerbated further by cultural restrictions. In seeking to view family religion, we are trespassing in a restricted zone. Family life is a private affair; membership of a family is restricted to individuals with blood or significant social ties and family rituals are intrinsically bound to their private space, their house.

The depth of this link can be seen in the use of a single word, *oikos*, to describe both family and home (Demosthenes 43.19; Lysias 3.6). The privacy of the *oikos* impedes our ability to identify or examine the behavior of the family in their private space. The secret world of the family stands in diametric opposition to the public arena of the city where religious behavior, architecture and artifacts are clearly visible. It is not surprising that while numerous studies examine the religious life of the city, few scholars are brave enough to enter into the family home.

2 Tradition, Myth, and Family Religion

Although it is true that our knowledge of family religion comes from diverse fragments, it is, paradoxically, one of the areas of Greek life where we feel confident and secure in our understanding of the subject. This is largely due to the research methodologies traditionally adopted by classical scholars. In the earliest study of family religion, Christian Petersen gathered together all of the available textual fragments about family religion and used them to construct a plan that integrated shrines and gods into the fabric of the ancient Greek house (Petersen (1851); see Figure 27.1). His confident amalgam of text and domestic structure provided a blueprint for scholars to interpret the altars and religious paraphernalia found in early domestic excavations (Gardner (1901)). The studies of twentieth-century scholars, notably Ernst
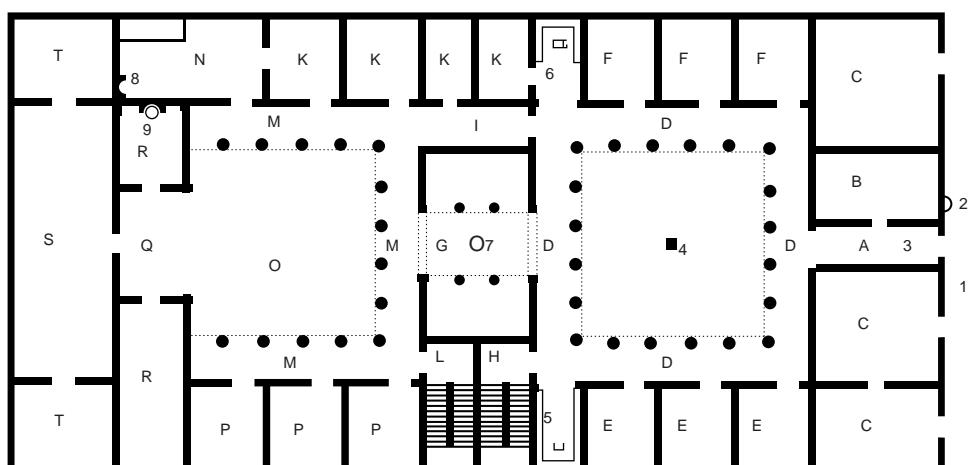
Figure 27.1 Plan of rooms and shrines in the ancient Greek house as proposed by Petersen (1851). (A) *proaulos*, entrance; (B) porter's lodge; (C) rooms for wagons/shop; (D) peristyle, male court; (E) workrooms/store rooms; (F) bedrooms for male slaves; (G) *andron*/megaron; (H) steps to male upper storey; (I) passage to *gunaikonitis*; (K) storerooms; (L) steps to female upper storey; (M) peristyle, female court; (N) kitchen; (O) ladies' court; (P) bedrooms for female slaves; (Q) *prostas/pastas*; (R) *thalamos*/bedchambers; (S) loom room; (T) strongroom; shrines: (1) Hermes of the Street; (2) Apollo Agyieus; (3) Hermes Strophaios; (4) Zeus Herkeios; (5) Theoi ktesioi; (6) ancestral gods; (7) Hestia; (8) kitchen shrine; (9) marriage gods.

Samter, Martin P. Nilsson, and Herbert J. Rose, continued this collative approach, yet amended the focus of their studies to consider the religious behavior of the family (Samter (1901); Nilsson (1940), (1954), (1961); Rose (1957)). Samter, Nilsson and Rose sought to explain family religion in ancient Greece through the filter of ethnographic comparisons and anthropological models. These detailed studies enabled the veil of privacy to be lifted from the house; the religious actions and cults of the family were made visible, the rationale behind their ritual behavior could be examined. As a result of this careful scholarship we have a body of material relating to family religion in ancient Greece that remains the basis for all modern investigations. The "traditional" approach focuses on two significant features of family religion: firstly, that family religion is concerned with maintaining a relationship with specific gods of the household, and secondly, that family religion focuses on ritual activities relating to changes in the composition and structure of the family. As a result, we can read detailed studies of ritual acts performed by families on the occasions of birth, death, and marriage (Hamilton (1984); Garland (1985); Oakley and Sinos (1993)). We can study how gender, family roles and daily life shaped the religious contributions of individual family members (Garland (1990); Cole (2004); Goff (2004); Mikalson (2005)). We can look at the relationship between gods and families or family rituals in relation to archeological evidence (Wiencke (1947); Ault (2005)). Yet, while modern studies have some differences in style and content, they all continue to focus on family gods or family membership rituals; there is little deviation from the ideas set out by Petersen and scholars in the twentieth century. This endless repetition of identical information has resulted in a stalemate. We can find nothing new to say; we return time and again to the same models and the same interpretations of the evidence. The traditional approach has become a straightjacket from which we cannot or do not choose to break free.

Using ancient sources invariably requires a degree of interpretation; as a result, our reconstructions of the past can never be certain, there will always be an element of personal bias. Why then is there such little variation in the views offered by studies of family religion in ancient Greece? Can we really be certain that the "traditional" interpretation is correct? Closer examination of the methodology used by early scholars raises the possibility that our confident belief in their conclusions is misplaced. The "traditional" model maintains a generously inclusive approach to textual evidence; to create their narratives, scholars mix literature from different genres apparently without concern or critique. The motivations behind the creation of different types of literature can significantly affect the view that is being offered to us. A tragedian creates a view set in an imaginary past; the descriptions of artifacts or behavior may have some basis in present practices but are distorted to create a distance between present and past. When Aegisthus offers a sacrifice to the Nymphs, are his activities based on large-scale, public rites or an expanded version of family rituals? (Euripides, *Electra* 774–858). We cannot clearly identify the reality behind the distortion. A comic writer may distort ritual to make the audience laugh. How are we supposed to understand the *pig-pen* of Hestia (Aristophanes, *Wasps* 843)? Is it a comic creation or does it reflect a cult reality? Ancient authors elaborate or twist their portrayal of family religion to meet the greater needs of their text. When we create narratives by unifying these

Figure 27.2   Hearth from A vi 10a, Olynthus. Photograph by J.E. Morgan.

textual fragments, we imply that there is consistency in the very different portrayals that they offer. This error is amplified by the selection of textual fragments without concern for their chronology. The "traditional" approach ignores the differences that can occur over time in religious behavior and religious practices. To find evidence from Porphyry, Plautus, Homer, and Aristophanes being joined to create a single model for the religious cults of all households or to offer a single view of religious behavior by families is disturbing (Petersen (1851); Rose (1957)). As the chapters in this volume amply illustrate, the definition, beliefs and behavior of families are fluid, capable of changing and presenting enormous variations even within a single geographical area or across a single time period. We cannot see textual evidence as a literal representation of contemporary religious practices.

   A second problem arising from the "traditional" approach is its failure to recognize the Athenian bias of its reconstructions. The sheer quantity of surviving texts from Athens makes it unavoidable that the texts used to study family religion are predominantly Athenian. This is rarely acknowledged. The result is that we presume not only that all ancient Greek families behaved in the same way, but also that they behaved in the same way as Athenian families. This presumption diminishes any evidence that is not Athenian and not from texts. We do not have significant textual evidence for communities outside Athens; our evidence is material. Excavations from the Classical city of Olynthus found altars, hearths, and images in the houses (Figure 27.2). These were all explained through the filter of Athenian texts (Robinson and Graham (1938); Robinson (1946); Wiencke (1947)). Ault relied on Athenian texts to aid the

interpretation of the material evidence in the Classical city of Halieis (Ault (2005) 75–77). Material evidence and Athenian texts are bound together to create a single, unified narrative. Yet the presence of altars in Athenian texts and in the remains of ancient houses does not mean that the two different sets of users have the same beliefs and intentions or are using the altars in the same way. The "traditional" approach to ancient Greek family religion does not allow for regional variation; it does not allow for the possibility that texts and archeology can offer us different information and different views of domestic practices. It creates a homogenous view of religious behavior that is imposed onto different communities without exception.

Family religion is a subject that is ripe for re-examination. In the last few years, voices of dissent have been raised; our continued adherence to the traditional model has been questioned. Parker, Faraone and Boedeker have all queried our reconstruction of the relationship between family and city (Parker (2005); Boedeker (2008); Faraone (2008)). Tsakirgis and Foxhall have re-examined the material evidence for hearth cult in the family house (Foxhall (2007); Tsakirgis (2007)). Morgan has explored evidence for the creation of cult places in the family home (Morgan (2007b)). For the remainder of this chapter, we will seek to build on these voices of dissent and move our understanding of family religion forward by going back to basics: we will reconsider the question, "what is family religion?" The "traditional" approach uses a methodology that ties together text and archeology with no regard for the chronology or location of evidence. We will adopt a more contextual approach that focuses on one chronological period, the Classical era, and separates archeology and text to allow us the freedom to identify and examine difference where it exists rather than creating an artificially unified narrative. We will consider the view of family religion offered through three different case studies: texts from Classical Athens, archeology from Classical Athens and archeology from the Classical city of Olynthus in northern Greece. The "traditional" approach identifies family religion as the worship of household gods and the practice of rituals that record changes in the membership of the family group (Nilsson (1940) 65–83; Pomeroy (1997a) 67–72). Is this really family religion? Will a more contextual approach add to or alter this definition of family religion?

3   Family Religion: A View from Athenian Texts

We begin by reconsidering evidence for the worship of family gods in the Classical house. Traditionally, certain gods are viewed as an essential component of family life and their places of worship are seen as woven into the very fabric of the family home. Zeus Herkeios is present in the courtyard altar, Zeus Ktesios protects the storeroom, Hestia is worshipped at the domestic hearth and Apollo Agyieus and Hermes protect the house door. The notion that families set up shrines for the worship of these gods led to creation of Petersen's plan and has inspired many interpretations of material evidence (Petersen (1851); Ault (2005) 75–77). Yet closer examination of the textual evidence casts doubt on the view that these are "family" gods. References to the altar of Zeus Herkeios do not clearly link it to family worship. Priam is killed at the altar to Zeus Herkeios and there is an altar to the god in the home of Demaratus, the exiled

Spartan king (Euripides, *Trojan Women* 16–17; Herodotus 6.68). The connection between the royal family and its guardian Zeus Herkeios is also made in *Antigone* (Sophocles, *Antigone* 486–87). Our texts show that the god is worshipped in the palaces of kings. This is not direct evidence for family religion. Jameson sees these references as evidence of "archaizing," finding a role for the paraphernalia of public cult in the houses of kings in an idealized past (Jameson (1990) 106). There are contemporary references to Zeus Herkeios in law-court speeches and philosophical tracts; these reflect a very different role for the god. Aristotle notes the question asked of putative magistrates at Athens:

> Who is your father and from what *deme*, and who is your father's father, and who is your mother's father and from what *deme*? And after this if they have an [altar to] Apollo Patroos and Zeus Herkeios, and where these sacred things are, whether they have family tombs and where these are. (Aristotle, *Constitution of Athens* 55.3)

The authority of the god is being used to ascertain Athenian citizenship and consequent rights to be elected to magistracies (see also Demosthenes 57.67). Lambert suggests that Zeus Herkeios was the god of smaller local groups, such as the *phratry*; by asking where an individual's Zeus Herkeios was placed, the city could pin down exactly where an individual came from and establish if they were a citizen (Lambert (1993) 215, note 58). There are no references to the presence of an altar to Zeus Herkeios in contemporary houses; there are no passages that describe sacrifices to the god by the family at home. Closer study of the texts reveals that the altar to Zeus Herkeios is outside of the family home; it emphasizes his importance in the wider community. This makes it hard to view Zeus Herkeios as a "family" god.

The relationship between Zeus Ktesios and the family home seems clearer although our sources are conflicted as to the manner and form of his cult. A passage by the cult historian Antikleides reveals that a vessel symbolizing the god was set up and adorned in the domestic storeroom (Athenaeus, *Sophists at Dinner* 473B–C). This is the only reference to a specific artifact. In contrast, a fragment by Menander reveals a symbolic association, the god is seen as protecting the wealth of the house, hence his association with the family storeroom (Menander, *Pseudo Heracles PCG* VI 2 410(452)). Two forensic speeches suggest that the god's protection was obtained by ritual action rather than by setting up an artifact. Isaeus and Antiphon both describe an occasion in honor of the god that involves a sacrifice and dining (Isaeus 8.16–17; Antiphon 3.18–20). In the passage by Isaeus, the occasion is performed in the family home and restricted to family members only; in Antiphon's description, the feast is consumed by two friends at a property owned by one of them in the Piraeus. They are served by the householder's mistress. The passages certainly establish the importance of Zeus Ktesios to the family but the degree of variation in the rites suggests that the manner of his worship is flexible. An artifact that symbolizes the god is not essential; the status of participants and their connection to the family can vary according to the wishes of the host. Parker notes that the celebration in the Piraeus is an occasion whose date appears to have been fixed by convention (Parker (2005) 16). This suggests that there is an element of compulsion in the performance of the rites; all

citizens feast for the god at a specific date in the annual calendar. Our passages may not reflect a god that is unique to the family but a common feast to protect wealth that took place in the private spaces of the city.

The connection between our next three gods and the family home is a direct one. Texts indicate that the cults of Hestia, Apollo Agyieus and Hermes were linked to specific artifacts that were set into the structure of the family home. The *hestia* or domestic hearth was the focus of rituals by which new members were joined to the family, whether bride and groom, slave or baby, through the rituals of *katachysmata* and *Amphidromia* (Aristophanes, *Wealth* 794–95, 768 + Schol.; Theopompus Fr. 15; Hamilton (1984) 250). It was also a site of supplication. In the speech *On the Murder of Eratosthenes*, the orator Lysias claims that at no point did the murdered man make contact with the domestic hearth; had he made this contact, the victim would have gained the protection of the gods (Lysias 1.27). The altar of Apollo Agyuies stood just outside the front door, as did the herm of Hermes (Aristophanes, *Wasps* 874–75; *Women at the Thesmophoria* 488–89; *Wealth* 1120–38; Thucydides 6.27.1–2). Both protected the home and family within. Yet the role of these gods and the artifacts associated with them were not exclusive to the family and their home. The city maintained a hearth in the *Boule* (Aeschines 2.45). It was a place of supplication, a place where oaths were sworn and a place of formal hospitality. Apollo Agyieus stood before the door in his role as the god who protects the ways, protecting not only the street before the family home but all the streets and roads in the city (Demosthenes 43.66). Herms were a feature of city life; they stood in public places, marking the contribution of magistrates and at the gateways of the city and the entrances to public buildings (Thucydides 6.27.1–2). Boedeker has suggested that household cults are simply smaller versions of civic ones (Boedeker (2008) 233). Family religion is simply a smaller version of city religion.

Our initial study suggests that family religion is not easy to identify. Yet this is not simply a matter of source problems. Our ability to understand family religion in Classical Greece is also impeded by the modern cultural basis of our reconstructions. One of the key tools that we traditionally use to reconstruct urban society is the ideology of a public-vs.-private opposition. We see the family as a private body and family religion as a private act. We retire into our private family homes and shut out the influence and demands of the state; we view family and state as polarized opposites. This belief in a clear separation of public and private spheres is a feature of modern Western society; the ideological importance of this division is encapsulated in the idiom that, "an Englishman's home is his castle." A number of scholars have explored the religious relationship between *polis* and *oikos* from different perspectives. Sourvinou-Inwood suggested that there was no divide between family and state because the *oikos* was sublimated to the will of the *polis* (Sourvinou-Inwood (2000) 51–54). This austerity of her view has been disputed by Faraone, who suggests that household cult is the smallest of a series of nested religious communities who interact with other local and state bodies in religious rituals (Faraone (2008) 222). Yet this view still separates society into groups and spaces, implying divisions. Similarities in the structure and worship of the deities discussed above raise the possibility that they are part of one cult, neither civic nor domestic but both. The gods are community deities; they exist

in all of the spaces of the community and are honored by both house and city. They are not exclusive to the family or to the family home; family and city are woven together to make a religious community. The boundaries between *oikos* and *polis*, between public and private urban space in Classical Athens are mutable rather than rigid. As Parker succinctly suggests, the walls of the *oikos* did not divide the *oikos* from the city (Parker (2005) 44).

The religious unity of family and city is also apparent in the festivals that record changes in the structure of the family. If we re-examine the structure and practice of family rituals on birth, death and marriage, it is possible to see that these are not wholly private occasions. While part of the ritual action takes place within the confines of the Classical Athenian *oikos*, urban space is also used and plays a vitally significant role. Prior to the rituals of marriage and childbirth, offerings are made at urban sanctuaries (Euripides, *Hippolytus* 1425–27; Aristotle, *Politics* 7.1335b.12–14; Llewellyn-Jones (2003) 219). This reflects the mutual need and dependence of *polis* and *oikos*; neither city nor family can survive without heirs. The city provides the space for communicating with gods; the petitioners from the *oikos* bring their personal needs and make them visible within a communal setting. There is a mixing of private need and public space that militates against seeing a rigid separation between the two. At birth, the birth goddess is called into the family house to bring the baby (Euripides, *Hippolytus* 166–68). The behavior of women at childbirth, chanting or singing, sanctifies the space, making it suitable for the goddess to enter (Plato, *Theatetus* 149d; Aristophanes, *Assembly Women* 530; *Women at the Thesmophoria* 507–509). The house becomes a sanctuary; it is a stage suitable for interaction with the divine. The mixed use of personal and community spaces is a theme that continues through the ritual action of "family" festivals. In the funeral and wedding processions, the family comes out into the streets of the city and moves through it (Demosthenes 43.62;Thucydides 2.34; Plato, *Laws* 959E–960A; Euripides, *Suppliants* 990–99; Menander, *The Bad-Tempered Man* 963). The private concerns of the family are made public; the changes brought to the family by the rite of transition are played out in a visible, communal context. The needs of families and the changes in their composition are an important part of urban life; they are neither secret nor private but are written into the religious landscape of Classical Athens.

Texts indicate that, far from being separate and conceptually opposed, the city (*polis*) and home (*oikos*) were symbolically and conceptually entwined. Although in *Assembly Women* the assumption of political power by the women of Athens is intended as a comic scenario, Praxagora sets out a view of Athens as a single house and its community as a united family (673–76). The law courts, traditional places of fighting, will become places of harmony and dining. The ideal community is a household; the households are the community. The idea of the community as a collection of households also underscores the *sunoikia* festival. While Thucydides notes that the festival commemorated the joining of smaller communities to create Athens, the etymology of the festival is interesting (Thucydides 2.15.2). *Sunoikia* can also meaning dwelling together. It is used in legal speeches to indicate a building where disparate social groups or individuals lease rooms and reside (Isaeus 6.21; Pseudo Xenophon, *Constitution of the Athenians* 1.17; Demosthenes 36.6; Isaeus 5.27). It is a word that

reveals the joining together of households; the creation of a community from family groups. While it is clear that the political *polis* consists of citizen males, their actions and decisions are taken about and on behalf of the community. They represent their families and social groups as well as their community.

This connectivity can also be witnessed in the "*polis*" festivals. Time and again, we find the family participating in community festivals in their individual family roles or festivals that focus on aspects of family life (Mikalson (2005) 133–59). In the Panathenaic procession family members participate in age groups. There are *thallophoroi*, old men bearing branches and *kanephoroi*, young unmarried girls bearing baskets (Xenophon, *Symposium* 4.17; Thucydides 6.56). Groups of pre-pubescent girls play specific roles in religious occasions, such as *arrhephoroi* (Aristophanes *Lysistrata* 671f), while mothers alone participate in the rites of the Thesmophoria (Isaeus 6.48–50). The ebb and flow of family life and changes in the structure of the family are celebrated in festivals such as the Kalligenia, part of the Thesmophoria concerned with celebrating childbirth (Aristophanes, *Women at the Thesmophoria* 76–84). Marriage was celebrated at the Hieros Gamos (Menander Fr. 225). The Genesia brought the community together to commemorate deceased family members in a public context (Herodotus 4.26; Plato, *Laws* 776b–721b, 773e). Changes in the life cycles of children in the family were also celebrated at a public level. The attainment of puberty by young girls was celebrated in the Brauronia (Aristophanes, *Lysistrata* 641–45). The process of young men towards puberty and citizenship was recognized by the Apatouria (Xenophon, *Hellenica* 1.7.8; Theophrastus, *Characters* 3.5; *IG* II.2, 1237).

The family home also provided a stage for ritual behavior that was an essential part of certain "*polis*" festivals. At the Anthesteria, the ritual action wove in and out of the household. On the first day (Pithoigia) new jars of wine were opened to honor the god Dionysus at his sanctuary. On the second day (Choes) the sanctuary was closed off and ritual events took place at the house (Aristophanes, *Acharnians* 960–62; Euripides, *Iphigenia in Tauris* 947–60). The residents indulged in drinking rituals in the family home rather than a social or public context. On day three (Chytra) the household re-entered the community and participants ate dishes of grains and honey (Aristophanes, *Frogs* 213–19). Other religious occasions appear to have a similar melding of family and city participation; they are communal rites, celebrated on a specific date by the whole community, yet set in the family home. In his analysis of the feast for Zeus Ktesios, Parker notes that the celebration in the Piraeus is an occasion whose date appears to have been fixed by convention (Parker (2005) 16). At the Thargelia, the houses were marked with wreaths (Aristophanes, *Knights* 728). At the Adonia, women celebrated the rites of the god on the roof of the house (Aristophanes, *Lysistrata* 387–98).

We can see further evidence of religious fluidity in the presence of cults in houses. Although it is a comic portrayal Trygaeus' attempt to set up the goddess Peace in his house does not appear to be presented as an unusual act (Aristophanes, *Peace* 956–57). The goddess' cult is sited in his house, yet is for the benefit of all. The god Asklepios was first brought to Athens by a private individual and the god and his cult were initially set up in the house of Sophocles (Clinton (1994) 25). Inscriptions record that

cult groups maintained shrines and cult dining rooms in properties that were otherwise let to householders (Hedrick (1990) 49–59; *IG* II.2, 2499; *IG* II.2, 2496). Religion permeates and joins every aspect of life in Classical Athens; it is not confined by rigid conceptual boundaries or limited to certain places.

Our study of Classical Athenian texts suggests that in religious matters *oikos* and *polis* are not separate, either physically or conceptually. Any definition of family religion that emphasizes a division between the two religious spheres will obscure the complexity and communal aspect of ritual behavior by Classical Athenian families. This raises an interesting question: does "family religion" actually exist? It is certainly true that we need to be cautious as our understanding of "family" is conditioned by modern cultural filters and does not necessarily fit comfortably with the Classical texts, yet we should not lose sight of the fact that our view is also conditioned by the Classical texts themselves. It is an inescapable fact that the focus of Classical Athenian texts is on activities that take place in or that affect the city, hence information about family religion can only be retrieved in fragmentary form. A consequence of this is that the more detailed and comprehensive views retrieved from texts will inevitably relate to those occasions where the needs of family and city intersect. This skews our understanding of family religion; it certainly explains the "traditional" focus on domestic gods and family membership rituals. It does not necessarily mean that this is the only religious behavior practised by Classical Athenian families.

If we look again at the textual evidence, it is possible to see other religious occasions and religious rituals involving the family or taking place within the family home. Classical texts contain evidence for the creation of shrine areas and for family members making sacrifices and placing votive offerings within the house. Socrates' assertion that he has religious paraphernalia at home offers us no view of the god worshipped or purpose of the religious artifacts but does indicate that this was seen to be a normal practice (Plato, *Euthydemus* 302C). The ease with which families could set up religious focal points in their home is criticized by Plato: "and they set up both *hiera* (shrines?) and altars in private houses, thinking by stealth to make the gods gracious by both sacrifices and prayers" (Plato, *Laws* 910B).

The shrines and altars are rarely described in detail. Their key feature is their diversity; the householders utilize whatever materials are available to them and perform rituals that relate to their specific, personal needs. Thus, when the Superstitious Man sees a holy snake and wishes to honor it, he has no need to consult a stonemason or to rush out and purchase a shrine; he is able to set up a shrine immediately using what is available to him at home (Theophrastus, *Characters* 16.4). In a fragment from Menander's *Ghost*, the shrine appears to consist of a hole dug into the wall of the house with an image placed there (Menander, *Ghost* 49–56). Offerings made at household shrines or to household gods appear to be simple and small. The Superstitious Man, despite his excessive fear of upsetting the gods, is only described as sacrificing incense and cakes (Theophrastus, *Characters* 16.10). When Clytemnestra makes nightly offerings to the Furies at her hearth, she gives cakes and wine (Aeschylus, *Eumenides* 106–109). Regular offerings of incense, made at the time of the full moon, are mentioned in *Wasps* while the Superstitious Man oils and garlands his herms (Aristophanes, *Wasps* 96; Theophrastus, *Characters* 16). Many of the fragmentary

passages are comic and designed to be humorous, such as the fragment from Eubulus, which praises an image of Hermes, set up in the cupboard where the drinking cups were stored (Eubulus Fr. 96 from *Semele* or *Dionysus*, *PCG* V 95; Athenaeus 460E). Yet there are sufficient fragments to indicate that the creation of simple shrines and use of cult images by classical Athenian families was not unusual.

The items used or worshipped by the family in their religious practices appear to be small and, in many cases, portable. When Leocrates runs away from Athens, he is able to take with him the sacred items belonging to his family (Lycurgus, *Against Leocrates* 25). When Trygaeus seeks to set up an altar at his house for the goddess Peace, he is able to carry one out from the house (Aristophanes, *Peace* 942). Evidence for the use of small artifacts in domestic religious practices can be seen in the house of Xenophon's model citizen, Ischomachus. The family has artifacts for sacrificing: "'And we began,' he said, 'by gathering together those items that we use for sacrificing'" (Xenophon, *Oeconomicus* 9.6). And it has artifacts for household festivals: "'And all these we divided into two groups, those items that we always use and those items for festivals'" (Xenophon, *Oeconomicus* 9.7).

These artifacts are not described, neither are they kept permanently on display. They are brought out and used when needed. Through the use of small, portable artifacts, religious places can be set up quickly as required. Different artifacts may have been used to enhance the atmosphere and create a different ambience according to the nature of the occasion. The portability of these artifacts means that different artifacts could be used for different occasions and householders could maximize their use of space to the greatest effect.

In most cases, the fragments do not allow us an insight into the reasons behind the religious activities of families, yet their motivation is undeniably personal. Many actions appear to be aimed at protecting the home and the family. A fragment by Aristophanes reveals that a head of squill might be buried at the door to protect those within (Aristophanes Fr. 255; *PCG* III 2 266). The Superstitious Man (*Characters* 16.7) is careful to ensure that his house is properly purified and protected on a *frequent* basis. Diviners can make a living by selling sacrifices and incantations to householders (Plato, *Republic* 2.364B–E). Some householders placed temporary figurines made from wax at their doors to manipulate forces and bring advantages to the family or its members (Plato, *Laws* 933B). Sacred spaces can also be created by ritual behavior (Morgan (2007b)). When Pheidias requires purification to cure his love-sickness, a space is created around him by the use of human bodies, human action, sound, and incense (Menander, *Ghost* 24–31). Within this space, rites can be performed to "cure" him. It is an ephemeral space; it exists only for the duration of the rites and focuses on a single member of the family and his immediate religious needs.

None of these examples can be fitted neatly into the "traditional" model of family religion. A re-examination of the "traditional" approach suggests that our main body of textual evidence concerns occasions where families become visible. On these occasions the religious needs and practices of family and city were so entwined as to be virtually inseparable. Although these occasions involve the family, they are not "family" religion in the sense that they are not exclusively private acts or aimed solely at family needs. To define these occasions as "family" religion obscures the complex

religious relationship of family and city and forces a division between the two that has a wholly modern basis. The smaller, more personal acts of householders set out in the section above are perhaps nearer to the exclusive and personal nature of what our modern use of the term "family religion" implies.

4   Athenian Material Evidence

What can material evidence add to our understanding of family religion in Classical Athens? The area around the Athenian Agora is littered with buildings that were used and inhabited between the fifth and third centuries BCE; a period that fits comfortably with the chronological needs of our investigation. Evidence from these properties is diverse. Their plans show that they have different shapes and sizes and different internal spatial arrangements (Thompson and Wycherley (1972); Jones (1975)). Some contain the debris from industrial activities, such as dyeing and carving marble; others have evidence of stone and metal working (Young (1951b)). Yet the area is not wholly industrial. Fragments of pottery are spread through the buildings. The shapes of the pots indicate that they were used for cooking and serving food, for storing liquids and for eating and drinking. Some of the pottery is decorated with red-figure scenes (Young (1951b)). It is reasonable to conclude that these areas were used for habitation as well as for working. These are places where people lived and worked; they are suitable settings for families. What then can these buildings teach us about family religion? The answer, tragically, is that the material evidence raises more questions than it answers. Despite textual evidence for the importance of the hearth to family religion, only one Classical hearth has ever been found, placed in the side room of a house on the north slopes of the Acropolis (Shear (1973) 147–50). There is no evidence of herms or other sacred artifacts at house doors; there are no altars or footings for altars in domestic courtyards and we cannot identify the domestic storeroom with any degree of certainty, let alone point to the artifact that may have symbolized Zeus Ktesios.

Scholars have offered a number of practical reasons for this discrepancy. Athens is a very old city. The area in and around Athens has been continuously inhabited from the Bronze Ages; as a result, the city has been reconstructed many times (Thompson and Wycherley (1972)). Evidence has not only been destroyed by rebuilding but materials may have been reused. Dressed stone is an important building material. Ready cut stone in the form of altars and hearth blocks would have been invaluable to later builders (Morgan (1982)). Houses decay; their building materials are not as sturdy as modern houses and their life cycles are shorter as a result (Foxhall (2000)). As a great deal of urban property was leasehold, the residents can change on a regular basis. Artifacts can be moved or damaged. Household clearances on abandonment mean that the majority of artifacts are found in wells, not *in situ*, further complicating the search for evidence of family religion. While we can see artifacts and even recognize their uses, we do not know who used them or where they originally came from; we cannot reconstruct the meaning or understand the value of the item to the user.

Our attempts to locate family religion in Classical Athens tend to focus on giving a physical dimension to ideas derived from textual sources. We look for hearths, herms

and the altar of Zeus Herkeios. Our understanding of the shape of these artifacts is conditioned by expectations derived from precedents in urban contexts (Morgan (2007b)). The hearths of temples are made of monumental materials and are large in size; we expect a household hearth to be similarly visible, even if it is not as large. Many herms have been found in the area around the Agora; we expect the household herm to look the same. When we do not find them, we blame the survival of archeological evidence. Yet our study of texts revealed that small, portable or temporary artifacts were commonly used by Athenian families. This is reflected in material remains. The wells of Athens contain a range of artifacts suitable for use in family religion. A well in the House of Simon at the Athenian Agora contained household ware connected to the acts of cooking, drinking and eating and included painted kraters (Thompson (1960) 234–40). Also present were "figurines from the household shrine" and a number of miniature pots (Thompson (1960) 235). The remains of Athenian Classical houses are littered with small, miniature vessels that mimic the shape of pottery used for eating and drinking; they are also present in wells. These would be adequate for offering a food offering to a god or for using on the occasions where the god was brought into family rites. The pot of Zeus Ktesios might have been no more than a small cup, chosen for use during the festival but reverting to a normal household use afterwards (Morgan (2007b)). There is no reason why small, portable braziers could not have sufficed for the needs of hearth and sacrificial fire (Foxhall (2007); Tsakirgis (2007)).

Far from being contradictory, there is considerable correlation between the views offered by Classical Athenian texts and Classical Athenian archeology. If we accept that the religious lives of *oikos* and *polis* were strongly interconnected, this helps to explain our failure to find clear evidence supporting the "traditional" model. The gods and acts that are at the core of our traditional understanding of family religion are illusory. They are not exclusive to the family but are integrated into the urban landscape. Thus we find altars set up by individuals and private groups, such as the *phratry*, in the streets of the city (Figure 27.3). Temples and shrines are open to all; their archeology is clearly identifiable and they litter the streets of the city reflecting this melding of urban and domestic religious life. The artifactual evidence from the houses and wells of the city is small-scale and diverse. This reflects the personal religious needs of different families or family members and the personal motives behind the religious acts that they performed.

5   The Families of Olynthus

The Classical city of Olynthus spreads across a plateau in northern Greece. The site is dominated by row upon row of buildings, set into a grid plan of regular dimensions. The buildings were identified by the excavators as being houses and, as a result, Olynthus has come to play an important role in narratives about the development of urban planning and houses in Classical Greece (Owens (1991); Nevett (1999); Cahill (2002)). The buildings are littered with vessels, figurines and other artifacts, many of which have religious associations. There are large and small altars, dressed stone

Figure 27.3 Altar set up in the Athenian Agora by a *phratry*. Photograph by J.E. Morgan.

hearths, figurines of gods and other images of deities, such as *protomes*, that are usually found in sanctuaries. While Athens offers a sparse view of family religion, Classical Olynthian houses present a cornucopia of artifacts and material evidence.

How can we explain this quantity of evidence? Is it evidence of family religion? The most obvious explanation for the abundant evidence can be found in the history of the city. While Athens is still inhabited, Olynthus was abandoned in 348 BCE as the armies of Philip of Macedon advanced. The artifacts remaining are those that were left by the residents as they fled their homes: unwanted and abandoned, they can tell us little about family religion. Yet this is not the only possibility. The amount and quantity of surviving evidence may reflect regional differences between the two Classical cities. Artifacts survive when they are made of more permanent materials such as stone or marble. These materials tend to be more expensive and so the artifacts of Olynthus may offer us an insight into the wealth of the city. The use of expensive or more permanent materials may also reflect a different attitude to religion. While temporary or perishable artifacts were seen as suitable for religious rites at Athens, they may not have been acceptable at Olynthus. The gods of this community may have required objects of status.

While these reasons may begin to explain the presence of the religious evidence, they do not deal with the fundamental issue, is this evidence of family religion? As with Athenian texts and material remains, closer examination of the evidence from Olynthus reveals some interesting anomalies. While Olynthus is a Classical city, it certainly does not take the same shape as Athens. There is an agora on the North Hill

but it is, in reality, just an open space. It was identified as an agora by the excavators, despite the fact that there is no clear indication of how the area was used (Robinson (1946) 79–82). There is a long building to the north of the "agora" that may be a *stoa*. There is also a fragmentary building next to the open area, which the excavators suggested was a *bouleterion*, an area linked to the administration of the city. In both cases, the remains of the buildings are very fragmentary and do not clearly indicate their function. The "*bouleterion*" is tiny; its dimensions are smaller than the smallest of houses at Olynthus. It is not a big or impressive building. Yet, a feature more surprising than the lack of political buildings is the fact that Olynthus has no cult buildings set up for community use. A deposit of figurines was found on the South Hill and the excavators speculated that a temple could be nearby but none was found (Robinson (1930) 16–28). While the houses are littered with religious evidence, there is no temple at the site; there are no shrines, altars or images set up in the streets.

It would be easy to begin to interpret this as a sign that religion was very much a family matter but such an explanation ignores the absence of any community cult places. Again, the reason for this anomaly may lie in the history of the site. The main housing area on the North Hill at Olynthus was in use predominantly in the fifth and fourth centuries BCE. According to textual sources, the area on the South Hill is the remains of the original settlement; this was expanded in 434 BCE by the joining together of surrounding villages to create a new community (Thucydides 1.158–59). In this period, the rows of houses were set up in a grid pattern. The plan of Olynthus may reflect its artificial creation. Groups of disparate people were thrown together by circumstance. It takes time to unify as a group and develop a city structure suited to the needs of the new community. Texts record the renown of the Olynthian cavalry in the Classical period; it is easy to unify for common defense (Xenophon, *Hellenica* 5.3.3–6). It is less easy to join disparate cult traditions to create a common religious system. How do you identify who the patron god or goddess of the new community will be? The absence of temples and places for community worship may well reflect the early stage of the community's development.

If we accept that the different groups at Olynthus maintained separate religious traditions after their community was set up, then where did these groups worship? The most obvious answer is that religious groups met and worshipped in the buildings that we call houses (Morgan (2010)). Many of these buildings contain no domestic evidence; there are no ashes from cooking fires, no pottery associated with cooking and no personal items such as razors or jewelry. If we remove the label "house" from these buildings and set aside the expectations that the word "house" carries, an alternative picture emerges from the material evidence. Although the buildings are a similar size, their interior layouts are radically different. Building A vi 3 had no evidence of domestic behavior (Robinson and Graham (1938) 101–102; Figure 27.4). There was no sign of cooking fires or of artifacts associated with cooking, eating or bathing. The building did have an elaborately decorated dining room, whose door was situated directly opposite the central altar base in a mosaic pavement (Figure 27.5). The layout evokes the spatial arrangement of a temple; even the use of imagery in the courtyard mosaic, the battles of Lapiths and Centaurs, mimics the imagery found on Classical temples (Ashmole and Yalouri (1967); Hurwitt (1999)). An identical pattern of altar and facing dining room door was
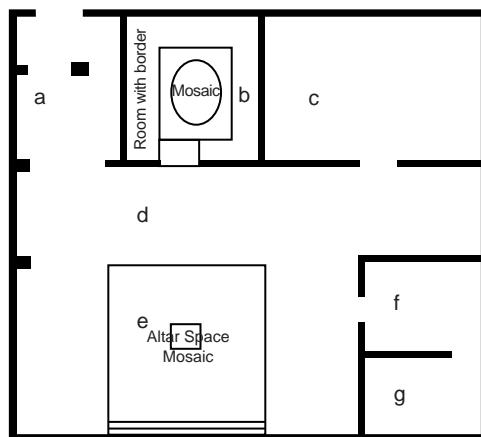
Figure 27.4 Plan of A vi 3, Olynthus. Drawing by J.E. Morgan based on Robinson and Graham (1938) pl. 97.

Figure 27.5 Dining room with mosaic from A vi 3b, Olynthus. Photograph by J.E. Morgan.

present in the House of the Comedian (Robinson and Graham (1938) 63–68). The back wall of the dining room here appeared to be a shrine area with 25 terracotta figurines set out along it. These included figures of gods and nine female *protomes*, making a hand to breast gesture; these are more commonly found in temples.

Other "houses" at the site have religious paraphernalia that appears to reflect use by the community and its religious groups rather than the family. In the House of Many Colors there is a large altar in the courtyard, facing the entrance to the house (Robinson (1946)183–208). Only three altars of this size were found at the site. In a small room behind the altar was a large broiling pit. The house also contained

spaces suitable for dining. The evidence indicates that food was being produced on a scale that is larger than domestic needs would require. The combination of altar, broiling pit, hearth and dining room brings to mind sanctuaries such as the Sanctuary of Demeter and Kore at Corinth with its areas for ritual feasting (Bookidis (1990)). In Building B vi 7, a small area of three rooms was separated from others (Robinson (1946) 125–42). Within the northern rooms were small altars while the southern room had borders for couches and was painted entirely red. This room contained a large marble statue of Asklepios, one of only two marble statues found at the site. The altars, couches, and Asklepios put one in mind of a sanctuary to the god, where the sick person sacrificed and was required to sleep in the sanctuary for a night as a part of the cure (Tomlinson (1969); Clinton (1994)).

Although we can clearly identify religious evidence at Olynthus, it is difficult to see it as evidence of family religion. The spatial arrangements and use of artifacts in certain buildings combined with the absence of any evidence for residential activity, such as washing or cooking, suggests that these were spaces created by certain groups in the community for their religious use. As at Athens, Olynthus contained many smaller items with religious connections. The floors of the buildings were littered with images of gods and devotees, with incense burners and, in a few cases, with miniature herms. There are also miniature altars, often found in pairs, with evidence of burning on the top or shallow depressions for holding liquids or food (Cahill (2002) 252). The smaller items are often found grouped together, suggesting that they were not on permanent display but were stored and used as required. Unfortunately we cannot see the users of these articles.

6   Conclusions

Family religion is a complex subject. It has traditionally been dealt with in a way that reflects modern ideas about the relationship of families to urban communities. We see house and city as separate entities. We identify buildings as family houses because they are the right shape and size (Morgan (2010)). We identify artifacts within them as evidence of family cult without question or thought. A re-examination of Classical texts and material evidence suggests that we can only see family religion on occasions where the religious needs of community and family meet. At Athens, texts show that religion was not constrained by the conceptual boundaries that divide public and private life in modern Western cities. The cults of the family were the cults of the city; we divide them at our peril. Material evidence from our two case studies also highlights our inability to identify family religion according to modern beliefs and expectations. In Classical Athens, religion is integrated into urban life; it is visible. The family practices its rituals in the spaces of the city; community festivals enter the family home. At Olynthus, religion is invisible. All religious evidence is internalized; it is contained within the walls of the buildings at the site and is not practiced in community contexts. While there is evidence at both sites for the use of smaller, more personal artifacts, we cannot see the users, we cannot view the ways in which the artifacts were used. We cannot definitely link them to families.

It is time to accept that current approaches to family religion tell us more about the modern than the ancient world. Texts and material remains suggest that family religion is an integral part of urban life; if the family is the building block of the community, then the cults of the community are family religion. Rather than seeing family behavior as small and a reflection of civic religion, we should alter our perspective. All religion in Classical Greece begins with the family. Hence at Athens, an established city, the integration of family and city is seamless; at Olynthus, a newer settlement, the religious life of the community is still being negotiated. The small acts that we find in textual sources from Athens and perhaps the small collections of artifacts are not evidence of family religion. They reflect the small personal needs of individuals in families; they are a religious supplement, often reflecting fear. Hence the Superstitious Man sets up cults at home to appease his fears (Theophrastus, *Characters* 16), while Plato notes that personal fear stimulates the creation of shrines and altars in houses (Plato, *Laws* 909c–910a). It is time to remove the blinkers of modern preconception and to acknowledge the central role of family religion at the heart of the Classical city. It is time to redefine as well as re-examine our approach to family religion in Classical Greece.

FURTHER READING

There are many good studies of Classical Greek houses, such as Jones (1975) and Nevett (1999), although most tend to focus on the architecture alone. Archeological studies of the Athenian houses that include discussions on artifacts can be found in Thompson and Wycherley (1972) and Young (1951b). Detailed reports on the excavation of the Olynthian houses can be read in Robinson and Graham (1938) and Robinson (1946). More recent studies of Olynthus and Athens can be found in Cahill (2002) and Camp (2001). Examples of the "traditional" approach to family religion can be found in Rose (1957) and Nilsson (1940), (1954), (1961). There is also a range of monographs and articles that investigate the relationship between family and gods and family rituals at rites of transition. These include studies by Garland (1985), (1990); Hamilton (1984); Mikalson (2005); Oakley and Sinos (1993). Investigations of gender and ritual behavior can be found in Dillon (2002); Goff (2004); Cole (2004); Morgan (2007a). In more general terms, Parke (1977) and Simon (1983) offer excellent studies of the textual and archeological evidence for festivals at Athens, while Burkert's *Greek Religion* (1985) offers invaluable information on religious systems and religious behavior in ancient Greece. Studies that question the traditional *polis-oikos* divide can be found in Parker (2005); Faraone (2008); Boedeker (2008). The articles by Faraone and Boedeker come from an excellent volume entitled *Household and Family Religion in Antiquity* (Bodel and Olyan (2008)), which seeks to re-examine household religion in a range of ancient societies. It offers an opening salvo in the battle to review traditional research methodologies and their models and will hopefully be the first of many studies to shed new light on the topic of family religion.

Picturing Greek Families

Ada Cohen

1 Introduction: Family and the Wider World

A Classical funerary stele in the British Museum highlights some of the complexities involved in tracing the family in the ancient Greek visual record. Dated 430–420 BCE, the stele of Xanthippos shows a bearded man sitting in profile on a high-backed chair (*klismos*) (Figure 28.1) (Rühfel (1984a) 126–28; Clairmont (1993) Cat. No. 1.630; Himmelmann (1994) 18, 29; Bergemann (1997) 163, No. 202). The disembodied model of a foot that he proffers with his right hand has been interpreted as a pointer to his shoemaker's profession. The two miniature female figures that accompany him are believed to be his daughters. The one on the right, shown in three-quarters from the back, extends her arms in the direction of the foot. She appears to be a little child. Xanthippos touches her tenderly on her back with his oversized left hand.

The other female figure is more difficult to interpret. Quite a bit taller than her companion, she is very small in comparison to the male figure but is coiffed and bejeweled in a manner more customary to adult women. The disposition of her arms – close to her body, one with palm open, the other holding a bird – might be taken to communicate surprise but here must be a response to her grief at the loss of Xanthippos. In Greek funerary art, the bird was an ubiquitous motif that bridged the world of the living with that of the dead. Is she, like the smaller girl, a daughter? Or is she a wife, miniaturized either for compositional purposes or by convention for the purpose of distinguishing between the dead and the living? Egyptian art presents several examples whereby a wife is shown in extreme miniature at the side of her dead husband, but equivalent cases are not routinely identified in the Greek material record. Thus scholars plausibly reconstruct the familial relationship rendered in Xanthippos' unusual stele as

Figure 28.1   Marble funerary stele of Xanthippos, ca. 430–420 BCE, height 83.3 cm. London, British Museum GR 1805.7-3.183, Sculpture 628. Photograph by Ada Cohen.

that of a dead father with his two daughters. The precise age of six or seven years, however, assigned to the larger daughter (Clairmont (1993) Cat. No. 1.630) seems arbitrary, given the idealizing practices of Greek art, equally visible on males and females. Xanthippos' maturity is suggested by his beard, but his exact age is as difficult to specify as the ages of his daughters.

The matter of age is important to the study of the family for it is one of the factors that structure familial hierarchies (Clairmont (1993) introductory volume 19–29). Greek pictorial practices render age a highly unstable category. This instability is not surprising given that age is subjectively experienced. One instantly recognizable aspect of this subjectivity was captured well in the mid nineteenth century:

> The child regards every one beyond the middle age as an old man. But, as he advances in life, those whom he once would have thought old, seem to be but just in the vigor of life; so that his estimate of old age is modified and corrected, its limits are much restricted, and the numbers of the old greatly diminished. (*New Englander* (October 1846) 546)

A subjective counterpart to the objective census report, this statement serves to remind us that unrealistic fluctuations in representation may not only encode social

hierarchies but may variously also allude to the subjectivity of experience. The scholarly rhetoric of certainty is thus not sustainable when it comes to the issue of age or the rendition of the family.

But what tells us that the figures on Xanthippos' stele constitute a family? At the beginning of this chapter it is appropriate to acknowledge that, unless inscriptions explicitly articulate familial relationships, modern interpreters must make certain assumptions when categorizing a pictorial group of people, usually because of their physical proximity, as a family (Humphreys (1993) 107–22 on monuments with inscriptions). Even when inscriptions are preserved, it is often difficult to identify the figures who participate in the circuit of pictorial relationships. The assumptions we make in the face of such problems tend to be eminently reasonable but by necessity presume a certain convergence between past and present versions of common sense. Common sense in this case assumes, for example, that in representation a person is accompanied by blood relatives and spouses rather than a more varied group. Common sense may be wrong in its justifiable reticence, in the absence of inscriptions, to recognize adult siblings, grandparents with grandchildren, or cousins in Greek iconography.

Unusual in Xanthippos' stele is the acknowledgment of a social world apart from the family. Although the house-like form of the stele and Xanthippos' chair (a type more commonly associated with females) place the scene in the context of the home, the foot points to Xanthippos' engagements outside it. Is he a model man who knew how to strike a balance between work and family (Oakley (2003) 184)? One cannot, however, completely reject the interpretation that the foot alludes to an ailment that had affected or even endangered his life. Votives from healing sanctuaries show images of various afflicted body parts, whether as thank offerings or as requests for a healing god's aid. For example, a votive relief of the end of the fourth century BCE in Athens shows a man holding the model of a leg from knee to foot (National Archaeological Museum 3526) (Kaltsas (2002) 227, Cat. No. 477; cf. the south Italian terracotta models of body parts in Breitenstein (1941) 86–87, pls 104–105).

Our customary view of Greek patriarchy would not lead us to expect the emotional charge of Xanthippos' stele, which – though subdued and eschewing direct eye contact among figures – clearly emphasizes the affective if reserved bond between male and females. It is not only the females who gesture their emotion, for Xanthippos' tender embrace of the smaller girl is tellingly affective as well. In this chapter I argue that Greek art presents the family primarily as an emotional rather than a social or economic unit. The attendant argument is that images suppress the inequalities of power that governed the structure of the family by gender and age. A standard way in which inequality is visually communicated is the manipulation of size; another is the manipulation of compositional principles. Both are treated complexly and inconsistently, however. The subordination of women to their husbands and fathers is not readily detected in depictions of the family; their emotional bond, by contrast, is highlighted through gesture and, with period-specific stylistic adjustments, over the *longue durée*.

2   Language and Thought

The most detailed articulation of the social hierarchies that structured the Greek family dates to the fourth century BCE, to Aristotle's *Politics*, where the household appears within an extended discussion of types of political associations that also include the village and the *polis* (Sissa (1996) 195–98; Patterson (1998) 44–45). The Greek household consisted of husband, wife, children, but also slaves (Aristotle, *Politics* 1253b, 1259a–b). By virtue of his sex and age the male head of the household was deemed superior to all, ruling over his wife in the manner that a statesman rules over his citizens and ruling over his children like a monarch. He had the right to decide whether to accept a newborn into his family or expose it; the evidence on the use of corporal punishment of children and on domestic violence more broadly is weak, but some exists (Schmitz (2005)).

Despite the father's omnipotence, there was also recognition that the hierarchies could be undone. Plutarch assigns to the fifth-century general Themistocles the light-hearted statement that his son was the most powerful Greek, for the Greeks were commanded by the Athenians, the Athenians by himself, himself by his wife and his wife by their young son (Plutarch, *Themistocles* 18.5). In order to interpret the humor in Themistocles' statement, we must allow for a certain congruence between past and present. Yet historians have repeatedly urged us not to make this assumption. Sarah Pomeroy, for example, in her study of the family has appropriately warned us of the subjectivity of modern judgments in regard to "emotionology" (Pomeroy (1997a) 3, 11), the very topic I seek to explore in this chapter. In regard to emotion, Philippe Ariès controversially concluded that, along with childhood, the family did not exist before the modern era: it existed as a reality, but not as a concept (Ariès (1962) 411–15).

Scholars use language as a primary means for accessing concepts in the past. The word for family, *oikos*, brings its share of complexity for it seems to encompass three different notions: the physical structure of the house; the household, which embraces all property and includes slaves; and the family as a social relationship built on kinship (MacDowell (1989); Siurla-Theodoridou (1989) 11–12; Wigley (1992) 335–37; Demand (1994) 2–5). Rather than pointing to a conceptual deficiency, this range seems to acknowledge the multiple facets of family life, involving nature as well as convention and using a physical structure as both symbol and shelter (cf. Cantarella, this volume).

In 1966 Jean Starobinski, in a fascinating study of the concept of nostalgia and its evolution, dealt sensitively with the perennial question of the connection between language and thought. Although he agreed with the problematic view that a concept does not exist unless it is articulated through a designated word, he answered the question of method with nuance and allowed that, "whatever our desire to attain the reality of the past may be, we have no other recourse than to that of the language of our age" (Starobinski (1966) 83). Furthermore, the philologists of our age do not have unmediated access to historical semantics.

The word *philia* is a case in point. In an intriguing linguistic analysis of this word as used by Aristotle in connection to the family (*Eudemian Ethics* 1242a.26), David

Konstan argued that what it conjures up is not friendship, as usually assumed, but love, and that the Greek family was not only a relationship of obligations binding its members over time but also a relationship of affect (Konstan (2000); cf. Humphreys (1993) 67–68). In *Nicomachean Ethics* and *Eudemian Ethics* Aristotle dissects the *philia* that family members feel for one another and creates a hierarchy of love, aspects of which modern people would find familiar, for example that parents love their children more than vice versa (Konstan (2000) 113–16 (see also Cantarella, this volume).

3   Historical Families under Visual Construction

The visual record also encompasses a range of meanings. As we engage with images, we must always keep in mind the methodological instability in recognizing the family in any of its three meanings. Following in the footsteps of Ariès and other pioneer historians, who used both texts and art as documents, scholars have been particularly interested in charting the history of the family, especially changes in its structure over time due to changes in technology, politics, or sentiment. Within individual periods and/or cultures, there is a similar interest in charting smaller-scale changes, particularly in response to known historical events. Thus, the rise of democracy, the effects of the devastating plague that befell Athens in the Peloponnesian War, Pericles' Citizenship Law of 451/450 BCE, which limited Athenian citizenship to those individuals who were born to two Athenians, and changes in inheritance laws, made significant impact on family life in Classical Athens. Scholars interested in the visual arts have detected the impact of politics and economics on iconography, most commonly using patterns of popularity (by way of medium, style, and choice of scene) as evidence.

Rather than charting trends by way of pictorial statistics or offering a chronological survey, this chapter engages with exemplary individual images. Though ranging in date, style, and expressive effects, the images have been chosen for the insight they provide into the more persistent patterns of family life rather than their participation in the family's micro-history. Some, like the stele of Xanthippos, are intriguing because of their refusal to instantiate Greek norms in a direct way. That stele both does and does not serve Xenophon's (and his culture's) prescription in *Oeconomicus* that man, a mobile person, is suited for outdoor activities, while woman, a stationary person, is suited for indoors. As Sarah Pomeroy has accurately stated about scholarship,

> Despite the wide range of evidence used, questions asked, and methodological approaches adopted, all who study women in Classical Athens agree to the axiom that women's sphere was the family, while men's was the city. (Pomeroy (1997a) 14)

Xanthippos, however, seems more versatile.

The formation of the household began with the pairing of two people, usually but not always unrelated by blood, in marriage. The Greek wedding consisted of several ritual activities (Vérilhac and Vial (1998) 287–326; Sabetai (2008) 292–97), but the

Figure 28.2 Attic black-figure *lekythos* showing marriage procession, ca. 540 BCE, height 17.5 cm. Attributed to the Amasis Painter. New York, The Metropolitan Museum of Art 56.11.1; © The Metropolitan Museum of Art.

one most commonly represented, at least on Athenian vases of the Archaic and Classical periods, was the celebratory procession that brought the newly married couple to the groom's home where they would cohabit (Oakley and Sinos (1993) 27–28). Thus the iconography of marriage presents the woman as temporarily mobile, in transit from one household to another. A black-figure *lekythos* of ca. 540 BCE in New York captures this mobility (Figure 28.2) (von Bothmer (1985) 182–84; Oakley and Sinos (1993) 29–30). Both the formation of the *oikos* as a social unit and its symbolization as a piece of architecture are clearly expressed. More fully rendered than usual, the house appears under the *lekythos*' handle. It marks the procession's end, but on the globular vessel it also cleverly alludes to its beginning. The masonry is delineated, as are two columns and a door whose two panels are wide open to reveal a woman. She holds a torch with one hand and gestures with the other in anticipation of the newlyweds' arrival. Despite her slightly smaller scale, she has been understood as the mother of the groom. Her torch, as well as the two held by the woman at the head of the procession, interpreted as the bride's mother, speak to the evening hour.

   The woman with the two torches announces the arrival of a mule-drawn cart that carries the bride and groom. More embellished than the others, the couple look in the direction of motion, while the "best man" sitting behind them looks in the opposite direction toward a second cart. Another man and woman walk near the first cart. The second cart carries four male guests, while two women and a man walk

nearby. The procession is thus slow moving and stately in effect. As was conventional in the Archaic period, the women's skin is painted white. Enveloped in their individual pockets of space, upright and formally posed without communicating with one another, all figures suggest harmony but shun intimacy in this public context. Not participating in the formal procession, it is the mother of the groom who, because of her more flexible pose, conveys the excitement.

Greek girls are believed to have married at the age of 14 or 15 to men double their age (Pomeroy (1997a) 5–6, 23, 178), but the age gap is not readily discernible in representation. Similarly, Greek literature, typically involved with the realm of myth, presents marriage as a troubled institution, but one would not know it when looking at wedding imagery. Among literary statements on marriage, one of the most negative is Procne's lament in Sophocles' fragmentary tragedy *Tereus*:

> I've given some thought to this life that women lead and what nothings we are. I think we're happiest as young children in our fathers' homes, where we lead the lives of human beings, and our nurses are carefree joys. But once we're grown to youth and reason – then we're thrown out, auctioned off and exiled from the gods of our family and country. (Quoted in Arthur (1977), 40 note 22)

This passage contrasts sharply with Odysseus' famous speech to the princess of the Phaeaceans Nausicaa:

> May the gods give you everything that your heart longs for; may they grant you a husband and a house and sweet agreement in all things, for nothing is better than this, more steadfast than when two people, a man and his wife, keep a harmonious household. (*Odyssey* 6.180–84, tr. R. Lattimore)

James Redfield appropriately points out the ambiguity of marriage, "an institution whereby men gain control of women, but … also an institution whereby women give themselves to men and thereby, in their own way, gain control" (Redfield (1982) 186; cf. Sutton (2004) 328–29). Pictorial brides display no sign of conflict and face their change of circumstance with great poise.

For Aristotle, the purpose of marriage was the reproduction of the species, which he saw as an instinct rather than a duty (*Politics* 1252a), but marriage must have been deemed a duty as well. The depiction of childbirth was shunned by Greek art (Dasen, this volume), though pregnant women make an occasional appearance as figurines in various periods as well as on Classical stelae, where they declare the circumstances of their death (Demand (1994) 121–26; Bergemann (1997) 64–65; Stewart and Gray (2000); Oakley (2003) 186–87; Catoni (2005) 333–41; Ducaté-Paarmann (2005)). A terracotta relief showing a graphic frontal view of the birthing process with the help of a birthing stool and four aides to the mother has been assigned to the fifth century BCE. Its contribution, however, is difficult to assess as it belongs to a private collection and may be a forgery (Ducaté-Paarmann (2005) 48, fig. 17). At least it offers occasion to bring into the discussion two Cypriote figurines of the early fifth century BCE in Athens (Figure 28.3) (Karageorghis (2003) 97). Astonishing in their novelty and iconographic interest, stylistically they fall squarely at the center of the broader eastern

Image not available in this electronic edition

Figure 28.3 Terracotta group of midwife, birthing woman, and child from Cyprus, height 8.4 cm (left). Athens, National Archaeological Museum 12205; courtesy of the National Archaeological Museum; terracotta group of midwife and birthing woman from Cyprus, height 10.1cm (right). Athens, National Archaeological Museum 12206; courtesy of the National Archaeological Museum. © Hellenic Ministry of Culture/Archaeological Receipts Fund.

Mediterranean traditions for this cheap medium, which was accessible to all strata of society and often took up themes from "daily life" that more expensive media avoided. Cyprus has also produced limestone statuettes that variously if less strikingly represent childbirth (Vandervondelen 2002).

Though not identical, the two terracottas are very similar and feature a midwife and a birthing woman. In each case the two women's bodies are parallel to each other, the midwife sitting behind the woman she assists, propping her up, embracing her abdomen and presumably applying pressure. One group (Figure 28.3, left) is better preserved and includes the oversized baby, which emerges, head first, from an exaggerated opening at the bottom of the new mother's body. The fact that all three heads were made from the same mold does not ensure that the baby is female. The other group features the same opening (Figure 28.3, right) but is missing the head of the baby.

Vassos Karageorghis wondered whether an additional figure, ready to catch the baby at the front, may have been originally included. Indeed, somewhat different

Cypriote terracottas with two midwives are known, one stabilizing the woman from the back and one catching the baby from the front (Karageorghis (1998) 78–79, pl. LVIII.5, 8, 9, 10; (2006) 203–206; Lewis (2002) 14–15, fig. 1.2; Ducaté-Paarmann (2005) 41, fig. 8). At a later time Soranus advocated the presence of three assistants, two supporting the woman from the sides and one from behind, in addition to the midwife who engages with the delivery (*Gynaecology* 2.5). However, had a second assistant been present in the terracotta groups of Figure 28.3, she would have hid the baby. The visual point here seems to be the child's determination to find its own way out, exactly what an expectant mother would have wished, what the Hippocratic corpus considered "normal" labor (Garland (1990) 68–73; King (1998) 179–80) and what Soranus recognized as advantageous (*Gynaecology* 4.1, 4.3).

Despite the crudeness of the execution, the two terracottas are richly expressive of the pain and effort of labor, a process in which both the pictorial mother and the midwife participate. The sameness of their face and hairstyle communicates a sense of common purpose, as do the composition and the poses. The midwife does not demonstrate any particularly specialized technical skill, but her concern and a sense of compassion are highlighted despite the simplified style. Soranus, who gave prominent attention to the qualities of the excellent (traditionally female) midwife, applauded an encouraging attitude (*Gynaecology* 1.4). The figurines' assumed find-spot at a sanctuary of the Great Goddess makes sense as it points to their likely function as votives seeking optimal circumstances for a successful childbirth or offering thanks for it. Such a context is certain in the case of other figurines depicting this theme.

Much more typical votives are the so-called *kourotrophoi*, standing or sitting nurses cradling a baby in their arms. They appear in a host of ancient Mediterranean cultures, including Greece, Cyprus and Italy, and their popularity ranges over millennia, as far back as the Neolithic (Price (1978); Merrillees (1988); Rutter (2003) 33, 46–47; Beaumont (2003) 60–61; Ammerman (2007)). Terracottas showcased this theme especially frequently. A mold-made example from a grave at Olynthus in northern Greece (Robinson (1952) 130–31, pls 50–51) is representative of a mass-produced type popular in the Archaic and Classical periods. Dated in the late sixth or early fifth century BCE it shows a woman, seated upright, holding a baby close to her breast in a formal pose. The conical portion of the baby's head must be a hat rather than the hairdo that David Robinson understood it to be. Made separately, this child could be variously positioned, which allowed for a certain range of emotional effects, in addition to the impression that it may be nursing. There are intriguing small variations among the several such figurines found in the vicinity of Olynthus, including a kissing variety and an explicitly nursing variety (Robinson (1933) 66–68, pls 31–32; (1952) 131–32, pls 52–53).

To us today even these groups pose the methodological question mentioned above, their status as a familial unit. Some interpreters view the woman as a divine protector rather than mortal. The more formal compositions as well as a sanctuary context encourage their interpretation as deities, "mother goddesses," with their attendant fertility cults. The more intimate and experimental examples, however, point in the direction of the mother-child unit. They conjure up Plato's articulation

of the importance of nursing and cradling babies and small children, especially when their sleep is disturbed. Plato advocated a continuous rocking motion reproducing the hypnotic and calming effect of the sea, as well as soothing noises (*Laws* 790c–d). In the case of nursing and cradling statuettes the question may be posed, but left unanswered, whether the caregiver is a mother, slave or hired help. The figure of the non-maternal nurse (Dasen, this volume) is certainly common in Greek literature, including comedy and tragedy. In Menander's *Samia*, an old nurse, a former slave, instinctively resorts to sweet baby talk and cuddling when she encounters an unattended crying baby. Her old methods continue to work and succeed in calming him (Heap (2002–2003) 87–89, 115–16).

Breastfeeding *kourotrophoi* are especially common in the archeological record of Italy and Cyprus. Cypriote terracottas roughly contemporary to those depicting birth feature babies in very naturalistic poses. In one Cypriote terracotta statuette in Athens, a baby endearingly frames the standing mother's breast with two upraised arms while feeding. With its back oriented toward the viewer, this baby is supported from the buttocks by its frontally posed mother (National Archaeological Museum 12388; Karageorghis (2003) 99; cf. Breitenstein (1941) 48–49, pl. 55 (440) for a seated south Italian example). Interestingly, the typical baby nurses from the left breast in representation.

When it comes to the depiction of the nursing woman, Larissa Bonfante explored a key difference between Greece and Italy: the pictorial theme's popularity in Italy and its rarity in Greece (Bonfante (1997)). As we saw, however, the type was known in Greece. Considerations of social decorum in the Classical period seem to have kept it out of the expensive medium of funerary stelae in Attica, but the occasional "provincial" example demonstrates its existence. A marble stele from Thessaly dated to the end of the fifth century BCE shows a seated woman suckling a fully dressed baby, her left breast clearly if awkwardly emerging from her garment, her head now missing (Larissa Archaeological Museum 78/74; Batziou-Efstathiou (1981) fig. 1; Bonfante (1997) 175, fig. 39). The child touches the woman's breast with both hands, while she supports its back tenderly. Mothers who feed their babies from the "bottle" are also in rare evidence in Greece (Neils and Oakley (2003) 230–31). Dated to the first half of the fifth century BCE, a small Boeotian terracotta group of a seated mother and nude child renders precisely this circumstance (Musée d'art et d'histoire de Genève HM 2218; Gourevitch (1992)). She supports the baby with her left arm. With her right she proffers the pointed spout of a feeder to his lips.

If this mother attends to her task with great focus, another seems to have begun losing concentration (Figure 28.4). An example of the ubiquitous type of the child-cradling *kourotrophos*, this cheap household object inserts an element of humor into the discussion. It was found in the 1930s at so-called House M at Mecyberna, the port town of Olynthus. The houses at Mecyberna were small and much humbler than those at Olynthus, but they included lots of finds (Mylonas (1943)). The handmade statuette was tentatively dated in the first half of the fourth century (Robinson (1952) 287, Cat. No. 393, pl. 118). The androgynous-looking, ape-like adult must be female. Rendered in a sitting position on a thin platform and missing portions of her legs, she cradles what seems to be a male child in her radically simplified long arms. Traces of

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Figure 28.4 Terracotta figurine showing a *kourotrophos* from House M at Mecyberna, Chalcidice, height 7.6 cm, width 3.3 cm. Polygyros Archaeological Museum, Inv. No. M. 38.5. Photograph after Robinson (1952) pl. 118; © 1952 The Johns Hopkins University Press; reprinted with permission of The Johns Hopkins University Press.

red paint prominently cover both figures. Oversized heads and exaggerated features make this example stand out.

What the group lacks in elegance it gains in expressiveness and creativity. One angle of viewing (Figure 28.4, right) conveys a resigned boredom with childcare; a slightly different one, which highlights the adult's tilting head (Figure 28.4, left) may be taken to express a warm bond and protectiveness. In constructing laws for the proper raising of the young, Plato considered (but rejected) the imposition of penalties on nurses who slacked in their duty to carry their young charges continuously until the age of three (*Laws* 789e). Plato's goal was the proper development of the children's legs, but he anticipated the nurses' frustration.

The humorous quality of the Mecyberna group conjures up the conflicting emotions that childcare may evoke. Despite its caricatural quality, it lacks the misogynist implications of the statuettes of old nurses with which it has been compared. The latter feature heavily wrinkled elderly women with swollen stomachs, who stand holding single infants. They cannot be mothers of the infants they hold, whereas the Mecyberna woman most likely is. Devoid of plot that would require the link with Old Comedy that has been posited (Robinson (1952) 287), the group from Mecyberna is less exaggerated than the typical example of the comical nurse. The concept of humor is of course inherently unstable, and other readings of this terracotta are possible.

Figure 28.5 Marble funerary stele showing mother, baby, and female attendant, from Athens, ca. 425–400 BCE, height 69cm, width 46cm. London, British Museum GR 1894.6-16.1, Sculpture 2232. Photograph by Ada Cohen.

From humor we turn to the pathos that permeates the funerary stelae of the Classical period, a rich if ambiguous source of commentary on the Greek family. Despite the variant characters and subtle compositional differences that mark this medium, stelae share a consistent emotional content. The mother on a stele of the last quarter of the fifth century (Figure 28.5) did not have time to tire of childcare (Clairmont (1993) Cat. No. 2.786). Seated on a stool and shown in profile view, she holds a box but does not look at its contents. Rather, she appeals to the sympathy of the viewer, toward whom she turns obliquely, meanwhile acknowledging the presence of a baby with her now unfocused gaze. A standing woman, with head bent and lips downturned in sadness, holds and looks at the baby, whose inclusion points to the seated woman's death in childbirth or shortly thereafter. Circumstantially, the swaddling clothes particularize the baby's age within the first two years. Seeking to protect infants' fragile bodies, Plato recommended two years of this treatment, while children are soft and malleable (*Laws* 789e; Dasen (2008b) 50–51).

The unnamed mother left her child to be raised either by a nurse or a relative. It is indeed difficult to determine the status of the standing woman and her relationship to the deceased. Her slightly smaller scale may indicate her status as slave or as still living.

Her short hair could be a sign of slavery or mourning or both. The ideal Greek household included slaves (Aristotle, *Politics* 1253b), who were deemed inferior by nature (or sometimes by convention; 1255a). Although within the household they were formally classified as property, in funerary contexts they appear frequently as if they were members of the biological family.

Set up by families in the public grounds of the cemetery, Attic grave stelae form a rich corpus and depict a variety of figural groups. A comprehensive study has used the number of figures as a convenient criterion of classification (Clairmont (1993)). In the fifth and early fourth centuries the relief was lower and the figures fewer, typically one or two. In the later fourth century the relief was higher, the emotions were more communicative via pose and gesture, and the number of participants was greater. The stelae raise questions about class, gender and the family unit but only partly answer them. They are retrospective in outlook in that they look back at abstracted moments in the life of the deceased and choose to highlight certain idealized and simplified relationships (Leader (1997) 683–84). In this one sense they resemble the verbal obituaries customary in many contemporary societies, which typically construct strikingly coherent visions of the individual and his or her relationships, which are usually unintelligible prior to death.

Although funerary monuments are increasingly studied as (conservative) statements on a family's social standing, they rarely fail simultaneously to be statements on what David Konstan (2000) has called "Love and the Greek Family," be it real or constructed. One of the most compelling characteristics of stelae is their effort to keep the family intact and to maintain communication in the face of death. It is a challenge to understand not only their patterns of inclusion but those of exclusion as well. Does the focus of a stele at the J. Paul Getty Museum (83.AA.378; Grossman (2001b) 15–17) on an adult male–female couple suggest they had no children? Or are children deemed extraneous in this formal context? Are they extraneous to the implied narrative of the man's death in battle or, more prosaically, to the pictorial composition? The man's military equipment (crested helmet, shield, and breastplate) may explain the circumstances of his death. With grave demeanors the couple look into each other's eyes in profile as they shake hands, a common gesture that occurs in various pictorial media and circumstances (Davies (1985) 628–30; (1994) 10–11; Grossmann (2001a) 118–24). On stelae it seems to symbolize the continued bond of the dead with the living (Pemberton (1989); Bergemann (1997) 61–62). The stele's inscription, however, naming both a man (Philoxenos) and a woman (Philoumene) points to a different set of circumstances, the death of both ca. 400 BCE. This may explain why no other family member appears here: the pictorial grouping of two dead individuals may have constituted sufficient familial support, making the presence of the living unnecessary.

But what to do with the tombstone of Timarete in the British Museum (GR 1947.7-14.1; Clairmont (1993) Cat. No. 1.867) and similar ones? Dated to the end of the fifth century, it depicts the dead woman standing in profile in a leisurely contrapposto stance, head bowed, right arm extended, proffering a bird toward a small crouching child, whose dress shows her to be a girl and who reaches out to her mother with her arms. Although the mother's gesture leads one to expect that the bird would be the

focus of the girl's attention, the direction of her face toward the woman states otherwise. Is the child also dead or does the pictorial gap between them stand for their physical separation by death and their longing for one another? As scholars we would like to devise error-proof criteria for distinguishing the living from the dead (Bergemann (1997) 35–56). But there is no scholarly method that would allow us to measure the emotional charge of that empty space that so typically separates the striving child from the more reserved adult, a clear contrast to the handshake between adults, which does succeed to bridge the gap.

An insightful distinction articulated by the cultural theorist Roland Barthes provides a ground against which to explore the emotional dimension of the funerary stelae. In his analyses of the photographic medium, Barthes set up a contrast between what he called the *studium* and what he called the *punctum*. The former field revolves around the obvious: the historical and cultural information one seeks to extract from the photographic, or any other, image from the past. The *punctum*, by contrast, is emotional and "stings" the person who experiences it (Barthes (1981) 26–28, 94–96). A poignant example of the capacity of the *punctum* to wound is Barthes' reference to the painful and melancholy feelings he experienced when he found a photo of his recently deceased mother, Henriette, as a five-year-old child (Barthes (1981) 67–72, 90, 96, 99, 103). Against other more likely candidates, this was the one that sparked a glimmer of recognition and insight in him.

Studium and *punctum* can be combined, Barthes explains:

> Henceforth I would have to consent to combine two voices: the voice of banality (to say what everyone sees and knows) and the voice of singularity (to replenish such banality with all the élan of an emotion which belonged only to myself). (Barthes (1981) 76)

This is perhaps how the Greek reliefs operated. Banal, repetitive and deemed potentially decipherable in the eyes of those outside the family (ancient passers-by in the cemetery or modern researchers), they could become overlaid with the emotions of the few who had reason to project specificity on the generic and the idealized.

Whether intended straightforwardly to convey the difference in status between the living and the dead or to elicit a visceral response of regret or thwarted desire, the fraught spatial gap between child and adult, a curious phenomenon in Greek art, can also be associated with Barthes' *punctum*. Despite their formulaic visual language, funerary pots of the Geometric period (especially of the middle of the eighth century BCE) carry the same potential. Distinguished by size and "short spiky hair," Geometric children participate in the collective grief of mourning scenes by touching the dead or some part of the funereal furniture (Langdon (2008) 58–62) and can readily activate a viewer's emotions.

The *punctum* is unpredictable. Take for example the celebrated series of photographs that the American photographer Walker Evans took of the Burroughs family in Hale County, Alabama. Largely unrehearsed images of stunning and harsh realism, they sought to document the hardships that befell the lives of families of cotton sharecroppers during America's Great Depression. Several were published in 1941 in *Let Us Now Praise Famous Men*, the acclaimed book authored by James Agee in collaboration

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Figure 28.6 Walker Evans, Sharecropper's Family/Burroughs Family, Hale County, Alabama, 1935, gelatin silver, 19.2 × 24.1 cm. The J. Paul Getty Museum 84.XM.129.12. Photograph courtesy of the J. Paul Getty Museum, Los Angeles.

with the photographer. Not included was a photograph of the family that was taken not at Evans' own initiative but at the request of the Burroughs father (Figure 28.6). Clean and dressed for the occasion in their one good outfit, the adults and older children look at the camera with poise and idealization against the wall of their simple house. In a posed manner reminiscent of Xanthippos, the father embraces his wife and her sister, with seriousness and affection. The circumstantial presence of the sister-in-law (Agee and Evans (1960) 59–73), which has been misunderstood in some commentaries, reminds us how difficult it is to discern equivalent situations in the ancient record. Even though (or because) this is a family as they wished to be seen, this photograph may unexpectedly be the one with the greatest pathos.

Among pictorial genres, photography has been repeatedly studied for its connection to death. Family snapshots taken to document life inevitably become the traces of people or states of being that are lost forever. This duality of photography offers an angle through which to approach the medium of vase-painting in Classical Greece. Several classes of pottery seem to have been used in life but eventually became offerings to the dead. We do not know the patterns of empathetic "identification" that operated between the pots' users and their imagery. Scenes that come across as "everyday life,"

Figure 28.7   Attic red-figure *lekythos*, showing mother, child, and attendant, from Eretria, ca. 470–460 BCE, height 35 cm. Athens, National Archaeological Museum 1304; courtesy of the National Archaeological Museum; © Hellenic Ministry of Culture/Archaeological Receipts Fund.

however artificial, are among the best candidates to "identify with" because they address the fundamentals of experience.

   One such example is a red-figure *lekythos* in Athens (Figure 28.7) (Kaltsas and Shapiro (2008) 307). A genre scene unfolds within the undifferentiated interior of a house, as indicated by a floating mirror, presumably hanging from a wall, and the high-backed chair on which an elegant woman sits. Such objects designate the home with great economy and stand for the larger inventory of household objects. On this occasion it is the adult who extends her emphatically elongated arms toward a nude male child, his chest decorated with a chain of protective amulets. He looks at his mother but seems in no hurry to leave the arms of the long-haired young woman who holds him. Nothing particularizes her as a slave (rather than a relative) but it is possible that she is. The circuit of gestures that bind the three figures is somewhat ambiguous, and one cannot reject the alternative scenario that the baby has just left the arms of his mother and reacts to the severing from her embrace by looking back. Were this a photographic snapshot, the participants might try at some future time to remember exactly what was going on, as scholars interested in the genre of family photography do today (Hirsch (1999)). Recalling the dual status of photography, this image of family interaction eventually came to

Figure 28.8 White-ground *lekythos* by the Timokrates Painter showing mother, child, and maid, from Eretria, ca. 460 BCE, height ca. 38cm. Athens, National Archaeological Museum 12771; courtesy of the National Archaeological Museum; © Hellenic Ministry of Culture/ Archaeological Receipts Fund.

serve as *memento mori*. Similarly, the empty space between mother and child would be charged with various degrees of emotional intensity according to the change of circumstance brought by death.

Babies that longingly gesture towards adults over a gap are a frequent occurrence. Sitting formally, mothers on Classical vases gesture in return but refuse to bend or move forward to bridge the gap, thus echoing a typical situation on funerary stelae. Famous because of its contrived charm, a red-figure, white-ground kylix in Brussels exemplifies this narrative (Musées Royaux d'Art et d'Histoire A890; Neils and Oakley (2003) 240–41; Lynch and Papadopoulos (2006) 20, fig. 12). Its interior depicts a baby sitting in profile in a potty chair, reaching out toward the mother. Sitting across from her child, she also reaches out with her arms but makes no attempt to close the distance between them.

The class of white-ground vases was most likely destined for funerary contexts from the beginning. Their iconography often addresses the matter of death directly through depiction of the tomb but at other times does so circuitously. A white-ground *lekythos* of ca. 460 BCE shows a genre scene that on this colorful surface eschews allusions to death (Figure 28.8) (Oakley (2000) 232–35; (2004) 42, 44; Lewis (2002) 17, fig. 1.4). Standing in front of a Doric column on a tall base, an abbreviated presentation of the

house, is a tall statuesque woman shown in profile. Two small *lekythoi* hovering near her head contradict an outdoor setting, but the presence of a small bird on the ground suggests the open air, possibly the house's interior courtyard. It is even more likely that the artist wished simply to suggest a domestic context without worrying too much about spatial fixity. An inscription praising Alchimachos for his beauty, *Alchimachos kalos*, establishes a connection with the concerns of the living. Funereal implications must have proliferated over time in the manner suggested above.

Contact by gesture is not thwarted in this case: the woman grasps the arm of a child who reaches out for her and turns his head toward her. He is carried on the shoulders of a young maid in a dark sleeveless *chiton*, whose hair he grabs and who secures him by holding his legs with both hands. The understated plot may be that he, nevertheless, feels unsteady and seeks, or is offered, additional support from his mother. The motif of carrying a child on one's shoulder is rare but also occurs in the medium of terracotta statuettes. Small by virtue of her age, social standing or both, the maid is rendered in atypical frontal presentation, which excludes her from the absorptive relationship of mother and son. The latter two look intensely into each other's profile eyes, ignoring the viewer's gaze.

Images like this reinforce the scholarly consensus that well-to-do Greek women, at least Athenian, enjoyed substantive support from servants in the rearing of their children and the management of their household. Scholars estimate there were between four and six members in the typical Greek household of a nuclear family. Extended-family members should be added to that number, as should slaves (Gallant (1991) 11–15, 22–33; Pomeroy (1997a) 23–28). Because there do not seem to have been dedicated slaves' quarters in the Greek house, slaves are difficult to recognize in the archeological record (Cahill (2002) 261–64), but they are seemingly ubiquitous in iconography. The pictorial family includes them even when undertaking religious duty. Glimpses of the family as a spiritual assemblage of individuals are provided by the genre of votive reliefs. In this context the family is visually united under the shared goal of securing supernatural support. One example from Megara dated to the middle of the fourth century BCE shows the nuclear family and their servant in perfect coordination (Figure 28.9) (Kaltsas (2002) 229, Cat. No. 482).

The scene is enclosed within an architectural frame. Four figures appear on the left side of the composition: mother, father, and two children, all fully draped. The children echo their parents' comportment but are distinguished by their miniature size. Walking ahead of them is another small figure, with nude torso, who carries an offering and guides a sheep and pig to sacrifice. Because he does more "work" than the others, he must be a slave. Aristotle discussed slaves in light of their capacity for physical labor (*Politics* 1254a–b). Slave and family are headed in the direction of a male figure shown reclining on a couch near a well-stocked table. He holds a *rhyton* in one hand and a *phiale* in the other. He and the seated woman who accompanies him are rendered in larger scale than the mortal family, a sign that they belong to a different level of reality. They constitute a divine or heroized couple, recipients of the mortal family's devotion. They too enjoy the services of an attendant, who appears on the right-hand side of the relief, getting wine out of a krater. Size here is utilized both realistically and symbolically. The children of the mortal family are small because of

Figure 28.9 Marble votive relief showing a family visit to a god or hero, from Megara, ca. 350 BCE, height 40 cm, width 57 cm. Athens, National Archaeological Museum 1532; courtesy of the National Archaeological Museum; © Hellenic Ministry of Culture/Archaeological Receipts Fund.

their youth; the slaves are small more likely because of their status than their age; and the supernatural couple is large because of high status.

This rich composition is not at all unique but belongs to a corpus of votive reliefs with similar visual organization, the so-called Banquet type, which appeared in the Archaic period and became especially popular in the fourth century (Garland (1985) 70–71; van Straten (1995) 92–100; Ridgway (1997) 200–204; Lawton (2007) 46–47). Although the German word for the type, *Totenmahl*, bears funerary associations, there is nothing explicitly evocative of death in this case. The family, however, could have envisaged their honorees as ancestors and notionally brought them into their group. Because of the regularity of the schema, the question has been raised whether these were commissioned works or mass-produced, hence how "real" the family composition that they describe. In particular, the frequency with which specifically two children appear in such reliefs makes one wonder whether this was the number deemed sufficient for communicating the notion of family or whether it corresponded to some truth. The case of the better-known Italian Renaissance period shows that abbreviation in the number of offspring was indeed frequently employed in family portraiture (Hughes (1988) 26–27). For the Greek situation it is impossible to rely on a monolithic answer. At the very least the votive

reliefs consolidate the family into an artificial ideal in more ways than one. Just as Evans' esthetics in Figure 28.6 mask the complex reality of some interpersonal relationships, certain truths about the familial situation are impossible to discern in the much less referential relief.

4 Mythological Families under Attack

In closing this brief sketch, I turn to the intersection between the historical and the mythological family. The distinction between myth and reality or "genre" cannot always be sustained in Greek art (Ferrari (2003)). Nevertheless, there are some fundamental characteristics that particularize mythological families. Divine and mythological children, for example, have miraculous births: Athena from Zeus' head, Dionysus from his thigh, Aphrodite from the sea. Erichthonius was born from the Earth (Ge) after she was impregnated by Hephaestus' seed aimed at Athena. Mythological parents are frequently distant and give their offspring away to nymphs or others to rear, thus enabling the formation of "alternative" families. Mythological mothers include Medea, a non-Greek who kills her own children, and Clytemnestra, a Greek who kills her husband Agamemnon and is killed by her vengeful son Orestes. Her own extramarital affair with Aegisthus, while Agamemnon was at Troy, was a cultural abomination, whereas Agamemnon's infidelities with slaves and captives were formally, though not ethically, condoned. Mythological family situations, in summary, tend to be extraordinary and involve extraordinary narratives. Their depictions in the visual arts, however, tend to incorporate gestures and postures familiar from the depiction of ordinary families (Massar (1995)). Babies extend their arms to care-givers in typical ways; the gap between adult and child is charged to similar effects.

An important mythological story that seems to have given vent to ordinary people's emotions and fears was the brutal aftermath of the Trojan War. In the *Iliad*, even before the fall of Troy, Hector's wife Andromache and his father Priam could envisage nothing but total destruction for the Trojan women and children as a consequence of his death. The poem avoids speculation on what would happen to the Achaean families should their male protectors not return (Werner (2008) 4–5, 8–9, 11, 14–15). Unsurprisingly for the ancient world, Greek artists also avoided depictions of Greek defeat and its possible effects.

Dated ca. 670 BCE and decorated in relief on one side, a famous funerary pithos found on the island of Mykonos allocates much attention to the Trojan women and children as they are brutalized by Greek warriors (Figure 28.10) (Ervin (1963); Anderson (1997) 182–91). We know the context because of the unmistakable presence of the Trojan horse on the pithos' neck. The globular body of this large pot is subdivided into framed "metopes," each typically focusing on a single act of aggression. They show a single man or woman, a man-woman group or a woman-and-child group confronting a warrior. The fate of male Trojans is clearly kept separate from that of women and children. In metopes showing a man attacking a woman and her child, it is the child that is brutalized at the moment of depic-
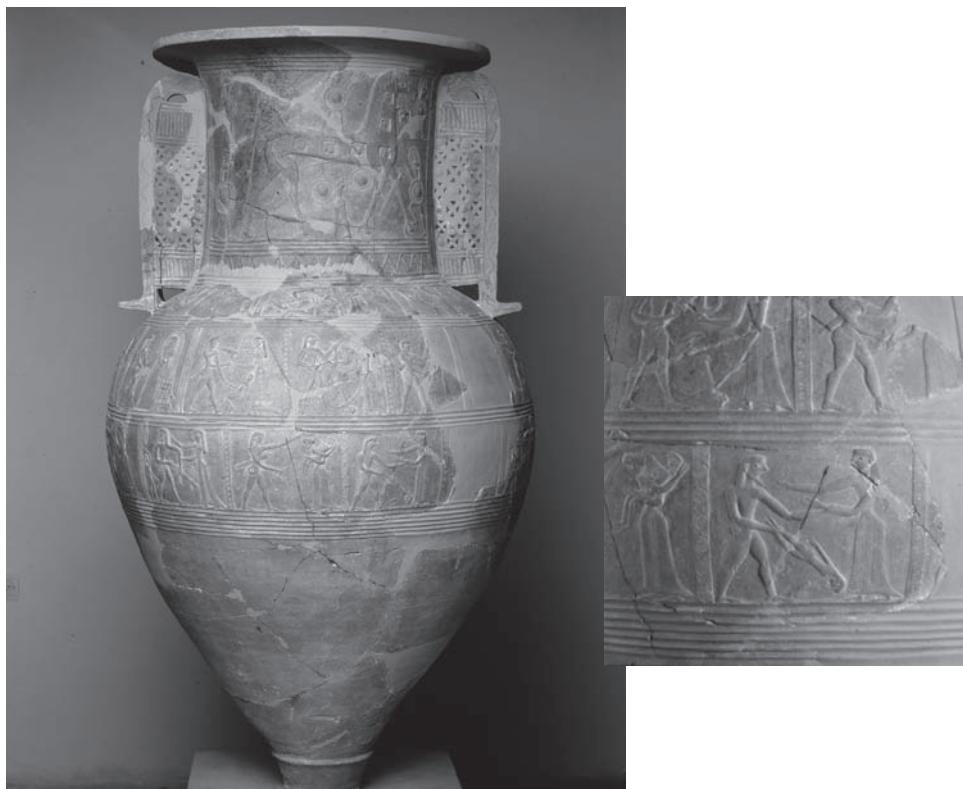
Figure 28.10 Cycladic relief pithos, full view and detail, ca. 650 BCE, height of vessel 1.339 m. Mykonos, Archaeological Museum 2240; courtesy of the Hellenic Ministry of Culture/Archaeological Receipts Fund.

tion. The gesturing arms of weapon-bearing men and of women and children pleading or reaching out for each other are elongated and exaggerated for emphasis. In some cases a woman actively grasps her or her child's attacker as if trying to stop him. In others she watches in agony and gestures toward the aggressor. In yet another she makes gestures of supplication, such as touching the chin of a murderous assailant. The women are carefully differentiated through the incised patterns on their garments but are otherwise extremely alike.

Hapless victims of Achaean violence, some children are stabbed or about to be stabbed with swords (Ervin (1963) 50, 59, 60–65, pls 23–28). The eyes of some are closed. Strategically placed incisions indicate blood. On Metope 14 the Achaean warrior punctures the body of a child, who is caught in a running pose, all the way through (Ervin (1963) 49–50, pl. 26a). The child on Metope 17 (see Figure 28.10, detail) has been identified as the prince Astyanax. Grasped by an unarmed warrior at his ankles, he is hurled violently, head first, to the ground. A female figure, Andromache, reaches out with elongated arms to restrain and plead with the attacker. This manner of death, being thrown from the towers of Troy, is commonly associated

with Astyanax and, with slight variation, is the fate his mother imagined in her lament following the death of her husband in the *Iliad* (24.723–46, especially 735–36). But images exist that point to his beheading in the presence of his grandfather Priam (Ferrari (2003) 42–43, note 34; Anderson (1997) 192–99) and others show Neoptolemus handling him as a club against Priam (Hedreen (2001) 64–65). His death by stabbing also occurs in literature.

In the adjacent metope on the left, a woman holds her child in her arms, and both are threatened by a warrior. Despite the generalized visual language of this early period, the goriness of the events and the human vulnerability are communicated with astonishing clarity. The visual narratives are personal and generic simultaneously. The plight of women and children and the breaking of the family unit are singled out as the most notable effects of war. Even though death in other contexts keeps the family united, the message here seems to be that war succeeds in dissolving it.

5   Conclusion

Neither photographic realism nor wild sentimentality is required for an image to activate emotion-charged messages about the family. Despite significant differences in style, narrative content, and overall sensibility, the works discussed above assign a great role to gesture as a means of recognizing the family and communicating the emotional bonds that unite its members. They do this with various period-bound degrees of abstraction. Although they perform great service for our understanding of the past, depictions of the family are not straightforward documents and we can only indirectly read them for their truth-value. At once familiar and opaque, they occasionally reveal the strains, stresses, and pleasures of daily life. More often they show emotional concern for the fragility of life. Even when not explicitly funerary, they are tinged with an esthetics of nostalgia.

FURTHER READING

The ancient Greek family and the various subtopics that bear upon it have received much attention from historians writing in English. Book-length studies that briefly take the visual and material record into consideration include Lacey's general study of the Greek family (1968); Pomeroy (1997a) on the family in the Classical and Hellenistic periods; Garland (1990), a reconstruction of the Athenians' life cycle; Garland (1985) on attitudes and practices surrounding the end of life; and Humphreys (1993) on the family and death. Kamen (2007) succinctly considers the life cycle in Archaic Greece and Thompson (2006) the Hellenistic family. Historical studies of the early stages of life include Demand (1994) on childbirth and its many dangers; Golden (1990) on childhood; and the essays in Dasen (2004) on birth and infancy. The study of the family is inextricably bound with both childhood and women. Several decades old, a rich body of feminist scholarship has drawn attention to the lives of Greek women, our understanding of which is mediated by texts and images preponderantly produced by men. Helpful entries into this vast topic are offered in Pantel (1992); Fantham et al. (1994); Blundell (1995); Brulé (2003). Keuls (1993), a pessimistic outlook, is especially rich in illustrations.

At times contradictory, at times mutually reinforcing, texts, and images operate within conventions particular to their genre. Images have typically served an illustrative role, subservient to that of textual testimonia, but in recent years art historians have entered into the discussion and drawn attention to the conventions of the pictorial media. The study of the pictorial family in its own right is thus now emerging. Considerable discussion of family groups from the perspective of iconography can be found in Clairmont's massive corpus of Classical Attic tombstones (1993); while Grossman (2001a) focuses on a few of those from the angle of the family. Sutton (2004) discusses domestic family scenes on red-figure vases; while Oakley (2000) addresses the presence of slaves in the Athenian household. Beaumont (1994); Neils and Oakley (2003) (a detailed exhibition catalog); and Cohen and Rutter (2007) explore the iconography of childhood. Recent synthetic studies of the representation of ancient women and girls and their roles in the household include Reeder (1995), a comprehensive exhibition catalog; and Lewis (2002), an iconographic study of Athenian women's life course.

Celebrating the Saturnalia: Religious Ritual and Roman Domestic Life

Fanny Dolansky

1   Introduction

On 29 September 57 BCE, Cicero delivered a passionate speech before the college of pontiffs regarding the destruction of his Palatine home the previous year by his archrival P. Clodius Pulcher. After accusing Clodius of evicting his natal and household gods from their home (*On his House* 108), Cicero turns to the issue of the Roman house as the prime locus for domestic religious life:

> What is more sacred, what more inviolably hedged about by every kind of sanctity, than the home of every individual citizen? Within its circle are his altars, his hearths, his household gods, his religion, his observances, his ritual; it is a sanctuary so holy in the eyes of all, that it would be sacrilege to tear an owner away from it. (Cicero, *On his House* 109; tr. Watts, slightly adapted)[1]

From this passage, as well as others, it is clear that in Cicero's estimation the family's religious rituals (*ritus* or *sacra familiae* as he calls them) were of immense importance, to be preserved from generation to generation (Cicero, *On the Laws* 2.19, 22, 47). References to *sacra familiae* appear in many of his writings, but his letters perhaps best illustrate the extent to which they were embedded in daily life. A letter of 60 BCE, some years before the conflagration with Clodius, contains an invitation from Cicero's wife Terentia to his good friend Atticus, his wife, and mother to join Cicero's family for the Compitalia festival in early January (Cicero, *Letters to Atticus* 2.3.4). Several letters from 50 and 49 BCE record the challenges of arranging *toga virilis* ceremonies

to mark the coming of age of his son Marcus and nephew Quintus (Cicero, *Letters to Atticus* 6.1.12, 9.6.1, 9.17.1, 9.19.1). Five years later, another ritual passage, in this case an unhappy one, was the subject of correspondence following his daughter Tullia's death which he wished to commemorate with a shrine (*fanum*) to honor her in years to come (*ut posteritas habeat religionem*) (Cicero, *Letters to Atticus* 12.12.2, 12.18.1, 12.35–12.37a). Additional examples could also be cited.[2]

In this chapter, I aim to illustrate Cicero's claims regarding the importance of *sacra familiae* by examining one specific domestic rite – the Saturnalia, perhaps the best-known Roman family festival and *the* major year-end holiday for slaves. In antiquity, the Saturnalia was lauded for its role reversal between masters and slaves and extension of greater license to all, but especially to slaves, features that privileged slaves in a manner otherwise unparalleled in domestic or civic religious ritual. The Saturnalia demonstrates well the centrality of religion to domestic life, in part through the critical role it played in maintaining order within the household by reaffirming a hierarchy based principally on juridical status, then gender and age. Domestic rites served a variety of purposes, one of which was arguably to provide a space for negotiating the often-complex dynamics of the urban, upper-class household (*domus*) by addressing, then ideally diffusing, tensions and anxieties that had naturally arisen due to differences among the household's diverse members. The Saturnalia, possibly even more than any other domestic rite, functioned in this way; yet at the same time, it also offered a fruitful opportunity for instilling in young and new household members, and reinforcing in others, normative social values and beliefs.

Despite its obvious relevance to domestic life, the Saturnalia has not been the subject of much scholarly attention as a *domestic* rite. It features in the valuable discussion of Bradley (1979) on the relationship of slaves' holidays to social control, but otherwise has not been the focus of research on the Roman family, nor has the family, as an analytical category, been the focus of important studies by religious (for example, Versnel (1993a), (1993b)) or literary historians (for example, Evans (1978); Döpp (1993a); Gowers (1993)). By establishing the significant contribution the Saturnalia made to domestic life, I hope to broaden our understanding of this immensely popular and enduring festival and add to the expanding appreciation of the richness and complexity of Roman family life.

I begin with an outline of the festival as I imagine it would have been celebrated by elite households in Rome during the central era (ca. 200 BCE to 200 CE).[3] Although the Saturnalia is well documented by literary sources, no single account survives that describes it in its entirety. The evidence is fragmentary, as is the case with other domestic rites, and consists of numerous brief references that must be combined to form a coherent picture of what the festival as a whole likely entailed (cf. Dolansky (2008) 48 on the *toga virilis* ceremony for a similar approach). Since religious ritual was always dynamic, there must have been considerable variations regionally, chronologically and due to differing household sizes. Thus, my idealized reconstruction is meant to serve as a guideline rather than an attempt to present the composition of the festival for all households at all times. I treat the different facets of the celebration before concentrating on the feast – its central component – which illustrates well the emphases on role reversal and license that were characteristic of the festival overall.

The feast also provides a productive focus for assessing what the festival accomplished for individuals and the household as a collective unit. In an effort to determine what motivated freeborn Romans to celebrate the Saturnalia continually, I first examine its perceived origins and the ideological background these formed for later celebrations, then investigate the functions which extending greater freedom and temporarily abandoning social norms might have achieved within the domestic community.

2   Celebrating the Saturnalia: An Overview

Before reconstructing an idealized celebration within the *domus*, it is important to have a sense of the contours of such a household. Certainly a spectrum of sizes and types existed, and differences in composition must have affected the dynamics that shaped daily interactions and the complexion of the Saturnalia specifically (cf. Garnsey (1996) 58). Although some upper-class Romans had only a handful of slaves, many boasted a significant number, and when we envision Cicero's or Pliny's household we are dealing with a large and diverse domestic staff (*familia*) of several dozen slaves, in addition to former slaves. It is impossible to determine precisely how large such a *familia* would have been at any given time, even in the case of *familiae* that are well-documented epigraphically (cf. Joshel (1992) 74), but it is clear that slaves in upper-class households were numerous and highly specialized. Inscriptions from the *columbaria* of several aristocratic families in Rome in use during the first century CE allow us to repopulate elite households to a considerable extent and, when supplemented by literary sources, to reflect on the dynamics that existed within the *domus* at large and between slaves and masters in particular prior to the Saturnalia.[4]

The staff of a large *domus* might be divided into administrators, domestics, personal attendants, professionals, entertainers and outdoor workers, as Treggiari ((1975b) 49) has done for Livia's Palatine household, and these categories are similarly represented in epitaphs for the Statilii, Volusii and Iunii Silanii. Administrators included record-keepers, accountants and clerks, as well as property managers and rent-collectors. Domestics were defined not so much by their work, but by the location to which they were assigned as dining room and bedroom servants, doorkeepers, individuals who attended to the demands of visitors and a host of slaves engaged in food preparation, maintenance and cleaning. Personal attendants could likewise be numerous with very specific job descriptions, and ranged from dressers, barbers, and masseurs, to errand-boys and child companions (*delicia*). Livia, like other upper-class Romans, also employed slaves classified as "professionals" such as midwives, doctors, and pedagogues who formed another potentially sizeable group. Although her entertainment staff is not well attested, in other elite households singers, musicians, and comedians were standard personnel, as was an outdoor staff of gardeners, grooms, and drivers.

In addition to a wide range of occupational activities, the *columbaria* inscriptions also document hierarchies among the household's slaves – prestigious posts that entailed some power such as *dispensator* (financial manager in charge of household accounts) or *cellarius* (storeroom supervisor responsible for food provisions), as well as supervisors and specialists within the ranks of *lecticarii* (litter-bearers), *cubicularii*

(bedroom attendants) and *medici* (doctors) as Hasegawa ((2005) 33–38) details. The responsibilities associated with some of these jobs may have translated into greater contact with the master and perhaps a closer relationship as a result, but Joshel ((1992) 146–47) reminds us that domestic slave labor was defined in terms of the slaveholder's needs and desires and always oriented directly towards him or her. Two letters by Seneca illustrate this well. In one (*Moral Letters* 47.2–8), a horde of slaves attend their master at dinner where their function is to fulfill his every appetite, while in another (*Moral Letters* 122.15–16), a master who stays awake all night disrupts all normal routines with his demands. Joshel ((1992) 148–49) comments on the indefinite quality to domestic service and the ease with which set tasks, schedules and locations could simply be disregarded, that

> [f]or house servants especially, work is depicted as, and no doubt in reality often became, an extension of the relations of domination. The slave was always vulnerable to the exercise of power within the master's right as owner.

This picture of a large and diverse slave staff devoted to its master's needs is helpful for gaining a better appreciation of what Pliny's *familia* might have looked like when he comments on his slaves celebrating the Saturnalia at his villa near Ostia (*Letters* 2.17.24) or of the scenarios Lucian envisions for his holiday dialog – but also of the tenor in the household leading up to this occasion. Celebrations would have begun on 17 December and lasted for three to seven days, depending on the historical period.[5] The *Fasti Amiternini* (the calendar preserved at Amiternum) specify that a sacrifice to Saturn was to be held in his temple in the Forum at Amiternum, a practice that may have replicated what occurred in Rome where a civic sacrifice likely signaled the holiday's official beginning (cf. Dionysius of Halicarnassus, *Roman Antiquities* 6.1.4). On at least two occasions, a public banquet was held in the temple of Saturn in the Forum in Rome, but the evidence is insufficient to determine whether this occurred more regularly or only under unique circumstances.[6]

In all historical periods, however, a private feast was central to the entire celebration. Ancient sources record a variety of dining configurations that differed from normative practices by involving a form of role reversal or status inversion: masters dined with their slaves, slaves dined first after their masters had waited on them or the children of the house served and entertained the slaves (Seneca, *Moral Letters* 47.14; Lucian, *Saturnalia* 18; Athenaeus, *The Learned Banqueters* 14.639b). As I discuss in greater detail below, all members of the household likely participated in this feast: not only masters and their slaves, but wives and freeborn children, as well as guests who were clients and social acquaintances, freed dependents, and possibly members of the extended family. For many upper-class households, it seems feasting occupied two or three days. Plutarch (*Moralia* 272e), writing late in the first century CE, relates that the Saturnalia involved "the most numerous social gatherings and enjoyments," which strongly suggests more than a single day; elsewhere he is explicit when he remarks in his essay *On Music* (*Moralia* 1131c) that he had invited two learned guests to the second day of his Saturnalia feast. Similarly, Macrobius portrays himself, his son, and several guests happily feasting for three consecutive days during his fictional celebration of the holiday set late in the fourth century CE.

Those attending the feast and the revel that traditionally followed typically reflected the relaxed atmosphere of the festival in their dress and deportment. Freeborn men exchanged the toga for the *synthesis*, a dinner suit made of brightly colored fabrics that Martial (6.24) considered *the* costume for the Saturnalia such that an appearance at the festival *togatus* earned one man his stern reproach (Goldman (1994) 235; Wilson (1938) 170–71; Martial 14.1.1, 14.141). The *toga*, after all, was emblematic of Roman civic life and its routines to which the Saturnalia was in many regards antithetical (Edmondson (2008) 24). Freeborn men also customarily donned the *pilleus*, the felt hat normally worn by freedmen (Martial 11.6.4, 14.1.2), but there is no evidence that either freedmen or slaves wore special attire.

In some households, during or perhaps immediately after the feast, gifts were distributed to family members and guests. These ranged from modest items such as writing tablets and dinner napkins, to more costly ones including slaves and exotic animals (Martial 5.18, 7.53, 14; Suetonius, *Augustus* 75; *Vespasian* 19.1). Literary sources record a few gifts that seem expressly for women and children, but they are primarily concerned with the exchange of gifts between men and related issues of status, whether in the differences between gifts for wealthy and poor guests or the obligations of patrons and clients at holiday time (Statius, *Silvae* 4.9; Martial 5.18, 10.87, 14.1.5–6; Pliny, *Letters* 4.9.7; Lucian, *Saturnalia* 14–16; for the relationship of patronage to the Saturnalia, see the remarks of White (1974) 44; (1978) 87; Saller (1982) 55, 68, 123).

After the feast, much of the evening seems to have been consumed by a revel at which freeborn men and their slaves enjoyed excessive drinking, games, gambling, and literary discussions (Seneca, *Moral Letters* 18.4; Martial 11.2, 11.6, 11.15; Suetonius, *Augustus* 71.1; Macrobius, *Saturnalia*). Older freeborn boys may have participated as well, as we know they once did from Tacitus' report (*Annals* 13.15) of a celebration in the imperial palace in 55 CE that involved Nero, Britannicus and some companions. In the case of freeborn women, there is no indication that they stayed for activities following dinner and it is possible they did not for the sake of propriety. Lucian (*Saturnalia* 4) claims it was not unusual to see male guests cavorting with flute girls or dancing nude, and everyone was entitled to speak frankly, including slaves who could rebuke their masters with apparent impunity (Horace, *Satires* 2.7; Martial 14.79), all of which contributed to an atmosphere that might not have been deemed suitable for respectable women.

3   Customs and Conventions of the Saturnalia Feast

During the feast, the Saturnalia's characteristic license and status inversion combined in dramatic fashion. Sources record several dining traditions among which the custom of masters and slaves dining together was the oldest and perhaps the most enduring as well. The practice remained current from the middle Republic, when Accius (*Annales* Fr. 7) described slaves feasting with their masters, at least into the mid

second century CE when the emperor Lucius Verus is said to have invited his home-born slaves (*vernae*) to join him at table (Historia Augusta, *Life of Verus* 7.5). Justinus, an epitomizer of Pompeius Trogus, a late republican or early imperial historian, adds a small but important detail that has previously been overlooked. He specifies that in an effort to achieve equality, masters and slaves *reclined* together (*ut Saturnalibus exaequato omnium iure passim in conviviis servi cum dominis recumbent*, 43.1.4). Reclining was an indicator of status and in many regards a male prerogative. As Roller ((2006) 175; cf. Dunbabin (2003) 13) has recently argued, the reclining posture "always marked the sort of social privilege, leisure, luxury, and pleasures … that was associated with elite adult males." It seems elite women sometimes reclined, as did older freeborn boys who were approaching the age for receiving the *toga virilis* after which they could routinely enjoy this honor (Roller (2006) 169–77; Booth (1991)). In contrast, slaves of all ages seem to have sat to eat as a matter of course, and even the slave *vilicus*, though distinct from his fellow slaves in many ways, was permitted to recline only on days of religious observance according to Columella's prescriptions (*On Agriculture* 11.1.19; cf. Bradley (1998a) 39). Thus Justinus testifies to a notable elevation of slaves' status during the holiday.[7]

In other households, different arrangements prevailed. Lucian indicates that toward the end of the second century CE masters waited upon their slaves but not that they dined together afterwards as Accius had reported. He instructs freeborn peers to assist when (other) masters are waiting upon their slaves, and to be punished if they are clumsy as slaves might be on other occasions (*Saturnalia* 18.4; D'Arms (1991) 175). Two authors who are roughly contemporaneous with Lucian, however, reveal considerable variations in practice. In a brief notice in his *Collection of Memorable Things* (1.35), written around 200 CE, Solinus comments that masters used to serve their slaves on the Saturnalia just as mistresses (*matronae*) did on the Matronalia on 1 March, but not that they necessarily dined together afterwards. Solinus presents this as a past custom, yet it remains current in Lucian's eyes. Athenaeus (*The Learned Banqueters* 14.639b) introduces an entirely different configuration: he reports that Roman children, not adult masters, served and entertained the household's slaves, in addition to assuming responsibility for the slaves' other duties. The implication seems to be that while the (presumably freeborn) children of the *domus* look after the slaves, the adult *domini* are free to feast on their own, separate from their slaves and perhaps their children as well. Macrobius similarly presupposes masters and slaves dined separately, and claims that in his day the preference in "religiously observant households" (*religiosae domus*, *Saturnalia* 1.24.23) was for slaves to feast before the master and on fare prepared as though for the master himself. Since many domestic slaves routinely subsisted on the barest essentials (Bradley (1994) 81–84) and would have spent countless nights waiting on their masters as they dined for hours on extravagant fare, the opportunity to dine first and on food of far greater quality and quantity than they were used to must have constituted a significant privilege.

In addition to providing evidence for different dining arrangements, these authors raise questions concerning the presence at the feast of other freeborn members of the household besides the master, namely women and children, through mention of the involvement of *matronae* in another holiday meal and the participation of children in

one particular dining configuration. No ancient source explicitly places any respectable freeborn woman at the Saturnalia feast, which is not entirely surprising since the presence of wives and daughters at dinners and banquets (*cenae* and *convivia*) was not a fixed convention (Bradley (1998a) 38, 47). Statius mentions a generic group of women (*femina*, *Silvae* 1.6.44) among the participants at Domitian's extraordinary banquet, but this cannot be taken as reflective of domestic practice.[8] Perhaps it is from the absence of literary references that conclusively locate freeborn women at the feast that some scholars believe the Saturnalia was exclusively for men, since women (more precisely slave mistresses) had the Matronalia feast as their own celebration, a ritual which they similarly presume was only for women (Hild (1887–1919) 1080.2; Boëls-Janssen (1993) 311, note 12).[9] Yet Martial's references to gifts distributed during or after dinner, which appear distinctly to concern women, are highly suggestive of their presence at the feast. Several are items of women's clothing such as breast-bands and girdles (14.66, 134, 149, 151), while others, including hairpins, wigs and sunshades (14.24–28) seem probable women's gifts, despite Leary's suggestion (1996: 77–78 on Martial 14.25–26) that some might have been gag gifts for men as Augustus was known to have given his guests, complete with labels bearing misleading descriptions and riddles (Suetonius, *Augustus* 75). Other gifts in Martial's collection also seem more suited to women than men, such as different varieties of wool, birds and birdcages, and a Gallic lapdog (14.154–58, 73–77, 198; Mohler (1927/1928) 256–57; Leary (1996) 131, 216).

The evidence for freeborn children at the Saturnalia table is similarly scant, but merits consideration nonetheless. Martial (14.169, 223) denotes two gifts for children explicitly: hoops and pastries (*adipata*) termed "children's sweets." The various birds and animals in his catalogs of *xenia* (guest-gifts) and *apophoreta* (dinner-party gifts) may have also constituted children's gifts since he specifies that a gazelle should be given to a young son as a pet (*delicium parvo donabis dorcada nato*, 13.99; see Leary (2001) 162) which accords with Rome's long history of pet-keeping (Bradley (1998b)). Furthermore, because Martial (14.54) expressly designates one gift – a baby rattle – for a slave child, perhaps the other items should be regarded as gifts for the freeborn children of the *domus* rather than its young slaves.

Admittedly the evidence for freeborn women and children at the feast is tenuous, yet, because the feast comprised a central component of one of the family's core religious rites (*sacra familiae*), I believe we can reasonably assume both groups participated at least to an extent, and that children perhaps took part in the revel too as we know occurred on one occasion in the imperial palace. Participating in the feast, and especially the revel, might not have been unproblematic, particularly for young children, given the relaxed atmosphere and temporary suspension of certain conventions. It is, therefore, worth examining children's presence at these two events and assessing some possible implications.

In both ancient and modern cultures, one of the primary functions of dinner is to socialize children to accepted habits and values, especially what is appropriate behavior at the table (Visser (1991) 40–56; Bradley (1998a) 40–44). This is no less true for meals on holidays than on ordinary days and one might even argue that the special circumstances of holiday meals make them challenging yet fruitful opportunities for

training in dining etiquette. In this regard, the Saturnalia feast may have posed significant challenges since normative codes of behavior were reversed, with masters waiting upon slaves who enjoyed the right to drink to excess and chide their masters (Seneca, *Moral Letters* 18.1–4; Lucian, *Saturnalia* 5). The freeborn also took advantage of the atmosphere to drink, gamble licitly, recite playful, even ribald, poetry (Martial 11.2, 11.15), and engage in drinking games. The result may have been an environment that was precarious for children who were thought to be vulnerable to various negative influences, including obscenities (Festus, *On the Meaning of Words* 316L). Indeed, attendance at formal dinners seems to have been a delicate matter for freeborn children even at non-holiday times. Though perhaps an extreme example, Cicero claimed Verres' son, who was still *praetextatus*, had to witness numerous indecencies at his father's *convivia*, including adulterous matrons and, on one occasion, a nude man dancing (*Verrine Orations* 2.5.137, 2.3.23). Varro (*Menippean Satires* Fr. 11) reports that in Rome's early days unmarried girls did not attend *convivia* lest they hear sexual words and Quintilian (*Institutio Oratoria* 1.2.8) worried that children could be exposed to potentially corrupting convivial sights and sounds.

With its emphasis on license and levity, the Saturnalia feast may have featured much of the same and thus been cause for some anxiety. Children may have seen adults behaving indecorously with respect to their status and rank, temporarily demeaning themselves for the amusement of their peers and slaves, which parents may not have wanted their children to see. Furthermore, since it was slave child-minders, not parents, who regulated children's table-time activities and slaves were apparently temporarily freed from such responsibilities, children were presumably left to their own devices during the feast and revel which Tacitus (*Annals* 13.15) appears to confirm. He recounts the story of the future emperor Nero, Britannicus and other boys playing *rex Saturnalium* ("king of the Saturnalia") where each had an opportunity to order the others around. The boys appear unsupervised, free to humiliate one another, which Nero does by forcing Britannicus to sing before a drunken crowd. Lucian (*Saturnalia* 4) makes it clear that humiliation was typical of this game where the goal was "to become sole king of all so that you not only escape silly orders but can give them yourself, telling one man to shout something disgraceful about himself, another to dance stark naked."[10] Writing late in the first century CE, the Stoic philosopher and former slave Epictetus (*Discourses* 1.25.8) records similar dynamics

> [a] king is chosen by lot; for it has been decided to play this game. The king gives his commands: "You drink, you mix wine, you sing, you go, you come." I obey, so as not to be the one to break up the game.[11]

4 The Origins and Functions of Limited License and Role Reversal

Epictetus' remarks hint at possible misgivings about the celebration (to which I return below), but elite authors champion a genuine leveling of statuses and attribute this to the festival's inception during a Golden Age, a period of great plenty and

social equality that coincided with Saturn's reign. Justinus, for example, in his epitome of Pompeius Trogus' history, describes Saturn's reign as an era "of such equity" (*tantae iustitiae*, 43.1.3–4) that neither slavery nor private property existed; as a reminder of this lost age and attempt to recapture it momentarily, masters and slaves feasted together on the Saturnalia. Commenting on Horace's *Satire* 2.7, a text that takes the form of a frank exchange between master and slave on the Saturnalia, Acro expresses similar sentiments. He explains that the festival was instituted in homage to a Golden Age (*saeculi aurei imitatio*) when freedom was granted to slaves and parity prevailed (*omnes exaequabantur*, on Horace, *Satire* 2.7.4).

This notion of the festival's origins lying in a mythical Golden Age persisted into Late Antiquity where we find the greatest concentration of etiological interest in Macrobius' repository of ritual and literary lore. He records several traditions concerning the Saturnalia's establishment in Rome's remote past, though I focus only on the one that appears most relevant to the customs and beliefs under discussion.[12] Macrobius' account (*Saturnalia* 1.7.19–26) begins when Janus ruled over Italy: Saturn arrived and taught him the art of husbandry, thereby improving the way of life. As a reward, Janus shared his kingdom which they ruled harmoniously until Saturn's sudden disappearance. In his honor, Janus named the land Saturnia and instituted rites called Saturnalia. Macrobius reports that

> the period of his [Saturn's] reign is said to have been immensely happy, not only on account of general abundance but also because no one was yet distinguished by servitude or freedom which one can discern because complete license is granted to slaves on the Saturnalia (*regni eius tempora felicissima feruntur, cum propter rerum copiam, tum et quod nondum quisquam servitio vel libertate discriminabatur, quae res intellegi potest, quod Saturnalibus tota servis licentia permittitur*, *Saturnalia* 1.7.26).

Why elite sources from Justinus to Macrobius sought to draw connections between the Saturnalia and a Golden Age merits some consideration and may be elucidated by Seneca's reflections on slavery in his influential 47th letter (Griffin (1992) 256–85; Bradley (2008) 335–47). Seneca argues strongly for a more humane approach to slaves by accepting the slave's very humanity, summed up in his famous assertion that slaves are people (*homines*) too despite their legal status as non-persons. He commends Lucilius for living "on friendly terms" (*familiariter*, 47.1) with his slaves in contrast to other masters who demean their slaves by a host of indignities, and cites interactions at dinner parties (*convivia*) as prime examples (47.2–8). Degrading slaves makes them disloyal and ultimately dangerous; he proposes treating them with a degree of kindness and respect instead (47.13), as Romans of the past did by adopting the titles *paterfamilias* and *familiares* instead of *dominus* and *servi*, and instituting other practices to foster good relations (47.14). In particular, he highlights the value of commensality through the establishment of a holiday (the Saturnalia) on which masters and slaves would eat together. Dining together was obligatory on this day, but it was hoped that it would not be the only occasion (*instituerunt diem festum, non quo solo cum servis domini vescerentur, sed quo utique*, 47.14). Seneca encourages masters of his own day to follow this ancestral custom – to dine with their slaves to reward those who are worthy (*digni*) and provide incentive for others to become so, that is, to be (more) like free men (47.15–16).

Seneca's attempt to make a case for the moral worth and humane treatment of slaves suggests some discomfiture with aspects of slavery (Garnsey (1996) 53). Surely as a wealthy slave owner in his own right, he did not actually wish to return to a Golden Age when slavery did not exist, yet his grappling suggests definite anxiety that likely stemmed from genuine fear for personal safety and the safety of one's kin when living among slaves (Garnsey (1996) 67–68; Bradley (2008) 341–42). When he remarks toward the end of his letter that the ancestors regarded the household as a microcosm of the civic community (*domum pusillam rem publicam esse iudicaverunt*, 47.14), he does not have to add that in both *domus* and *res publica* security was a constant concern because this was simply understood. To ensure the welfare of the entire community, it had to be protected from external *and* internal threats: all members had to uphold certain values and beliefs, and respect the leadership in place by honoring its authority with obedience. Other freeborn Romans shared the fears I suggest Seneca alludes to in this letter (see Parker (1998); Gamauf (2007); McKeown (2007)). The younger Pliny, for example, writing a few decades after Seneca, devoted three separate letters to Roman masters who were murdered by their slaves (*Letters* 3.14, 6.25, 8.14). Similarly, the story of Pedanius Secundus circulated, the city prefect killed in 61 CE by one of his slaves, after which 400 of his slaves were executed when none confessed to the crime (Tacitus, *Annals* 14.42.3).

The precise circumstances that prompted these slaves to take extreme measures can never be known, but given the inherently violent nature of Roman slavery, it is not surprising that slaves sometimes reached their limit. Though aristocratic masters such as Columella (*On Agriculture* 11.1.25) advocated a balance between excessive indulgence and excessive cruelty, a considerable amount of physical violence "seems to have been capriciously inflicted, erratic and lacking in justification" (Bradley (1987b) 141; cf. Hopkins (1978) 118) – and literary sources do portray cooks beaten with little cause, hairdressers abused simply for errant locks and slaves at *convivia* facing the lash merely for a sneeze or hiccup (Martial 8.23; Ovid, *Art of Love* 3.235–44, *Amores* 1.14, 12–18; Juvenal 6.487–95; Seneca, *Moral Letters* 47.2–5). This implies that slaves must have been in a constant state of unease, not knowing when the next act of cruelty or degradation would come, only certain it would. With little recourse on a daily basis for dealing with the tensions that resulted from their condition, aside from passive forms of resistance such as stealing or wasting time (Bradley (1994) 115–17), the Saturnalia was therefore critical for providing a space expressly for releasing some of the anger and resentment many surely possessed.

Freeborn masters similarly needed outlets for dealing with the tensions slavery produced, but particularly for articulating and managing their fears about slaves. One avenue, as Parker (1998) maintains, was the popular genre of *exemplum* literature – self-contained short stories he calls "tales of loyal slaves" that were designed to illustrate specific cultural values and norms and described outcomes rather different from those Pliny and Tacitus record. Yet what masters needed even more was a means of forestalling the very outcomes they feared, the sorts of fatal betrayals men like Pedanius Secundus suffered. For Seneca, one solution lay in the humane treatment of slaves on a regular basis, with the reward of dining with the master on the Saturnalia and other occasions. Yet in proposing this, Seneca appears to advocate privileging slaves only in a carefully

delineated manner (cf. his criticism of Saturnalian indulgence in *Moral Letters* 18.1–4). Some modern scholars, however, have set aside Seneca's appeal for moderation and fixed on ancient claims of *tota licentia* instead. Versnel ((1993a) 118) insists the festival entailed "suspension of norms and laws," while Gowers ((1993) 27) calls it a "licensed restoration of the Golden Age, which temporarily toppled the social hierarchy." A closer examination of the evidence, however, suggests otherwise.

Throughout the holiday, power structures based on gender and age appear to have remained intact. Freeborn women and children likely participated in the feast and perhaps the revel, but only in limited capacities, and neither seems to have been invited to exercise the license freeborn men and slaves appear to have been afforded. More compelling is the evidence for the relationship between slaves and the celebrated *libertas Decembris* (Horace, *Satires* 2.7.4). Slaves did enjoy far more freedom than at any other time of the year, but they were not free to do wholly as they pleased. In urban households, some were apparently expected to perform their usual duties, especially those associated with dining and entertainment, as authors portray cooks and sommeliers busily at work (Martial 11.6; Lucian, *Saturnalia* 13, 17, 18; Macrobius, *Saturnalia* 1.7.1, 1.22.22).[13] And though slaves may have relished trading places and celebrating with a degree of abandon, there is little evidence that masters fully embraced either to effect a true reversal. Instead, there are hints that some found slaves' merrymaking tedious and sought ways to avoid it – and them (Horace, *Satires* 2.3.4–6; Plutarch, *Moralia* 1098b; Pliny, *Letters* 2.17.22–24; cf. D'Arms (1991) 176). Furthermore, there is a sense that masters, and presumably slaves too, were acutely aware that moments of unrestrained candor bore potential consequences once the holiday was over (Horace, *Satire* 2.7, especially 117–18; Martial 14.79; cf. Damon (1992), especially 307 on Statius, *Silvae* 4.9).

Yet even if wide-ranging *licentia* reflects elite idealization not actual practice, slaves *did* enjoy considerable freedom and it seems their masters found this extension of privilege not merely useful, but essential for ensuring the household's well-being. Several ancient sources offer functional explanations for the Saturnalia's increased freedom and propose a combination of reward and incentive. Seneca (*Moral Letters* 47.14–16) submits that inviting slaves to dinner serves a dual purpose, for it rewards those who are worthy and induces those who are not to become better. Solinus is explicit that masters feast slaves to thank them for work they have already completed (*quasi gratiam repensarent perfecti laboris*, 1.35), and Macrobius (*Saturnalia* 1.12.7), writing two centuries later, echoes Solinus almost verbatim. In contrast, Johannes Lydus (*On Months* 3.22, 4.42), an antiquarian of the sixth century, proposes that masters served their slaves to prevent suffering greater indignities if circumstances changed and they found themselves enslaved as war captives. His interpretation reflects a unique perspective, perhaps shaped by the uncertainties of his times, yet his anxiety about slavery and the potential for conditions suddenly to be reversed accords with other elite examinations of the rites.

We lack the perspectives of Roman slaves to determine whether they recognized, as their masters did, that the privileges extended were both rewards and incentives to get them to work harder and behave better until the next holiday period (cf. Bradley (1979)).[14] We do, however, have the brief remarks of the

former slave Epictetus (*Discourses* 1.25.8) whose comment on playing "king of the Saturnalia" quoted above exposes the artificiality of holiday license. Though no longer a slave, he must nevertheless submit to others' whims and celebrate as they wish. This is similarly true when he explores why the freeborn are not really free since they are subject to the emperor and others, and do not have complete control over their own actions. He quips (*Discourses* 4.1.58), "Call a free man a slave on holiday at the Saturnalia; say that his master is out of town; later on he will return and you will learn what the fellow suffers."[15] Epictetus' remarks provide some clues regarding how slaves might have assessed the Saturnalia from one who had experienced the festival on both sides of the divide. As a free man, he seems wary of limited license and the façade of equality. As a slave, he may have begrudged the Saturnalia's apparent privileges, gestures of seeming beneficence that perhaps only reminded him of all he was regularly denied.

To this point, I have argued that the Saturnalia played a critical role in maintaining order within the household by providing a structured space within which the conditions of slavery could be questioned, thereby allowing tensions between masters and slaves to be mitigated and, ideally, diffused. This was the Saturnalia's primary achievement, but there was also an equally important outcome and benefit that is not as readily apparent: the ritual's contribution to the ongoing process of socialization. Saller has highlighted some of the ways domestic religion aided in "sanctifying gender and social hierarchies" ((1998) 87) through an examination of the role certain rites played in differentiating freeborn women from their domestic slaves. The Saturnalia likewise seems to have served this purpose – to differentiate household members and remind freeborn men, women and children of their place in the hierarchy not only with respect to their slaves, but to one another as well. One's position in the domestic hierarchy and the extent of participation in the feast and other ritual activities seems to correlate (cf. Bradley (1998a) 47–48 on the *cena* in general). At the top of the domestic hierarchy, freeborn men appear to have participated fully in all aspects of the celebration – the feast, revel, and gift exchange. Freeborn women and children seem to have participated in these elements too, but to a lesser degree and in different capacities; their presence at the feast was not dominant, and, though they were recipients of gifts, the impact of their participation in the gift exchange appears to have been limited compared with freeborn men whose gift-giving activities were intimately tied into the system of patronage that was intrinsic to Roman society.

Ancient historians and archeologists have drawn attention to the significant potential for a feast to serve as a locus for negotiating norms and relationships, especially with respect to hierarchy, and D'Arms ((1990), (1999)) in particular has shown how Roman feasts could both integrate and differentiate participants, in part by concealing and revealing differences in power and wealth (cf. Aurell et al. (1992); Dietler (1996); Donahue (2005) for similar views). But if this is the case, what did the Saturnalia feast accomplish through role reversal? In his studies of the Saturnalia as well as the Greek Kronia, held by some to have preceded the Saturnalia, Versnel ((1993b) 115–17) endorses the functionalist explanation outlined above that these rituals offered slaves opportunities to release pent-up aggression and masters to neutralize potential threats, but he also draws attention to the part such rituals played in legitimizing or confirming

the *status quo*. In this regard and with respect to the feast specifically, I have found the insights of sociologist Claude Grignon (2001) helpful for thinking about Versnel's claims and how ritual contributed to the process of socialization. In his research on modern dining customs in France, Grignon has developed a typology of feasting in which the Saturnalia feast would fall into a category he calls "transgressing commensality."[16] This encompasses communal meals in which social superiors invite inferiors to dine with them, such as when a factory owner has lunch with the workers. He ((2001) 31) contends that these meals belong to "the family of carnival rituals, which, through symbolic compensation and inversion, allow the ordinary order of things to be accepted anew and to resume." By this logic, because the Saturnalia's role reversal was temporary and artificial, this divergence from the established order actually helped to reinforce the modes of behavior and hierarchical structure experienced every other day of the year as normal and natural (cf. Versnel (1993b) 117, 159).

   That individuals need to be socialized to accepted norms tends to be associated primarily with children, and, in the Roman context, with slaves as well. Yet as the editor of a recent collection of essays on modern holidays and rituals insists, "adults are continuously socialized in the sense that social processes and resources are dedicated to recommit adults to existing beliefs or introduce them to new ones" (Etzioni (2004) 10). I suggest that we should similarly think about the Saturnalia playing an important role in naturalizing all members of the household who could benefit from the reinforcement the festival gave to the structures embedded in the household and the beliefs and behavior that defined its membership.

5   Conclusions

The Saturnalia was the year's most anticipated holiday – "the best of days" according to Catullus (*optimo dierum*, 14.15). Standard modes of dress and deportment were temporarily set aside, and freedom of speech and degrees of license were afforded to everyone, but especially to slaves. Households feasted, sometimes masters alongside their slaves or slaves first, and one author reports that slaves were entitled to recline thereby enjoying a significant privilege they were normally denied. Gifts were exchanged among celebrants, and references to items specifically for women and children suggest they too participated in this central component of one of the family's core religious rites, even though moralists may have worried about their exposure to corrupting influences as feasting stretched into the night.

   The substantial license granted to slaves, particularly during the feast, was striking. Several sources propose it served as both reward and incentive, acknowledging slaves' hard work and, to some extent, their worth, while enticing them to behave better in the future. For masters, extending these temporary privileges was considered preventive – essential for diffusing tensions engendered by the servile condition that threatened the welfare of the entire household. They operated as "conductors" or "safety valves" to borrow the terms of Frederick Douglass ((1855) 253–54) who stressed the necessity of holidays in slave-owning societies.

The Saturnalia's importance for managing relations between masters and slaves cannot be underestimated, yet I have also suggested the festival played a critical role in the ongoing process of socialization by helping to acclimate all members of the household to their place in the domestic hierarchy. The extent of an individual's participation in the celebration in many ways corresponded to his or her position in the household's hierarchy. Celebrating the Saturnalia, therefore, like other domestic rites, reminded adults and older children of their roles and expectations while introducing younger children and new slaves to the dynamics of their domestic community.

FURTHER READING

No comprehensive study of Roman domestic religion currently exists. However, useful sections can be found in recent English-language introductions to Roman religion including Beard et al. (1998); Rives (2007); and Rüpke (2007). Among works focused specifically on domestic religion, Harmon (1978) provides an overview of selected rites, while Scullard (1981) is the best starting point for a descriptive discussion of family festivals and rituals based on literary evidence and surviving *fasti* (calendars). Bodel (2008) has recently offered a sophisticated "outline" of domestic practice that incorporates literary evidence with material evidence for *lararia* (household shrines), which have been studied in greater detail by Orr (1978) and Fröhlich (1991) for Pompeii and Herculaneum, and Bakker (1994) for Ostia. There are a number of important contributions on individual topics related to domestic cult: Bradley (1979) on slaves' holidays; Saller ((1996), (1998)) for the role of ritual in solidifying gender and status hierarchies; Schultz ((2006) chapter 4) on women's participation in household cult and especially in domestic sacrifice; Dolansky (2008) on the *toga virilis* ceremony; and Dolansky (forthcoming) on the Parentalia festival. Several reference works in Italian, German and French are helpful, particularly for collection of primary evidence, and remain useful for preliminary research despite their early date and reliance almost exclusively on literary sources: Marquardt (1886); De Marchi (1896–1903); Wissowa (1912); and Latte (1960); as well as individual entries in Daremberg and Saglio's *Dictionnaire des Antiquités Grecques et Romaines* (1877–1919). In addition, women's involvement in domestic cult has been the focus of important French studies by Gagé (1963); Boëls-Janssen (1993); and Scheid (2003). For comparative purposes, Smith ((2004) 323–39) and the contributors to Bodel and Olyan (2008) treat domestic religion in a variety of ancient societies in the Mediterranean world.

NOTES

1 *Quid est sanctius, quid omni religione munitius quam domus unius cuiusque civium? hic arae sunt, hic foci, hic di penates, hic sacra, religiones, caerimoniae continentur; hoc perfugium est ita sanctum omnibus ut inde abripi neminem fas sit.* This chapter develops ideas from my doctoral dissertation on *sacra familiae* (Dolansky (2006)). I am grateful to my supervisory committee for helpful suggestions on the chapter on which this is based: Shadi Bartsch, Richard Saller, Peter White and especially Keith Bradley who also provided valuable feedback on the present contribution.

2   Additional examples: Cicero, *Letters to Quintus* 2.6.1–9 (celebrations to mark Tullia's betrothal); *Letters to Atticus* 7.7.3 (the Compitalia on one of Cicero's estates); *Letters to Friends* 14.7 (Terentia's sacrifice of thanksgiving for Cicero's health).

3   Evidence for the Saturnalia in rural households is too meager to treat in detail. It was clearly part of rural practice in the middle Republic (Accius, *Annales* Fr. 4; Cato, *On Agriculture* 57), and is listed in agricultural calendars (*menologia rustica*) dated to the first century CE which show its continued import to rural religious life. The Saturnalia on a rural estate must have differed considerably from that in an urban *domus*. Rural slaves likely did not enjoy a complete holiday because some agricultural tasks were essential (Bradley (1979) 113), and the probable absence of freeborn family members, especially the *dominus* (since elite Romans frequently owned more than one estate; see also Cato, *On Agriculture* 5.3 which presumes estate owners would be away during the Saturnalia and Compitalia), also would have affected household dynamics.

4   *Columbarium* refers to a type of communal burial tomb popular in early imperial Rome and named for its similarity to a dovecot. Sixteen *columbaria* are known from their inscriptions collected in *CIL* 6 (see Hasegawa (2005) 5, table 2.1). I concentrate here on evidence from the *columbaria* for the *familiae* of Livia, the Statilii, Volusii and Iunii Silanii as analysed by Treggiari (1975b); Joshel (1992); Hasegawa (2005).

5   Mummius and Novius, comic poets of the early first century BCE (in Macrobius, *Saturnalia* 1.10.3), applauded the seven-day Saturnalia, but Macrobius (*Saturnalia* 1.10.23) reports its official length was fixed at three days by an Augustan edict. Gaius (Caligula) is said to have increased the festival to four or five days (Dio 59.6.4; Suetonius, *Life of Gaius Caligula* 17.2); then Claudius either reinstated or established a fifth day (Dio 60.25.8). By the late fourth century CE when Macrobius wrote, the Saturnalia was again seven days from the addition of the Sigillaria, regarded by some simply as a market that overlapped with the festival (Macrobius, *Saturnalia* 1.10.24), but by Ausonius, Macrobius' contemporary, as a religious ritual in its own right (*sacra sigillorum*, *Eclogues* 16.32).

6   Livy (*History of Rome* 22.1.19–20) reports that the senate ordered a public sacrifice, banquet, and *lectisternium* (feast for the gods) in response to prodigies at the beginning of the Second Punic War. The banquet Statius (*Silvae* 1.6) describes was part of Domitian's celebration that actually involved moving the holiday to 1 December. On the irregular date and spectacular nature of his feast, see Newlands (2003) 499–522.

7   There are some literary and visual representations of slaves reclining (see Fröhlich (1991) 33, 179–81, 299; Dunbabin (2003) 13, 56–58; Roller (2006) 19–22, 177–78), but, as Roller in particular has shown, slaves appear in this posture either when no free persons are present or when they serve a wholly instrumental purpose by enhancing the pleasures of the freeborn diners.

8   Small children (*parvi*) similarly appear at Domitian's banquet (Statius, *Silvae* 1.6.43–44).

9   Boëls-Janssen (1993) 311, note 12 reports that this is the general view, though she herself does not subscribe to it. Dolansky (2006) 215–70 demonstrates that the Matronalia was not a "women's festival" as some hold because husbands and household slaves of both sexes were involved in certain elements.

10 καὶ βασιλέα μόνον ἐφ' ἁπάντων γενέσθαι...ὡς μήτε ἐπιταχθείς γελοῖα ἐπιτάγματα καὶ αὐτὸς ἐπιτάττειν ἔχοις, τῷ μὲν αἰσχρόν τι περὶ αὐτοῦ ἀναβοῆσαι, τῷ δὲ γυμνὸν ὀρχήσασθαι (tr. Kilburn).

11 ἐν Σατορναλίοις λέλογχεν βασιλεύς. ἔδοξε γὰρ παῖξαι ταύτην τὴν παιδιάν. προστάσσει "σὺ πίε σὺ κέρασον, σὺ ᾆσον, σὺ ἄπελθε, σὺ ἐλθέ". ὑπακούω, ἵνα μὴ παρ' ἐμὲ λύηται ἡ παιδιά (tr. Oldfather).

12 Macrobius' etiological interests seem in part to reflect that he was writing when Roman practices and institutions had changed considerably from their beginnings due to the passage of time and the advent of Christianity, hence the need to preserve traditions before they disappeared. The other traditions he records (*Saturnalia* 1.7.27–37) all illustrate a belief in the Saturnalia's extreme antiquity. One situates its establishment at a time when Italy was inhabited by men left there by Hercules, another when Italy was populated by Sicels and Aborigines then settled by Pelasgians, while a third attributes it to the Greeks whose Kronia festival was understood to be a precursor to the Saturnalia.

13 Cf. American plantations where holiday duties for slaves included tending livestock (Douglass (1855) 251), washing, cleaning, and planting (Stampp (1956) 79–80).

14 From other historical periods, slaves' views on holidays do survive and can be helpful for gaining an appreciation for how Roman slaves might have regarded their own celebrations. The scope of the present discussion does not allow for more than a brief inclusion of comparative material to illustrate this point, and this is not intended to be representative but simply to provide some reflections on how holidays function in a slave-owning society and what they might accomplish for both free and slave. One of the best such accounts is *My Bondage and My Freedom*, the memoir of Frederick Douglass (1855), a slave farmhand in Maryland in the first half of the nineteenth century who later became a leader in the abolitionist movement. He argued that the greater freedom accorded to slaves between Christmas and New Year ultimately served to manipulate them into being more receptive to their condition and, consequently, to strengthen and sustain the institution of slavery. Holidays were fundamental to the maintenance of social control as "conductors or safety valves" without which "the rigors of bondage would become too severe for endurance, and the slave would be forced up to dangerous desperation" (Douglass (1855) 253–54; cf. Stampp (1956) 158–59 for contemporaneous views on religion and social control). Yet temporary license, particularly in the form of alcohol consumption, which he claims was encouraged to excess, was not actually a sign of benevolence but an effort to inure slaves further to their condition, for when the holidays were over, he insists, they were generally relieved to return to their usual routines ((1855) 255–56).

15 κἂν εὕρης τοιοῦτον, λέγε δοῦλον ἀνοχὰς ἔχοντα ἐν Σατουρναλίοις. λέγε, ὅτι ὁ κύριος αὐτοῦ ἀποδημεῖ. εἶθ' ἥξει καὶ γνώση οἷα πάσχει (tr. Oldfather).

16 Since Grignon's categories are derived from modern French experiences, they cannot be mapped onto a Roman context seamlessly. For instance, while his category of "domestic commensality" does not presuppose a nuclear family structure, it nevertheless cannot accommodate the unique composition of the Roman *domus*. He outlines six types of commensality: domestic; institutional (for example, nursing homes, jails); everyday (which is "reduced to the nuclear family or to the close and usual circle of colleagues" (2001) 27); exceptional (which includes extended family, friends and social acquaintances, and often coincides with "high or stressed times of the annual calendar or life cycle" (2001) 27); segregative (exclusive/closed group, for example, the Indian caste system); and transgressive (also called "transgressing").

CHAPTER 30

Ethos: The Socialization of Children in Education and Beyond

Teresa Morgan

1 Introduction

Families, which were themselves a yarn of many strands, formed one thread in the complex fabric of institutions, relationships, symbols and practices which made up ancient societies. Individuals who moved from one social locus to another – from home to marketplace, law court to training-ground – needed diverse equipment for their different roles, whether in the form of wealth, friends and relations or practical skills. One of the practices which equipped people to move between the family and other social locations and roles was education.

"Education," "children" and "socialization" are all concepts whose boundaries varied across time and place, and could be highly porous. In Classical Sparta and Athens, for instance, boys (at least from the upper classes) became *eirenes* or ephebes at about the age of 18, at which time the physical side of their education turned into serious military training, but other kinds of education might continue into their 20s. In Athens, 18 was also the age at which men could be registered as adult citizens, but full adulthood came arguably only when they could stand for democratic office, at the age of 30. In the Roman Republic, boys (at least in the upper classes) took the *toga virilis* at about 14, while 14 was also the age at which subjects of the Roman empire began to be taxed as adults. Young men from wealthy homes, however, might continue their rhetorical or philosophical education for another decade; they would not expect to be called up for military service for several years and could not stand for office for several more. Upper-class girls in both the Greek and Roman worlds, by contrast, were often married and behaving in every way like adult women by their early teens.

In what follows, I shall treat "children" as being broadly those who either have not passed one of these important age-markers or who have passed them but are still spending most of their time in education (rather than, say, military service). By "education" I mean the whole range of practical, social and cultural skills which the young are attested as being taught, as opposed to any which they picked up by themselves, but I shall focus especially on physical and "musical" education, and on the education based on literacy and numeracy which came to be known as *enkyklios paideia*. As for "socialization": I shall generally assume in what follows that education aims to equip the young in some way to function in their society.

Education comes in many forms. Women and men throughout the ancient world needed to be trained for a vast range of practical jobs – from agriculture to fishing and stock-keeping, all kinds of domestic work and handicrafts, trade, building, medicine, midwifery, magic, divination, dancing and singing, prostitution, banking, scribal and secretarial work and many more. Most of these kinds of education have left few traces. They will have taken place within families or households – fathers and mothers instructing sons and daughters, older siblings or slaves training younger ones.

If we cannot usually see such training in progress, we can sometimes see evidence of it in practice, in documents where parents and children are attested as working together or in the same profession. Inscriptions from Classical Athens, for example, show mothers and daughters working as wet-nurses or woolworkers (Lewis (1959); *IG* 2.2.4334). In Philadelphia in Egypt, in the mid third century BCE, a whole family offers their services to a wealthy landowner as weavers (*PSI* 4.341), while epitaphs from imperial Rome commemorate families of entertainers (*CIL* 6.10131) and gold-weavers (*CIL* 6.9213).

Plutarch's *Life of Solon* (22) testifies to the importance of teaching one's children what they need to make a living: according to tradition, Solon passed a law that if an Athenian father failed to teach his son a trade, that son was not required to support him in old age. If a household needed a skill which no-one possessed, a young person might be sent elsewhere. So, a papyrus of the second century CE from Oxyrhynchus in Egypt, records that,

> Platonis or Ophelia, daughter of Horion, apprentices her slave Thermuthion to Lucius to learn the weaver's trade, for four years, during which time she will feed and clothe the girl and send her to learn every day. The girl gets 18 days off a year for festivals but has to make up days off [sick] at the end of the four years. (*POxy* 1647)

In the same city around the same time, Panechotes apprenticed his slave to a scribe called Dionysius (who himself had learned the trade from his father), for two years (excluding feast days) and a fee of 120 silver drachmas (*POxy* 724).

2   Athletics and Military Training

No form of education is attested earlier or more often in Greek and Roman sources than military training. To defend one's family, village, city, overlord or state was one of the most important things any man learned, and it is likely that – at least

until the Hellenistic period in the east and the beginning of the Roman Empire in the west – every man learned to fight somehow, whether on horseback, on foot or in a ship, lightly or heavily armed, in formation or simply (like the rabble in Homer) in a mass. Stories of the heroes of the Bronze Age did not neglect to describe how they learned to fight. Several were said to have trained with the centaur Chiron, who taught, among other things, hunting, riding and javelin-throwing (Xenophon, *Huntsman* 1), while in the *Iliad* Achilles is reminded how he was taught the arts of war by the horseman Phoenix (9.440–43). In later centuries, preparation for military training began early, with athletic exercises including running, wrestling, ball games, throwing the discus and javelin, archery and (for the rich) horsemanship (Marrou (1975) 3–13, 116–32, 238–39).

Athletics must have been one of the first structured communal activities in which boys took part – one of their first experiences of life outside the home. In extreme cases, it could take the boy away from his family altogether. Classical Sparta was notorious for devoting most of the time of its ruling class to military training. At the age of seven, according to Plutarch (*Life of Lycurgus* 16.4), boys were removed from home and placed in quasi-military companies, in which they ate, slept, and trained. In these para-familial and anti-familial groups, which were run by older boys and young men, boys were required to be absolutely obedient, tough (going barefoot and lightly dressed even in winter) and resourceful (being made to steal much of their food and being punished if they were caught, not for dishonesty but for incompetence). Oddly, neither Plutarch nor Xenophon, in the *Constitution of the Lacedaimonians*, has much to say about the content of Spartan military training, either because it was a secret or because it was not fundamentally different from that of other cities. In the Late Archaic and Classical periods about which they are writing, Spartans fought in hoplite phalanxes like virtually all other heavily armed Greek infantry. Presumably their training in handling weapons and fighting in close formation was very similar to everyone else's.

In many Greek states, there was a period around the age of 18 when military training was especially intensive. This might coincide with rites of passage which marked young men becoming adults, loosening their ties to their natal family and taking their place in the citizen body of a state. Strabo (*Geography* 10.4.21) claims that in Archaic Crete youths were "abducted" at this time by older men and taken into the countryside, where they lived rough, hunting for their food, for two months. A related Spartan institution, the *krypteia*, also sent youths out to live rough for a period, during which time they reputedly had not only to feed themselves, but to kill a serf (Plato, *Laws* 630d; Plutarch, *Life of Lycurgus* 28.1–2). In fourth-century Athens, ephebes spent two years (later reduced to one) in military service; according to Pseudo Aristotle's *Athenian Constitution* (42), they spent the time learning to use hoplite arms, the bow, javelin, and sling, and garrisoning the forts of Attica. At the end of their ephebate, the city presented them with a spear and shield.

Athletics was one of the many forms of education which continued without a break into adulthood. Every Greek and Roman settlement of any size will have had athletic and military training grounds, which might include private wrestling schools, public

gymnasia, running tracks, drill fields and hippodromes, not to mention rivers, the sea and convenient roads, where both children and adults trained and exercised for pleasure. Literature of all kinds, poetry and prose, testifies to the ubiquity of sports for men and boys. Homeric heroes relax from war by holding athletic competitions, and Alexander the Great consciously imitated them by holding games to celebrate his military victories. According to Virgil's *Aeneid*, dead heroes of every age pass their time with athletics in the Elysian fields, while, around the time Virgil was writing, Strabo (5.3.8) reports seeing Romans exercising for pleasure on the Campus Martius with ball games, hoops and wrestling.

Hunting was another favorite pastime of the rich throughout antiquity: like athletics, it was sociable, competitive, good exercise for man and horse, and kept one in practice with spear, bow, or sword. In *On Hunting* (12–13), Xenophon waxes lyrical on its educational advantages:

> It makes the body healthy, makes sight and hearing better, and minimizes aging, and above all it trains men for war … It is the single pleasure of young men which produces the most good things, because it makes them wise and just and trains them in the truth. (cf. Isocrates, *Areopagiticus* 45)

When one was not exercising oneself, one might enjoy watching others. The opening of Plato's *Lysis*, for example, finds Socrates and his friends visiting a wrestling ground to watch the boys exercising and playing knucklebones. Their admiration for the boys is that of an older generation for a younger, semi-parental but also subliminally erotic, reflecting the complex para-familial dynamics of Athenian pederasty (Halperin (1985); Hupperts (1988)). At no time did Greek or Roman education develop an examination system, but it could be highly competitive, and athletics were endemically so. Greek and Roman cities put on many kinds of competitive games, as part of religious festivals, funerals or simply for entertainment. Some types of competition (such as boxing in the Greek world, gladiatorial combat and chariot racing in the Roman) tended to be the preserve of professionals, but others were open to amateurs, and there were often competitions specifically for boys (for example, Sweet (1987); Neils (1992) 82–88; van Nijf (2001) 316–27).

Athletics and military training were not only competitive; by their nature they were also highly social. Alongside specific skills, they cultivated in the young such values as trust, obedience, co-operation, and loyalty. These qualities are also essential to households and families, so military training must have been one of the practices through which young men learned to reinterpret the ethics they had already acquired in the home, and apply them to the wider society in which they operated as adults. Stories of military heroes, both Greek and Roman, confirm the importance of these qualities. The most famous and most admired are often not those who won the most battles, but the most patriotic, obedient, and faithful. One thinks of the Spartan Three Hundred who were ordered to hold the pass of Thermopylae against the Persians until they were all killed, or Horatius Cocles, who held up an invading army at the Sublician Bridge in Rome until it could be demolished under him.

3   *Mousikê Paideia* and the Symposium

For most of antiquity, no education was more important than that which gave men a living and that which trained them to fight. Some states may also have regarded learning their laws as essential for future citizens. According to Cicero (*On the laws* 2.59), children in Republican Rome were traditionally set to memorize the Twelve Tables of the law, while Josephus claims that one of the distinctive virtues of the Jews is that they all learn (and keep) their laws (*Against Apion* 2.149, 177–88). Throughout the Greek and Roman worlds, however, the other kind of education which is most widely attested, and which is also clearly a form of socialization, is that which begins in the Greek world as *mousikê paideia*, including learning to sing or recite poetry, to play musical instruments and later to read and write, and which develops into *enkyklios paideia*.

Lyre playing is a regular accomplishment of Bronze Age heroes, and later Homerically inspired aristocrats such as Alcibiades and Alexander the Great would play nothing else. It was probably taught within wealthy households, but in Athens, by the fifth century, there were apparently also musical schools. The Old Logic in Aristophanes' *Clouds* (961–83), mourning the good old days (before the late 420s), remembers how young men would process to the lyre-teacher's school, to learn to play and sing.

Singing and playing poetry had multiple uses: Homer in particular was regarded equally as a source of practical know-how, moral guidance, and instruction in the arts of war and debate. It is not clear how far down the social scale playing and singing poetry went; perhaps, unlike military training, not very far. Like military training, though, it was a spectator as well as a participatory activity, and as such took place not only within households, but in public too. In the Bronze Age, poets probably already entertained great men, their families, friends, servants, and guests with songs after dinner, as does the poet in Menelaus' palace in the *Odyssey* (4.17–18). Competitive singing to the lyre by professional bards became part of many Greek cities' festivals, and the Homeric poems were also regularly performed in public outside festivals. Where audiences gathered to hear them, a household became the symbolic microcosm of a society and a city the macrocosm of a household.

In the private sphere, singing and playing were ways in which the rich and aristocratic could pass their hours of leisure alone or with friends. As literacy became more widespread, and an important (though never the only) way to make the acquaintance of poets and prose writers, singing and playing as leisure activities gave way to literary conversation and the discussion of authors and their ideas. One of the best-known social sites for the creation, transmission, and discussion of literature was the drinking or dinner party, which developed in the Archaic Greek world and persisted, in various forms, till the end of antiquity. Such parties were not only private affairs held for pleasure. They could link private and public spheres by bringing together friends, visitors to one's city, business partners, prospective in-laws, or political allies. They were also often, especially in the Greek world, described as educational.

The most widespread form of Greek drinking party, the symposium, might be educational in various ways (Bremmer (1990); Murray (1990b)). Boys or youths (ages are never specified, but the growth of a beard seems to signal the upper end of the age-range) would be invited to take part by an older man. Xenophon's *Symposium* begins with a youth called Autolycus being invited – accompanied by his father – to a symposium by the aristocratic politician Callias. Callias is in love with Autolycus, whose beauty is said to stir the souls of everyone present (1.9), and both literary sources and sympotic pottery attest that sex between men and boys was a regular part of the proceedings. The boy would also, though, be introduced to his host's friends and connections, and listen to their conversations about business, philosophy, or politics.

Surviving sources – many written by philosophers – seem rather defensive on the subject of erotic relationships between men and boys, preferring to emphasize their para-familial and educational side. Xenophon insists that friendships between boys and men in Sparta are purely pedagogical (*Constitution of the Lacedaimonians* 2.13) and Plutarch tells us that Spartan boys attend the men's common mess to hear political discussions and see how free men should behave (*Life of Lycurgus* 12.4). In his *Symposium* (184d–5b), Plato makes Pausanias explain at length that boys should confer favors on an older man only when he is in an (almost paternal) position to teach the boy wisdom and virtue. The ideal attitude of an older man towards a younger, in this work, is that of Socrates, whose love for Alcibiades takes the form of lecturing him all night about philosophy and taking no interest at all in his physical beauty.

Much of Archaic Greek poetry seems either to have emerged from the symposium or been written for it, and much of it claims at least partly an educational agenda. Theognis, for instance, addresses many of his elegiacs to a youth named Cyrnus. He urges Cyrnus to be honest and loyal to his *philos* (a word which applies to family members and friends as well as lovers), expects him to be grateful for Theognis' kindnesses, praises him when he is, and threatens and abuses him when he is not (1238a–40, 1243–44, 1263–66, 1283–94, 1311–18, 1361–62). (No identified love poems from younger men to older ones survive: the young were presumably expected to listen and learn and not to show off.) If it is right that such poems were performed in the symposium, then however genuine the loves and losses they express they were not a purely personal or private affair. Men and boys were also playing roles, expressing emotions appropriate to their social status and negotiating changes in status in front of others who were friends and relations, peers, allies and rivals.

The symposium and related institutions, then, acted as a bridge between families and the wider society, inducting the young into the social networks, pastimes, culture, and concerns of adults. Several centuries later, when education had become much more institutionalized, symposia were used as an informal extension of teaching. Cicero's son Marcus, writing to Cicero's secretary (*Letters to His Friends* 16.21.3), reports from Athens that he is not only attending the lectures of the famous philosopher Cratippus, but that he often spends the evening with him too, dining and talking. Philostratus, in his *Lives of the Sophists* (585–87), describes in similar terms how Herodes Atticus, teaching in Athens 200 years after Cratippus,

would lecture during the day, and then at night would invite a few pupils who had impressed him to a private symposium.

Nor did one cease to be educated in the symposium when one reached manhood: like athletic training, sympotic education could go on throughout life. Solon uses elegiac poetry to promote his political views or to complain that people have not sufficiently appreciated his political achievements (for example, Frs 1–3, 5–6, 13, 36–37, 37a); his audience could equally be men or boys. Aulus Gellius, Plutarch and Athenaeus are among those who testify to the rich cultural life which could be pursued through symposia and similar gatherings, where educated men (and in the Roman world, even some women) met to educate each other by discussing literature, rhetoric, philosophy, science, technology or politics.

4   Education, Literacy, and Classical Athens

When the Old Logic in Aristophanes' *Clouds* regrets the days when the young all trooped to the school of the lyre teacher, he marks a significant change in Athenian culture and society. The change is associated with a dramatic increase in literacy from about the mid fifth century, and Aristophanes was right to see it as a climacteric. Athenian democracy found in the written word a superbly useful practical and symbolic tool (Thomas (1989)).

In the course of the fifth and fourth centuries, it was used more and more heavily in government, law, commerce and every other aspect of public and private life. Where Athens led, other states, democratic or not, followed: literacy became more widespread across society, and education adapted, first to include it and then to make it the primary medium by which almost everything else was taught. The latter years of the same period saw the rise of Macedon, with its deep admiration for Athenian culture. When the conquests of Alexander the Great extended Macedonian rule across North Africa, Egypt, Thrace and the Near East, Greek education, by then largely based on literacy, traveled with Macedonians and Greeks into the new territories.

The access, not only to inscribed laws or legal documents, but also to poetry, mathematics, and even rhetoric and philosophy which literates potentially acquired, posed a complex challenge to Greek society. In Aristophanes' *Knights* (147–246) the Sausage Seller (a caricature of the *nouveau riche* politician Cleon) is persuaded to stand for office despite the fact that he has no education except his letters: the implication is that every jumped-up vulgarian who can read and write can now get elected to run the city. In the *Clouds*, Strepsiades attends Socrates' Thinking Shop, which offers all kinds of newfangled education based on literacy, from biology to rhetoric via geometry and meteorology, to learn how to subvert the city's laws and defeat his profligate son's creditors in court. In these plays, Aristophanes betrays a double concern about the impact of education: that it might enable the poor to better themselves and that it might teach those already rich to cheat their way to success in public life.

Socrates stands for all the so-called Sophists who visited and taught in Athens from the mid fifth century onwards, offering instruction in a wide range of subjects, but most notoriously in the art of public speaking and government (Kerferd (1981);

Burrell (1987); Robb (1994) 138, 200–33). The art of speaking was reputed to have begun in Syracuse in the 460s, either to teach Syracusans how to speak in the city's new democratic assembly or to help them recover in court properties which had been confiscated under a recent tyranny (Aristotle, *Collection of Arts*; Rabe (1931) 25, No. 4). It was thus, in principle, a skill which supported society rather than subverted it. Some Athenians, however, regarded Sophists as highly anti-social and their influence on the younger generation as malign: Socrates himself was eventually charged with corrupting the young.

Socrates' reputation, in life and literature, betrays an ambivalence about education, and its relationship particularly with the family, which seems to be particularly strong at this time. (It is not always the young whose education is the problem: in the *Clouds*, it is ironically Strepsiades who needs a newfangled education to help his son, who harks back to old-fashioned aristocratic values.) Elsewhere in antiquity, however, there are surprisingly few traces of the idea that educational progress produces inter-generational tension. Much more common are parents who are keen to provide their children with an education which might help to improve their culture, intellect, or social status. When his son Alexander was born, Philip II of Macedon wrote to Aristotle, rejoicing that his son had been born at a time when he could learn from so great a teacher (Aulus Gellius 9.3.4–6). In fictionalized Neronian Rome, we encounter the wealthy freedman Trimalchio of Petronius' *Satyricon* (46), who, though he claims not to be ashamed of his own vulgar past and lack of education, is keen to give his son an education which will equip him for a high-status career in the law. In the relatively mobile social world of the Roman Empire, we know of a number of real individuals who made their fortunes through the foresight of their parents and their aptitude for education. Horace, son of a freedman, was among them; so were Tertullian, whose father was a centurion; Ausonius, whose father was a doctor; and Augustine, whose father was a local councilor in a tiny provincial town.

Traditionalists were right that Athenian society in the late fifth century was becoming more mobile and more plutocratic, the aristocracy's grip on power was loosening, and larger numbers of less wealthy and well-born people (though hardly the very poor) were gaining political influence and being elected to office (Davies (1981); Connor (1992) 151–75). Literacy and literate education, though not the cause of the change, facilitated it, and in the new Macedonian kingdoms of the late fourth century, they helped to bring about a much larger change. The Macedonians had won for themselves large, populous, politically and culturally sophisticated territories, which could not be held for any length of time by force. They developed a policy of acculturating the former ruling classes of their new kingdoms, encouraging them to acquire Greek language, culture, and status in return for their co-operation in government. One of the instruments of acculturation was education.

Education was well placed to fill the role. During the fourth century, it had developed an ever more regular repertoire of exercises, which began with learning to read and write, and progressed through the reading of poetry and prose, arithmetic and geometry, to (for the wealthiest) the study of rhetoric and philosophy. (The study of grammar was added by the end of the Hellenistic period.) This routine of exercises was widely known by the end of the Hellenistic period as

enkyklios paideia, "common" or "ordinary education." It spread quickly through the new kingdoms, among both ethnic Greeks and non-Greeks, and with the gymnasium it helped to socialize successive generations of non-Greeks into the Greco-Macedonian ruling elite (Morgan (1998) 38).

5   *Enkyklios Paideia*

Enkyklios paideia socialized learners mainly in three ways. It gave them the skills of literacy and numeracy in Greek. It transmitted at least a little Greek culture to all learners, and a great deal to those who could afford to pursue it for several years. And it taught Greek ethics: the diverse, diffuse, elusive but culturally definitive assumptions about the nature of the world and human life that help to define the mindset of a society.

Every stage of *enkyklios paideia* could be used in this threefold project. Children began (as early as three or as late as ten, according to different authorities) by learning to read and write letters and to recognize numbers. From letters they moved on to syllables and then words. A wealth of documentary evidence for *enkyklios paideia* survives, preserved in papyri, wooden tablets and ostraka, principally from the deserts of Greco-Roman Egypt (Morgan (1998); Cribiore (2001)). It includes many wordlists, which contain large numbers of names of Greek gods, heroes or famous characters from history. Part of one such list reads: "Hephaistos, Helios, Herodes, Herakles, Thersandros, Thoudippos, Thamyris, Thersites, Iphidos, Iphiklos, Iason, Ikaros ..." (*PBour* 1, fourth century CE). The acculturation of learners had already begun.

From wordlists, pupils progressed to short sentences, which often consisted of gnomic quotations from the poets. Another section of the same papyrus preserves a typical collection of quotations, beginning, "Letters are the greatest beginning of wisdom. Life without livelihood is not a life. Revere the old, the image of the god. It is bad to transplant an old tree. Love is the oldest of all the gods." Such collections teach a range of social attitudes and behaviors. Sometimes they are thematically arranged; more often they are (like this one) alphabetical, or have no obvious order at all. They therefore tend to look unsystematic and disjointed, and one struggles to believe that they can be teaching any kind of ethical system. An analysis of large numbers of gnomic quotations and collections, however, shows that they are more systematic, and so more functional, than at first appears (something that was already recognized in antiquity, as Seneca (*Letter* 94) attests). Among the themes that dominate are respect for the gods, fear of fortune, a sense that human life is precarious and riven with strife, a strong commitment to justice, honesty, friendship, courage and wisdom, the desire for wealth, and, simultaneously, nervousness of the rich and powerful (Morgan (2007) especially chapter 6).

Next came longer passages of literature, along with arithmetic and basic geometry. The most popular authors were those most revered, read, and performed in the wider culture: Homer, Menander, Euripides, Hesiod, Isocrates, Diogenes the Cynic, Demosthenes. The content of the passages which survive in school-text papyri does not suggest that whole authors, plays or books were typically read, at least not in the

earlier stages. Instead, pupils read and copied excerpts which seem often to have been calculated to convey highlights or characteristic features of these authors with a minimum of reading. When reading Homer, for instance, pupils might read the first few lines of the first book of the *Iliad*, followed by an extended simile of the kind for which Homer was famous, an excerpt from the catalog of ships in *Iliad* Book 2 or a fragment of a battle scene (Morgan (1998) 90–119).

When the study of grammar became part of the curriculum, it too was given socializing work to do. Pupils learned to decline nouns and adjectives using phrases such as, "The good father … the good counsel … the philanthropic custom …" (Plaumann (1913) 217–20). Next, they might decline whole sentences, which were also often gnomic in content. In this example from the third century (Kenyon (1909)), the pupil put the subject of a saying of Pythagoras into every grammatical case (singular, dual, and plural): "Pythagoras the philosopher, disembarking and teaching *grammata*, advised his pupils to abstain from beans."

From the beginning, authors and passages which were chosen for pupils to read were supposed not to be morally harmful, and, if possible, to be instructive. Quintilian, for instance (*Institutio Oratoria* 1.8.5–8), says that only the best authors should be read, and only the morally suitable parts of those (Homer is generally acceptable; Menander should be used with care; it is best to avoid erotic elegiacs altogether). Older students could use the techniques of grammar to extract a moral message even from apparently unpromising literature. Plutarch, advising a young man on how to listen to poetry in the early second century CE, describes this process in detail.

Sometimes (*How the Young Man Should Hear Poetry* 18e) wicked characters are given wicked opinions by the poet, which one can discount because one knows that the character is wicked. Sometimes (19b–d) the poet tells us that a word is spoken in anger, which is a hint that it is more likely to be based on bad judgment, or he comments unfavorably on it afterwards. If the action of a character (20b) results in harm to the character himself, we can be sure that the poet disapproves of it, while if a poet contradicts himself in two different passages, then we should take the more virtuous sentiment as expressing his real opinion. If a noun, adjective, or verb, by its position in the sentence, blunts the negative meaning which the sentence would otherwise have, we should interpret it in the strongest sense possible (22b). And (22c) if a word has more than one meaning, we should use glosses to explain its meaning in whatever way most enhances the moral of the passage.

The moralizing analysis of language and interpretation of poems are skills which both prepare the child for adulthood, and go on being practiced for profit and pleasure throughout life. Roman miscellanists like Aulus Gellius, Plutarch, and Athenaeus attest that men of culture enjoyed posing problems in literature to each other, including ethical problems, and solving them grammatically or philosophically. Gellius, for instance (13.10), tells us that even a single word, grammatically interpreted, can make an ethical statement. According to Publius Nigidius, the derivation of *frater* is *fere alter*. That is, a "brother" is someone who is "almost another self." The word tells one what the relationship should be – and at the same time the study of grammar confirms the importance of family.

From grammar, wealthier pupils typically progressed to studying rhetoric, which also had ethical as well as technical aims. The earliest surviving system of elementary rhetorical exercises, *progymnasmata*, is attributed to Theon, who worked in Alexandria in the mid first century CE. The pupil begins by reading and memorizing gnomic sayings and exemplary stories of the great and good (*chreiai*): "Bion the sophist said that the love of money is the mother city of all evil," or, "Plato the philosopher used to say that the sprouts of virtue grow with sweat and toil." Reading good authors, for Theon (1–8), teaches one not only to appreciate good style, but also to value beauty, while writing narratives and personifications, two other standard rhetorical exercises, teaches one to write and appreciate exemplary literature. *Chreiai*, meanwhile, teach wisdom and moral guidance.

Few rhetorical exercises survive on papyrus, probably because the relatively few pupils in the towns and villages of Egypt who could afford to study rhetoric would have been sent away to one of the larger towns or cities from which less material has survived. (A number of letters between parents and children who have been sent away to study, survive; they often include complaints that the child is not studying hard enough or requests for money.) Among those we have, prose paraphrases of literature – mainly Homer – figure largely. One can imagine that even if a pupil was not going to grow up to be a great advocate, learning to summarize and paraphrase a text in a logical order and in clear, straightforward language, might be a useful skill for anyone who might ever have to compose a letter, interpret a document or engage in any kind of administration.

At the highest social levels, the aims of rhetoric were far more ambitious. In Book Twelve of the *Institutio Oratoria*, Quintilian defines the orator as *vir bonus dicendi peritus*, a good man skilled in speaking. The "good man" must be highly moral: just, brave, self-controlled, and wise (1 praef. 9–13). Equipped with rhetorical techniques and virtue in equal measure, he can "rule cities with his counsels, establish laws, regulate judgments …" (12.2.27). He directs the senate with his advice and the people by guiding them to better things (1 praef. 9–13). He inspires his troops in war (12.1.28) and controls crowds, quelling unrest (12.1.27). For Quintilian, the whole of education contributes to the creation of the orator. He is unusual among surviving educationalists (after Plato) in giving even mathematics a role. Geometry, he claims, is the foundation of logic, and by explaining the order of the stars, teaches us that everything in the universe is ruled by order and destiny (1.10.34–46).

Although education prepares children to move beyond the family into the wider society, family, as some of the examples above show, is occasionally mentioned in school texts. "Revere your parents like the gods," advises a third-century papyrus (Milne (1922)). The situation is not always so simple, however: "He who fed you, not he who bred you, is your father," says *PBour* 1. Mothers are not explicitly criticized, but women in general are: "Women and lionesses are equally savage." "Women, fire and lions are a triple evil." "Seeing one woman talking to another," Diogenes said, "the asp is getting poison from the viper" (*PBour* 1).

There is a hint here that the values taught in school may not always march in step with those of the family, which presumably rate loyalty and obedience to one's parents highly. They do, however, fit quite well with the more ambivalent view of families in

Greek and Roman popular morality as a whole (Morgan (2007) 50–51, 78–79, 106–109, 143–45). In Greek and Latin proverbs, for instance, mothers are usually loving and loveable: Demeter's grief for Persephone is the type of maternal devotion (Zenobius 1.7) and "Even Polycrates loves his mother" (Zenobius 5.4). Stepmothers, however, are always bad (Pseudo Diogenianus 2.76, 7.66), while wives are usually more trouble than they are worth. There are many variations on, "Marry in haste, repent at leisure." "Don't trust a woman with your livelihood: she knows nothing but what she wants" (*POxy* 2661.12–13). Education introduces children to a complex and often ambivalent view of marriage and the family from the perspective of adult males: a view which seems to have pervaded Greek and (perhaps to a lesser extent) Roman popular ethics.

Educational writings of Quintilian's era are full of similes and metaphors for the process of education, many of which give teachers a quasi-parental role. Juvenal, complaining in *Satire* 6 (236–41) that teachers are not paid enough for everything they must know and teach, says that they are expected to stand in for parents and mold the pupil's mind the way an artist molds a face out of wax with his thumb. At the early stages, children are regularly described as passive beings to be worked on. Quintilian characterizes them as ground to be tilled, wool to be dyed or jars to be filled (1.3.4–5, 1.1.5). A little later they are presented as vines to be trained (1.2.26–28). As education progresses, so children progress metaphorically into the animal kingdom. Like baby birds, they start to stretch their wings in imitation of their parents, and think about flying on their own (2.6.7). For Pseudo Plutarch in *On the Education of Children* (12b–c) they are more like young horses which need to be broken. Children contribute natural qualities like intelligence and a good memory to this process, but only at quite a late stage do they seem to be imagined as controlling or even contributing to their own learning. The implication seems to be that the child is socialized almost entirely by parents and teachers (along with nurses and attendants): the successful adult is a creation of education. One wonders how far this viewpoint is a conceit of educational theory, and how far it illustrates the way children were viewed in the family and the wider society too.

Another strain in educational thinking seeks to mold even the innate characteristics of the child, in accordance with the needs of society. Here, parents bear almost the whole responsibility. According to Xenophon (*Constitution of the Lacedaimonians* 3–10), Spartan women were brought up on a plain diet with plenty of exercise to encourage them to bear strong children. Sexual intercourse between husbands and wives was limited, so that when the partners met desire would be increased and the resulting children would be more vigorous, and an elderly husband could lend his wife to a younger man whose physical and moral vigor he admired. The result, says Xenophon, is a race of strikingly large and strong children. Plato in the *Republic* (458c–61e), argues that since the fittest children are produced by the physically and mentally fittest parents, while they are in the prime of life, only such people should be allowed to breed. Pseudo Plutarch picks up a similar idea in *On the Education of Children* (1a–d): fathers should, for instance, abstain from strong drink to ensure that their children do not grow up to be drunkards and should select their wives for the qualities (height, virtue) they wish to see in their offspring. And again with

eugenics in mind, Favorinus is recorded by Gellius (12.1.10–20) as recommending that a child should be suckled by its mother and never by a wet-nurse, to ensure that only the mother's own superior qualities of mind and morals are communicated to the newborn.

6 Families, Friends, and the State

From Plato onwards, philosophers imagining ideal states tend to legislate extensively for the education of children, to shape them for their future social roles. No theorist of education, ideal or otherwise, ever suggests that children should be allowed freely to develop their potential, whatever that is, and that the result should be allowed to shape society.

Historical practice doubtless did not live up to theory (unless perhaps in Sparta), and for those writing in other genres this is not seen as a problem. Historians and biographers, for instance, writing about great men of the past, often include an anecdote or two about their childhood or education. It usually shows that the child was father to the man, and the characteristics which later made the subject a great man were his from the beginning. Neither family nor education, by implication, plays much of a role in creating society's outstanding figures. Often, indeed, it is their very unwillingness to conform to social norms which makes men great. The young Themistocles, according to Plutarch (*Life of Themistocles* 2) took no interest in conventional education and never learned to play the lyre or behave gracefully in society. Instead, he spent his time composing speeches and learning about public affairs, leading his teacher to prophesy that, "One way or another, for good or evil, you will be a great man." Similarly Mark Antony, in early youth, already showed the mixture of brilliance and corruptibility, daring and dissipation which would both make and break his political career (*Life of Antony* 2).

Most of the time, families, along with teachers and attendants such as *paidagogoi*, must have played the central role in the education and socialization of children. According to Plato (*Meno* 94b), Pericles oversaw the education of his sons in horsemanship, music, the arts of war and "all the other skills." In the middle Republic, Cato the Elder was admired – though not, as far as we know, much imitated – for the unusually close interest he took in his son's upbringing. He was present when the child was bathed, taught him to read and write, and instructed him in the law, javelin throwing, fighting in armor, riding, boxing, enduring heat and cold and swimming in turbulent water (Plutarch, *Life of the Elder Cato* 20.4–6).

A sense of paternal responsibility could extend further, to adopted children, more distant relatives and even the children of friends and fellow citizens. Julius Caesar may have been instrumental in having Apollodorus of Pergamum appointed to teach rhetoric to his great-nephew C. Octavius (later Octavian, Caesar's adopted son) (Strabo, *Geography* 13.625). Octavian, now Augustus, chose the freedman Marcus Verrius Flaccus to teach his grandsons, and installed him in a schoolroom on the Palatine (Suetonius, *Grammarians and Rhetors* 17.1–2). Quintilian claims (*Institutio Oratoria* 4 praef. 2) that the emperor Domitian chose him to teach Domitian's

great-nephews, while Pliny the Younger, in *Letter* 4.13, describes how he urged the fathers of his home town to set up a local school, so that all their children could grow up at home, under their parents' eyes. This project went ahead, and Pliny himself contributed to it both in his lifetime and after his death (*CIL* 5.5262).

"The city teaches a man," said Simonides (Fr. 90, West). No other historical state played as large a role in the education of its citizens as Sparta was believed to do, but some states were periodically involved in some aspects of education. State involvement in *enkyklios paideia* began with an edict of Ptolemy II Philadelphus in Egypt in the early third century BCE, which exempted teachers of letters (along with teachers of gymnastics) from the salt tax (*PHal* 1.260–65). If this was part of an attempt to encourage the spread of Greek language and culture and the access of non-Greeks into the Greek elite, it seems to have been very successful. Hellenistic inscriptions (for example, *SIG* 3.577, 578, 672, 714; *IG* 12.9.235) attest that kings or local benefactors established schools in many Greek cities, teaching boys, and sometimes also girls, gymnastics, reading and writing, and lyre playing. Occasionally, states turned against education: Ptolemy VIII banished all kinds of intellectuals and teachers from Egypt in the second century BCE (Athenaeus, *Deipnosophistae* 4.184b–c); in 161 BCE, the consuls C. Fannius Strabo and M. Valerius Messalla expelled philosophers and rhetoricians from Rome (Suetonius, *On Rhetoricians* 25.1).

In the 70s CE the emperor Vespasian exempted some teachers from certain taxes (Dio Cassius 53.60) and according to Suetonius he was the first emperor to give teachers of both Latin and Greek rhetoric (including Quintilian) an annual salary from the public purse (*Vespasian* 18). Antoninus Pius gave tax relief to a limited number of rhetoricians, along with grammarians and doctors, in provincial towns and cities (*D* 27.1.6, Modestinus). In 301 the emperor Diocletian published a price edict which attempted to fix prices for a wide range of goods and services across the empire. Among them (7.66–71) were salaries for teachers of reading and writing (50 *denarii* per pupil per month), arithmetic (75), shorthand (75), grammar (200), geometry (200) and rhetoric (250). There is no sign, however, that what teachers taught was ever regulated by the state (and there were no state-run schools). A state's taking an interest in education did not mean that it intended to determine how the beneficiaries were socialized.

Although there are references to "schools" (in the sense of gatherings of children with a teacher) in literature from the fifth century BCE onwards, many wealthy children will have been educated within the home, and even paying schools may often have been held in private houses. One such seems to be described in a story which probably derives from Late Antique Gaul (Dionisotti (1982)). The story is given in both Greek and Latin and probably used to teach speakers of one language the other. A boy gets up, helped by his slave, and they go together to school in the upper room of someone else's house. We do not know whether the house was the teacher's or whether several families had clubbed together to hire the teacher, and the house belonged to one of them. Either way, other people's houses formed a halfway point between being educated in one's own home and going to school in more public places like the market place, gymnasium, or library.

7   Education as a Problem

There were some groups for whom the relationship between education and their future role in society was particularly complex and potentially problematic. The largest of these was women. Virtually all women will have been educated within the home for their main social role – that of working in or running a household – and they must have learned the necessary skills from other women, relatives, and friends. (The picture Xenophon paints in the *Oeconomicus*, in which an Athenian aristocrat educates his almost skill-less young wife in every aspect of running a home, implies that mothers taught not their daughters, but only their sons how to run a household; the sons then taught their wives, who taught their sons, and so on. This seems most unlikely.)

Inscriptions from both Greek and Roman worlds attest that many women worked outside the home at most of the same trades as men, and like men they doubtless learned on the job. More problematic for women is literate education. There is plenty of evidence of women – predominantly, no doubt, the rich and aristocratic – being taught to read and write, from the Archaic Greek world onwards, though almost certainly fewer women were educated than men. In some places and times it was probably routine. Sappho, for instance, gives no hint that there is anything unusual about a woman writing poetry. References to educated women are thickly scattered through late Republican and imperial Roman literature; it was evidently normal for upper-class women (along, perhaps, with high-class courtesans) to be educated, and even to have studied rhetoric and philosophy. (A speech made by the orator Hortensius' daughter Hortensia, to Octavian as triumvir, was regarded as so good that it was used for at least a century as a model in schools (Valerius Maximus 8.3).) In uncharitable minds, however, having an education could be seen as turning a woman into a social bore, an embarrassment or a laughing-stock, like the noisy woman at the dinner party in Juvenal's *Satire* 6 (434–56) who praises Virgil, compares him with Homer, talks about grammar and logic, and remembers more poetry than the men. It is notable that Valerius Maximus' chapter about women who spoke in the law courts features, alongside Hortensia, two other women, Carfania and Maesia Sentia, who were criticized, insulted and laughed out of court when they tried to go to law in the last days of the Republic.

Education became more acceptable in a woman if it was kept within the family. She might, for instance, use her literacy (like Ischomachus' wife in the *Oeconomicus*) to run her household (cf. Theophrastus Fr. 662; Musonius Rufus *On the Education of Women* 4) or else to teach her sons. The Illyrian Euridice, mother of Philip II of Macedon, is praised by Pseudo Plutarch (*On the Education of Children* 14b) for getting herself a Greek education specifically so that she could pass it on to her son. For Plutarch (*Life of Tiberius Gracchus* 1.6–7) Cornelia, the mother of the Gracchi, was saved from appearing over-educated by devoting herself to the education of her sons. Entertaining one's husband is also regarded as a proper use of education, as Pliny attests when he praises his young wife for setting his own verses to the lyre and performing them to him (*Letters* 4.19.4).

Some women were able to make full use of their abilities and education only by abandoning the conventions of respectable feminine behavior. The brilliant Aspasia of Miletus became the courtesan of Pericles of Athens, made friends of visiting sophists and was reputed to have written some of Pericles' speeches (Plato, *Menexenus* 235e–36c). Hipparchia shared with her husband Crates the life, and dress, of a Cynic philosopher (Diogenes Laertius, *Life of Hipparchia* 6.97–98). Hypatia of Alexandria, who headed a famous school of philosophy in the late fourth century, refused to marry at all, embracing virginity as freeing her from normal social conventions and allowing her to write, teach, and engage in politics (Dzielska (1995)). Plato took the view in his *Republic* (451c–57b) that women had the same range of intellectual qualities as men, were equally suited to education and equally able to rule. Suiting practice to theory, he admitted women to his Academy, and his successors continued the tradition; so apparently did the Epicureans, though the Peripatetics and Stoics did not. We do not know, however, of a female Platonist who became well known as a philosopher in her own right: most of those we hear of (scattered through the *Lives* of Diogenes Laertius) are daughters or future wives of other philosophers.

Another group who were troubled by the relationship between *enkyklios paideia* and other areas of life were Christians. Education in the faith for children born into Christian families seems to have taken place largely at home (Marrou (1975) 314–18), while churches instructed catechumens. Christians also taught and studied *enkyklios paideia*, and many papyri from Roman Egypt (some of which come from towns and villages and others from monasteries) display Christian symbols in the margins of otherwise traditional school exercises. Nevertheless, Christians from the second century onwards were uneasy, particularly about the pagan content of the literature studied in *enkyklios paideia* (for example, Tertullian, *Prescription against Heretics* 7; *Instruction of Apostles* 1.6.1–6; *Statutes of the Early Church* 16; Jerome, *Letter* 22.30). They continued to use *enkyklios paideia* on the grounds that there was no alternative (for example, Tertullian, *On Idolatry* 10), but cautioned teachers and learners not to believe everything they read, especially about the pagan gods. It was not until the end of the fourth century that a number of Christian theologians decided to endorse essentially the same compromise as had Plutarch three centuries earlier: that one could read morally dubious literature provided one used the tools of grammatical and rhetorical analysis to defuse its immoral content.

8   Conclusion

Throughout antiquity, education formed part of the many-sided negotiation between the family and household and the wider society. Only a few curmudgeonly individuals claimed it had no social function or that it did not teach anything worth knowing. Pindar (who was doubtless highly educated) claims that it is better to know things by nature than to learn them (*Olympian* 2.86–88, 9.100–104). Diogenes the Cynic criticizes the morals of grammarians, lyre players and mathematicians (Diongenes Laertius, *Life of Diogenes* 6.2728), and Zeno and Epicurus apparently agreed with him (*Life of Zeno* 7.32; Athenaeus 13.588a). Most poets and prose writers, however,

treat education as both useful and desirable. As we have seen, idealistic educational systems tended to see themselves as preparing children for very specific social roles. In practice, at least in some times and places, education could change a man's, and even a woman's social expectations. Even if it did not do that, it prepared people to fulfill a wide range of social roles, and to enjoy and take part in important arenas of Greek and Roman culture. A Greek proverb, apparently expressing popular opinion, says that the uneducated are no better than donkeys (Pseudo Diogeniaus 7.33). Education, in the widest sense, made man.

FURTHER READING

The monumental study of Marrou (1975), though superseded in many respects, is still the best general account of education throughout antiquity. Harris' (1989) study of ancient literacy gives useful background to recent debates about education. Thomas (1989) focuses on the development of literacy in Classical Athens and Morgan (1999) explores the development of literate education; Robb (1994) deals with the higher levels of Classical *paideia*. Morgan (1998) takes a sociological approach to the literary side of *enkyklios paideia* in the Hellenistic and Roman worlds, while Cribiore (2001) focuses on the exceptionally rich material from Greco-Roman Egypt. Regrettably, there has been no systematic study of mathematics in education to date, though Zalateo (1961) and Debut (1986) catalog mathematical school texts on papyrus. Collart (1926), Guéraud and Jouguet (1938) and Parsons (1970) make excellent introductions to documentary school texts from Egypt; Dionisotti's (1982) article gives rare documentary insight into education in the Roman West, not least through its unique stories of children's daily activities. Among more specialist studies, Hock and O'Neil (2002) on elementary rhetorical exercises, Kennedy (2003) on *progymnasmata* and Kaster (1988) on Late Antique grammarians stand out. Two recent monographs have examined Late Antique schools of philosophy and rhetoric in their social context: Watts (2006) on the schools of Athens and Alexandria and Cribiore (2007) on the school of Libanius in Antioch. Among studies of the relationship between Christianity and *paideia* are Ellspermann (1949); Marrou (1958); Kevane (1964). The sourcebook by Joyal et al. (2009) gives an excellent range of sources for a wide range of educational practices across antiquity, with brief but helpful introductions to each text.

Picturing the Roman Family

Janet Huskinson

1   Introduction

From the time of the late Republic images of Roman families regularly appear on public monuments, private funerary memorials and in art decorating houses and personal goods. They make an important source of evidence for family life in the Roman world which is increasingly used by social historians. Yet despite some valuable studies on local family imagery (for example, Boatwright (2005) on Pannonia; von Hesberg (2008) on the northwest provinces) and on the portrayal of individual family members and their relationships (for example, Rawson (2003) and Uzzi (2005) on children; Højte (2002) on ancestors; Kleiner (2000) on mothers and sons; and Kampen (2009) which focuses on elites and the political use of family images), there is no major study dedicated to visual representations of the Roman family.

   This short chapter cannot fill such a major gap, and so will need to focus on some particular aspects of this imagery. For instance, most of its examples will be taken from the city of Rome, but with the necessary caveat that these are not necessarily typical of the Roman world as a whole. Most importantly, rather than attempting a general survey of Roman family images, it will concentrate on how they were shaped by various social, cultural, and artistic factors. Three particular cases will be examined to show these dynamics at work; but first the chapter will look at two particularly powerful influences on images of the family – their context and the use of particular paradigms.

2   Contexts

The context for which a particular image was made is hugely important, since function and setting are so closely related with questions of content, spectatorship and appropriate artistic genre, style and iconography.

Most images of Roman families were commemorative, made for public monuments or funerary memorials. A few occur in contexts which must have involved only a small circle of intimate viewers: small portraits could be worn or carried as mementoes of relatives (such as the gold glass medallion of a mother and son in the Metropolitan Museum, New York: Kleiner and Matheson (1996) 148, no. 87), while the restricted space in some tombs might have meant that their memorials were only visited and viewed by a few family members. But most other images – on civic or funerary monuments – were destined to be seen by a wider world of viewers who may or may not have known the family concerned.

The public nature of this audience is important to note from the start, for it had a profound impact on how families were depicted. The need to connect with external viewers meant that family portraits were usually purposeful and highly contrived, rather than casual or spontaneous "snapshots," even if they appear so: they used visual terms which would have been widely understood. Thus many images were based on generic compositions, which affirm collective social values and are rich in details, such as clothing, attributes and symbolic sizing which could convey the family's standing; yet at the same time they had somehow to represent the individual qualities of the family and its members.

After all, individuality was central to all kinds of family commemorations. Honorific memorials, for instance, celebrated individuals and their particular role within their family or in society at large. A vivid example of this is patrician funeral processions in Rome, when actors brought dead family members back to life by wearing ancestral masks in their likeness and the robes of their rank (Bodel (1999); Johanson, this volume). This highly visual process reconstituted families, reuniting living and dead members, but at the same time firmly contextualized individuals within society. Individuality remained a central theme of Roman funerary memorials, expressed principally through inscriptions and portraits of the dead. Yet even these were often heavily generic: "life-like" portraits followed general types (see below), while depictions of family events tended to represent a general social situation rather than an individual experience (the married state, for instance, rather than the wedding of a particular couple).

Such ideological factors were powerful in promoting generic images; but they were reinforced by a practical aspect of commemorative art which is important to remember in the evaluation of Roman family images, namely its regular use of pre-prepared materials. Both honorific statues (for example, Trimble (2000) on the use of the Herculaneum women figure type in Italy) and funerary monuments were often created in this way. For instance, funerary altars, urns and sarcophagi were often bought from stock (rather than specially commissioned), ready decorated with images, which could then be "personalized" to customer requirements by adding portrait features or altering figures to match the age or gender of the deceased.

Figure 31.1 Sarcophagus of P. Aelius Ponticus, Padua. Rome Department of the Deutsche Archäologische Institut, Negative No. 73.2320.

Inscriptions were another useful way to add information about the individuals depicted in the statues and memorials – their names, careers, or virtues. Despite their regular use of conventional terminology, they could still reveal things about a particular family and its relationships that the accompanying image could not. The inscription on a sarcophagus from Ravenna (now in Padua), for instance, gives an identity to the woman who is portrayed in the generic type of the "large Herculaneum woman": she is Aelia Domitia, who dedicated the sarcophagus for herself and for her son, P. Aelius Ponticus of the fifth Praetorian cohort (Figure 31.1). Similarly, on the Roman funerary altar dedicated by the freedwoman Publicia Glypte to Nico and Eutyches the image represents the two boys as diminutive men dressed in togas and holding scrolls; yet the inscription reveals that they both died in infancy and that there was a difference in civic status, since Eutyches is identified as a *verna*, a home-born slave (Kleiner (1987a) 195–96, No. 68; Rawson (2003) 259–61). On another altar dedicated to Grania Faustina by Granius Papias, a public slave (*servus publicus*), the inscription makes clear that the affectionate group of parents and child is in fact a *contubernium* (that is, living together in a relationship as slaves might be allowed to do) rather than a legally established family (Kleiner (1987a) 236–37, No. 100). Occasionally inscriptions even managed to include, through words, a family member not featured in the visual image:

Image not available in this electronic edition

Figure 31.2   Tombstone of Flavia Augustina, York. York Museums Trust.

thus an acrostic inscribed on a monument to Julia Secunda and Cornelia Tyche reveals
the dedicant to be Iulius Secundus, their grieving husband and father (Kleiner (1987a)
253–56, No. 113). Yet inscriptions are not always so enlightening. They can also
present problems, particularly when they do not match up with the accompanying
visual image in terms of whom they represent and how; this usually happens when the
monument was apparently taken from stock and shows someone of a different age or
gender; as perhaps happened with the relief from York which depicts the children as
older than they were in reality (see Figure 31.2).

In terms of function, funerary commemoration is the most common context for
"picturing the Roman family," and funerary images offer important insights into a
wide range of issues to do with the family, from its place in Roman (or Romanized)
society to emotional reactions to personal loss and bereavement. They also reveal
variations across contexts of time and place within the Roman world. These might
involve physical changes in the type of monument and its decoration and also
changes to the aspects of the family that are depicted. Ravenna provides a good
example, as the limestone stelae (grave-markers) which often depicted extended
family groups were followed in the mid second century CE by marble sarcophagi
which concentrated on the married couple or occasionally other pairs of family
members (Figure 31.1) (Huskinson (2007a)). These sarcophagi from Ravenna also

exemplify regional variations in picturing the family, since they differ quite substantially from contemporary counterparts in Rome in their lack of allegorical or mythological treatments and in their reliance on prominent inscriptions to give a personal identity to the depicted figures. On the other hand, in emphasizing inscriptions they may be contrasted with memorials from Pannonia which, according to Boatwright ((2005) 300), suggest a local preference for image over text as the primary means of conveying information about the family. Von Hesberg's (2008) recent study of funerary images of the family in the northwest provinces of the empire has shown the importance of looking at variations within a regional tradition across time: he has been able to trace changes in representations which mark changing roles of individuals within the family and changing evaluation of the family within society as a whole. All these examples show how it is vital to read pictures of the Roman family within their local commemorative and iconographical traditions in order to evaluate the various influences which shaped them.

Honorific statues in public places were another form of art that commemorated families. Even though they usually represented individual family members, these monuments brought "reflected glory" on the whole family, particularly through the emphasis on ancestors. In Rome the practice of erecting honorific statues had started in the Republic, but continued during the Empire as a means of celebrating "ancestral pride" (Feifer (2002); Stewart (2003) 157–83, who also discusses significant regional variations). Right from the Augustan period, the imperial family became part of this scene, portrayed in reliefs (notably on the Ara Pacis: for example, Kleiner (1992) 92–98) and in dynastic groups of statues (summarized by Rose (1997) 48–49). Some local elites set up statues to their own family members along with those honoring the imperial family. Examples of this come from Augustan Italy (Trimble (2000)), Perge in the Greek east (Boatwright (2000) 64–67) and Olympia where Herodes Atticus set up statues of his own family and that of Marcus Aurelius (Bol (1984)). Issues of status, dynasty, and recognition were important influences on such public images of the family, but imperial associations added the possibility of other resonances derived from imperial policy and expressed on imperial monuments. Families were depicted to celebrate fertility and procreation and to illustrate the emperors' qualities of *clementia* (mercy) or *liberalitas* (generosity); they became symbolic images of the benefits of the *pax romana* ("Roman peace") (Uzzi (2005)).

This combination of themes is also to be found in yet another defining context, that of the house and its decoration. As in commemorative contexts, issues of viewership – public or intimate – are important. Yet despite the importance of the elite Roman house as a place where the public and private aspects of family life intersected, its art has produced few direct images of the Roman family. Sculpted busts of family members, living and dead, would have adorned reception rooms to celebrate the family's status and ancestry, and examples of these survive from Campanian towns (Ward-Perkins and Claridge (1976) Nos 27–29). But images of the family and its members immortalized in floor mosaics are rare (and hard to identify conclusively). Not surprisingly perhaps, many of these seem less to do with commemorating relationships than with the ownership and enjoyment of affluent properties; a fourth-century CE floor mosaic from Carthage shows Dominus Julius and his wife receiving the bounties

of their estate, while at Piazza Armerina in Sicily pavements to show the villa owner presiding over hunts and family members preparing to enjoy their private baths (Dunbabin (1999) 321–22, figs 122, 138). But in contrast to these few explicit images there are many others in private contexts which make indirect allusions to family relationships or life events through the medium of mythology.

3   Paradigms

The use of mythological scenarios to represent aspects of the Roman family leads on to the important influence of paradigms. These connected images of the family to wider visual discourses, which in turn provided significant iconographic models and the possibility of "inter-textual" allusions and references. Most commonly used were paradigms based on mythology and on imagery linked to the imperial and the citizen families. They varied in usage across time, place, and context but interconnected, particularly where imagery was appropriated from families of higher status (human or divine).

As we saw in considering the context of public commemoration, images of the imperial family were very influential and became an important model for the depiction of Roman families from the time of Augustus. As a family it had its own needs in terms of self-image – to convey power and status, to support dynastic claims and continuity, and to evoke qualities that would foster stability in society as a whole (as some of the case studies in Kampen (2009) illustrate in detail). Thus emperors encouraged dynastic statuary groups (for example, Rose (1997) 13–21), emphasized physical likeness to establish "family" links with their predecessors or heirs (as in the portraits discussed in Kleiner (1992), 172, 238, 268–77) and used mythological allusions to suggest the status or qualities of particular family members (especially the imperial women, as goddesses or figures such as Ceres, Cybele or Proserpina: Matheson (1996) 182–88). Occasionally they also removed people from the family group, in *damnatio memoriae*: a classic case is the Arch of the Argentarii Rome, which was originally dedicated in 204 to Septimius Severus, Julia Domna, their sons Caracalla and Geta and Caracalla's wife Plautilla. After Caracalla murdered Geta and Plautilla they were erased from the inscriptions and images leaving gaps; the panel depicted in Figure 31.3 shows the figures of the emperor and his wife surviving after the removal of Geta. Not surprisingly, such visual devices also came to be used in wider society where the legitimization of social position, the importance of heirs, and the continuity of the family were also important issues. The imperial family also provided models for the depiction of others, as is clear from reliefs from Augustan tomb buildings which are often associated with freedmen (Kleiner (1977) 175–79; (1992) 79); through such resemblances ordinary families linked themselves to the social ideals promoted by the highest family in the empire.

Another set of imagery also allowed the family to identify itself with a widespread set of social ideals and aspirations: this is the paradigm of the "citizen" family (as discussed, for instance, in Zanker (1992) for variations in its manifestation across time and place). It was primarily concerned to represent the family's status in society and was therefore often used in commemorating the establishment of new, legitimate families such as former slaves and soldiers. *Who* was shown was a crucial aspect of

Figure 31.3 Septimius Severus and Julia Domna on the Arch of the Argentarii, Rome. Rome Department of the Deutsche Archäologische Institut, Negative No. 70.993.

these images: they seem to attach great importance to including wives and children, thereby creating a normative picture of the "Roman" family as consisting of a nucleus of married couple and offspring. But also important was *how* these family members were depicted. The collective values central to the "citizen" ideal were represented through conventional forms which stressed the family's membership of the bigger social group, while still celebrating its existence as a separate entity. Generic figure types were often used to appropriate values attached to public honorific statues for private commemorations of the non-elite: thus men were often shown dressed in the *toga* (as on sarcophagi from Ravenna: Gabelmann (1973) 112) or the Greek *himation* (as in Attica: von Moock (1998)) while the women were represented by draped figures like the "small" or "large Herculaneum woman" types (see Trimble (2000)), as used on the Padua sarcophagus (Figure 31.1). This same monument also exemplifies the frequent allusions made to trades or professions (here the army), which further validated the family as useful participants in society. This affirmative value of work is particularly clear in art associated with non-elite families in Rome (Petersen (2006) 114, note 99).

But although the civic paradigm was important throughout the Roman Empire as a way in which families – often those newly constituted amongst the non-elite – could

Figure 31.4   Sarcophagus of Euhodus and Metilia Acte. Vatican Museums; Rome Department of the Deutsche Archäologische Institut, Negative No. 72.590.

represent themselves to the outside world in terms of status, it offered no consistent models for depicting roles or emotions within the family itself.

Mythological paradigm provided a useful way of addressing such a gap. Its versatility made it particularly powerful, since it could be applied in various contexts and in various ways. People could be linked to mythological characters by association (through juxtaposed images, for instance) or through assimilation (see Matheson (1996)182), as in a mid-second-century CE sarcophagus from Ostia (Figure 31.4). According to the inscription it was made for C. Iunius Euhodus and his wife Metilia Acte, and their portrait features are given to the figures of Admetus and Alcestis in the episodes depicted on the coffin. This example shows how myth could be used to enhance the status of ordinary men and women (as was also done for the imperial family). But it could also introduce another dimension, adding elements of fantasy, emotion, and desire to representations of everyday human experience. Myth offered an iconography which was more nuanced and wide-ranging than the "citizen paradigm": by depicting these upstanding members of Ostian society as mythological heroes, this relief, for instance, finds a way to treat themes of love, hope, and bereavement.

Certainly by the late Republic mythological references were being used in family imagery in various ways. Leading Republican families at Rome promoted their own supposed mythological connections as they sought to consolidate their current political

Figure 31.5 Sarcophagus showing childhood of Bacchus. Capitoline Museums, Rome; Rome Department of the Deutsche Archäologische Institut, Negative No. 54.194.

position by reference to the past in their coinage or statuary (Wiseman (1974) 159–64). Augustus drew on this practice to build up a whole range of mythological references for the imperial family, promoting Venus, Orestes, and Aeneas as ancestors (Zanker (1988) especially 193–223). This use of myth is found on funerary monuments of the late first and early second century CE, especially for women and children who were linked with such deities as Venus Genetrix or Diana (Kleiner (1987a), (1987b); Matheson (1996)). These memorials tended to honor individual family members in terms of single mythological figures, but the long, narrow surfaces of Roman sarcophagi had room to show several episodes so that a myth could be used to represent unfolding emotions or interpersonal relationships (as on the Ostian example, Figure 31.4). The potential complexity of such mythological allusions on sarcophagi has recently been much discussed (especially by Koortbojian (1995); Zanker and Ewald (2004)). They deal above all with experiences of love and loss, focusing on particular myths or episodes to do so. This selectivity is particularly apparent when details of the story seem to make it unsuited to celebrate "traditional family values": an example is the image of Venus and Mars, which is a popular choice to represent great love but is in fact a story of adultery. Myths also treat other more specific family situations: for instance, education and nurture of children are represented on sarcophagi by the mythological childhood of Bacchus (Figure 31.5) or Achilles, and their premature

death by the rape of Proserpina or the death of young heroes such as Meleager. Muses and philosophers made a popular way of showing the companionate marriage and the cultured lifestyle of the family. Yet perhaps the most important aspect of the mythological paradigm is that it makes possible the representation of complex or negative things about family life or of viewpoints other than that of the elite male which dominates written texts. Thus Alcestis can take central stage on the Ostian sarcophagus, which celebrates her emotional commitment to her husband and family, while Medea and Phaedra represent the unspoken dilemmas and difficulties of women's roles in the family. Depicted along with Helen in wall paintings in the House of Jason at Pompeii, they are powerful *exempla* of the power of passion to destroy families (Beard and Henderson (2001) 43); myth here upholds Roman family values by reminding the viewer of the devastating consequences for the family when they are subverted.

Contexts and paradigms were principal factors in shaping images of the Roman family, and to explore further how they worked in practice the focus moves now to three specific examples. All were funerary commemorations in the city of Rome, but come from different types of monument and from different periods, so that it is possible to see just how many different influences were at work even within this single genre of image. As well as illustrating the processes involved in "picturing the Roman family" these examples offer a chance to consider how resulting images might be used as evidence for historically driven questions about the Roman family; for between them they involve some central issues to do with its structure, ideals, and affective relationships.

4   Tomb Relief from Via Po, Rome, Augustan Period

This relief (Figure 31.6) shows a row of four figures, represented as draped half-figure frontal busts. Their drapery and gestures (each has a single arm or hand exposed) are generic, but their heads and facial features are quite distinctive. From left to right, there is an older woman with an elaborate hairstyle; a middle-aged man; a chubby-featured young boy, who wears around his neck the distinctive *bulla*, the round amulet that denotes free birth; and a younger woman with unlined face and flowing hair.

This relief was originally placed on the exterior of a tomb building to represent its dead to viewers passing by; it belongs to a series running from 75 BCE into the second century CE and most popular in the Augustan period (Kleiner (1977); Kockel (1993) are the main studies). It is typical of the series in its rectangular form and the horizontal line-up of frontal portrait busts, who are identified by the inscription below as Antonia P. l. Rufa, C. Vettius Ɔ. l. Nicephor and his (probable) son C. Vettius C. f. Secundus, and Vettia C. l. Calybe. Typical too is the fact that all the adults in this dedication are freed slaves, for this emergent social group was wealthy enough to afford their own commemorations in which to celebrate their enfranchised status and new entitlement to marry and have families (Kleiner (1977) 13–19; D'Ambra (2002) 223). These themes of status and family are woven together to shape the form and content of these group portraits.

Figure 31.6 Tomb relief from Via Po, Rome. Rome Department of the Deutsche Archäologische Institut, Negative No. 72.2938.

Citizenship is immediately obvious as a central issue on this series of reliefs, expressed through the choice of "the everyday dress of Roman citizens – togas, pallas, tunics" (Kleiner (1977) 185) and attributes such as the *bulla*, the amulet worn by freeborn boys. To celebrate their new status and aspirations, these freedmen also appropriated iconography used by their social superiors, such as the portrait form and its frontality, reminiscent of public honorific statues. In some reliefs the busts were shown like sculptures, recalling the ancestral *imagines* (commemorative busts or masks) which played such a prominent role in the self-representation of elite families. In this way traditional family values normally embodied in ancestors were projected on to these new families, looking not to the past, but ahead to their future; it was a device often used in the depiction of children (see Kleiner (1977) Nos 69, 85; D'Ambra (2002)).

Children are particularly important in these images, in both civic and personal terms: after all, they were the conspicuous result of the establishment of a new family. They contained hopes for its continuity, for, as freeborn, they had a social status that their parents had not enjoyed. The dedicants of these reliefs were probably also encouraged to include children by their depiction on Augustan public monuments, and especially in the family groups on the Ara Pacis (Kleiner (1977) 177–79). But the

Figure 31.7   Relief of parents and child. Doria Pamphilij Collection; Rome Department of the Deutsche Archäologische Institut, Negative No. 62.641.

number of children shown is not large: Kleiner's study identified 15 of the 92 surviving reliefs as depicting children, who were almost always boys and often just a single child (Kleiner (1977) 193–94). Yet when they are shown they are often carefully integrated into the composition as if to stress their importance within the cohesive unit of the family. A famous example is the memorial of Lucius Vibius and his family (Kleiner (1977) No. 84; Koortbojian (1996)), where the boy is depicted between his parents, as if to suggest that he is the central focus of their lives. Some physical similarities between the boy and his father (in the shape of their chin and ears) stress the idea of family continuity, while the statue-like bust evokes patrician ancestral portraits (see above). Similar visual references to elite commemorations – in this case the reliefs of the Ara Pacis – can be identified in another treatment of the theme: a fragmentary tomb relief shows full-length standing figures, with a small girl nestling between her parents in a fairly informal pose (Figure 31.7, Kleiner (1977) No. 66). Images like these suggest a nuclear family – a concept even more apparent in other reliefs which highlight the parents' marital relationship through their *dextrarum iunctio*, the gesture of joining their right hands (for example, Kockel (1993) Nos C3, F11, F12, L20).

In contrast to these, Figure 31.6 shows a much larger group of people, like an "extended" rather than a "nuclear" family. Although the child here is smaller than the

adults he is still accorded an equal presence in the line-up of portraits, integrated into the group alongside its other members. Indeed, the sculptor has given a certain prominence to the boy's figure, befitting his superior status. But how they were all related is somewhat unclear. The firmest probability is that the man and boy are father and son (based on names and iconography) and the boy was born free after his mother and father had won freedom and formed a legitimate marriage. Antonia Rufa was the freedwoman of a Publius Antonius, but it is not known if she is the mother of Secundus. She may have been a second wife of Nicephor. The young woman on the right, Vettia Calybe, may have been an older sister of Secundus, born a slave before at least her mother was freed. She was subsequently freed, perhaps by (her father) Nicephor. The four figures do seem to be presented as a familial group (Kockel (1993) 145–46, No. H13), but she might have been merely the dedicant of this memorial to her patron and his wife and child. The letter v inscribed above the portraits of Vettia Calybe and C. Vettius Nicephor shows that they were alive when the relief was made.

This uncertainty about the precise relationship of its subjects makes this relief a good pointer to some major questions about the potential usefulness of such images as evidence about the structure of the Roman family. Their apparently straightforward representational style makes them look "documentary," but it is important to remember that their purpose was to commemorate and celebrate, rather than give an accurate record of family membership at the time. Some reliefs, such as this, showed both living and dead. Some chose to concentrate on the nuclear group of parents and child, while others may also have included members of the wider household, including fellow freedmen (for example, Kleiner (1977) 43–46). Thus the family imagery on these reliefs is quite flexible, commemorating both "nuclear" and "extended" units (a variation which may, of course, have related to the people whose remains were actually housed in each tomb).

But this flexibility creates a few problems when the reliefs are taken as a source of historical evidence, as this particular example illustrates: the inscriptions sometimes do not match the figures portrayed; it is not always easy to identify (in image or text) who are blood members of the family and who are not (cf. Kleiner (1977) 43–46; (2000) 54); and not every member of the family is necessarily portrayed. This becomes clear from the fact that almost all the reliefs with children depict only a single child, who is usually a boy. Given the family policies of Augustus, such as the *ius trium liberorum* (rights attached to having three children), which gave incentives to produce large families (cf. Kleiner (1977) 178–79), this seems particularly surprising since, in response to this, freedmen might have been expected to have numerous children to portray. So the inclusion of just a single, male child must be symbolic – a token of the family's existence and upward mobility. This suggests that families were more interested in proclaiming newly acquired freeborn status than in recording the actual number of their children, or indeed their feelings towards them. It confirms that these images of the family are emblematic and may offer edited records of its membership. But even if they cannot provide definitive or reliable answers about the structure of the Roman family, they are important statements to the outside world about the ideals attached to the family by an emergent social group.

Similar ideals persisted across the Roman world, to judge from many representations which share formal characteristics with reliefs like that at the Via Po. A funerary memorial from York is a good example (Figure 31.2). Again the figures stand in a

Figure 31.8   Child's sarcophagus. Museo Nazionale Romano, Inv. No. 65199; Rome Department of the Deutsche Archäologische Institut, Negative No. 1537.

frontal position, arranged to show off their different heights. The inscription reveals that the memorial was erected by C. Aeresius Saenus, veteran of the VI legion to his wife and children (that is, to another "new" family) and that contrary to appearances both children were under two years old when they died. If this mismatch is because the monument was bought from stock (as suggested by Hope (1997b), amongst others), then it is interesting that this stock apparently included formulaic images like this of husband, wife and two children. Here they are depicted in local dress, thus combining regional and empire-wide elements in their self-representation.

5   Marble Sarcophagus from Rome, Early Second Century CE

This scene (Figure 31.8) decorates a child's sarcophagus and dates from a time when iconography – on sarcophagi in general and of family imagery in particular – was not yet fixed or standardized (Amedick (1991); Huskinson (1996)). In a unique composition it shows four different episodes in the life of a small boy growing up within his family. The two end scenes depict him on the right as a baby and on the left as an infant – seated with his parents as they ride in a chariot drawn by mules. Framed by these are two central scenes of him at play; again, he is younger on the right, taking his first steps with a baby-walker, while on the left his is bigger and plays confidently with a pet bird.

This is an appealing image of a family in which the parents' concern is conspicuously centered on their small son. Its effectiveness depends largely on its simplicity and directness. There are no signs of influence from mythological or imperial paradigms, or apparent concerns with social class or extended social relationships. (Chariot rides, with elite connotations, did occur as a theme on some sarcophagi but only at a much later date: Amedick (1991).) Instead the focus rests exclusively on this "nuclear" family, with its (token?) single son; and the imagery seems entirely directed to showing how his short life had unfolded within the care of his loving family. Its context – on a child's sarcophagus – leaves the viewer aware of the parents' bereavement, but nevertheless the scenes give a strong, positive message about their devotion and pride in their son. There is also a sense of enjoyment and pleasure, which seems marked in contrast to the scenes of childhood on another early sarcophagus, of the boy M. Cornelius Statius, in the Louvre, where both parents and son are portrayed enacting exemplary roles in what looks to be a more serious family life (Huskinson (1996) 22, No. 1.23): on this small sarcophagus the intergenerational bond looks more fun than dutiful.

With its themes of love and loss this example opens up some wider questions to do with the representation of emotional experience in visual images of the Roman family, and how we might access and evaluate it. This is a notoriously difficult area to address, as it involves crossing time and culture, and answers have to be tentative; but this image uses two particular devices which allow some potentially useful insights – body-language and metaphor.

Compared with the images of the Roman family (like that from the Via Po) in which members present themselves lined up in a strictly frontal pose with no physical contact between them, this family is shown sitting close together, and the boy is held lovingly by his parents. Gestures of touching – as in the left hand episode where the father puts a protective arm on the boy's shoulder – help to suggest emotion. On some memorials (Figure 31.7, for instance) outstretched arms are used to evoke the bonds of affection that connect family members. Some Roman tomb reliefs, dated to the mid or later first century CE, show parents and children reaching out to touch each other (Kockel (1993) 55, Nos M1, M2); and on the fragmentary memorial to Octavia Exorata in Verona (Museo Maffeiano; *CIL* 5.3686) the girl's family, grouped around her deathbed, are all linked as it were by a chain of touch. These gestures, along with the inscriptions which identify the family members in relation to the dead girl, suggest particular emotional closeness. Pannonian reliefs provide further examples of this emphasis on physical contact (Boatwright (2005) 307–13). Other images use different actions to construct the impression of intimacy: the side panels of a funerary altar from Rome depict two sons giving their mother a kiss (Kleiner (1987a) 225–27, No. 91) and reliefs from Attica dated to the first and second century CE use the exchanged gaze and the touch upon the cheek (von Moock (1998) Nos 147, 279).

Yet sometimes gestures may be deceptive and hard to decode. What looks timeless and universal may have a specific value that remains hidden to us. One of these is the *dextrarum iunctio* (joining of right hands) between man and woman that is regularly used in scenes to represent the state of marriage. But it should not necessarily always be interpreted in this way (Davies (1985)). This is confirmed by funerary stelae from Roman Attica, where accompanying inscriptions show that it was not restricted to married couples but is occasionally used between an adult and a child and once between

sisters (von Moock (1998) 76). On these memorials, it was a traditional motif that can be traced back to funerary art of Classical Greece, but by the second century CE it was sometimes replaced by a gesture of embrace with one person (usually the woman) placing her arm on the shoulder of the other (von Moock (1998) 77).

The scenes on this sarcophagus use several different metaphors to convey its emotional message. The bird petted by the boy represents his parents' love for him (just as birds hover around the children shown on the later tomb reliefs, whom their parents embrace and feed with fruit: Kockel (1993) 55, Nos M1, M2). Above all, there is the journey represented by the chariot ride, which is a metaphor with strong emotional value, standing as it does for life's journey on earth and passage to death (cf. Tarlow (1999) 181–83).

It is clear from scenes created for children's sarcophagi in Rome, particularly in the Antonine period a little after this example, that there was a need to find ways to demonstrate the emotional power of mourning and loss, and there are further examples of the journey, although of other kinds. One popular subject was cupids racing chariots in the Circus Maximus, which allowed for expressions of both grief and joy (Huskinson (1996) 46–47). Yet another type of journey was the homecoming of Meleager's body, to be mourned by his family; and here the emotional impact achieved by using a mythological model was further heightened by depicting the protagonists as young children or cupids (Huskinson (1996) 26–28).

In sum, this sarcophagus shows how both content and iconography may be interpreted as suggestions of emotional investment in family life (as indeed is the sarcophagus itself). It belongs to a date when it seems, from other similar images from Rome, the experiences of family life – relationships, emotions and life events – become of particular interest in funerary commemorations, which try to open up ways of revealing them (Dixon (1991); Huskinson (1996) 123). But once again there has to be a caveat. In Rome the iconographic repertoire seems to have been greater and more inventive than in many other parts of the empire, at least so far as these subjects and contexts are concerned. Comparison with children's sarcophagi from Ravenna, for instance, shows how their local adherence to the paradigm of the "citizen family" inhibited any such suggestions of emotional display; yet presumably Ravennate families experienced the same feelings as elsewhere.

6   Marble Sarcophagus from Portonaccio, Rome, Late Second Century CE

In contrast to the previous example, this sarcophagus (Figure 31.9) is large and elaborately carved (Amedick (1991) No. 179). It was probably specially commissioned for the burial of an important soldier, since military virtue is treated as such a conspicuous theme. On the front and side panels of the coffin this is expressed in terms of a Roman victory over barbarians, in which the central stage is taken by a triumphant Roman horseman (who must represent the deceased). On the front face of the lid the theme is played out in four successive scenes of family life, as if to celebrate the private aspect of this public man. From left to right these depict a child's
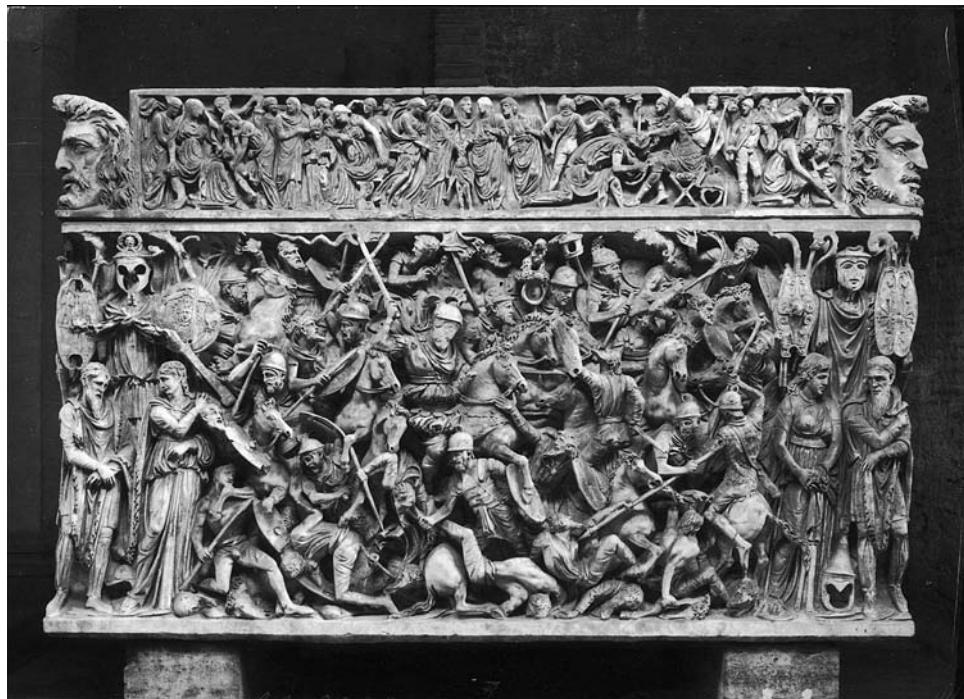
Figure 31.9 Sarcophagus from Portonaccio. Museo Nazionale Romano, Inv. No. 112327; Rome Department of the Deutsche Archäologische Institut, Negative No. 61.1399.

first bath, in the presence of its mother, nurse and one of the Fates; a child's lesson accompanied by Muses; a marriage scene (at the very center of the lid) in which Concordia and Hymenaeus attend the *dextrarum iunctio* of a man and woman; and to the right of this an extended scene in which the seated general is depicted showing mercy to conquered barbarians, including a women and child cowering behind him. Significantly, the heads of the central horseman, and of the mother, the general and the married couple on the lid, were prepared for the addition of portrait features.

At first these scenes might look quite fresh and spontaneous – vignettes of important events in the life of an elite family. The domesticity of the bath and lesson seems to continue that increased interest in the "sentimental" family (Dixon (1991)) discussed in the last example. But in reality all four scenes on the lid are carefully contrived to symbolize socially important values, and their compositions – repeated on many other sarcophagi – are formulaic (cf. Reinsberg (2006) 65–66). They gain resonance and recognizability from using iconography familiar from mythological and imperial art (the bath of Bacchus, as in Figure 31.5, or the merciful emperor). Compared with the two examples discussed so far the scenes on this lid differ in that they are not concerned so much to depict a family group as to show significant events that illuminate the life of an individual member. Women and children are included, but apparently to reflect favorably on the qualities of this elite man: his public success is shown to be rooted in

his own experiences of family life, while the barbarian family (split up on either side of his chair) appears as the subject of his mercy.

The scenes on this sarcophagus point to several wider aspects of the Roman family and its depiction, which can be noted briefly as they have been often discussed in the context of historical studies of the Roman family. These are the balance of public and private concerns, the gendering of roles within the family and the use of the barbarian family as a kind of visual foil. To an important extent all three interact, as this example shows well.

The centrality of public concerns to the depiction of the Roman family has been emphasized from the start of this chapter: content, iconography, and viewing all related to some degree to the wider world beyond the family unit. How the family presented itself, in terms of membership, social standing and intrinsic value, was directly related to this, as the first relief exemplified well. But the second example (Figure 31.8) could be said to show the family looking inwards to represent its own personal experiences, through an innovative image which could hint at private emotion. But the episodes shown on the sarcophagus in Figure 31.9, with their formulaic representation of family moments, seem to turn outwards again, setting apparently private experiences back in the service of external social concerns. This impression is strengthened by the resemblance of the central battle scene to images on the near-contemporary column of Marcus Aurelius, indicating the continuous influence of imperial art on the formulation of family imagery ever since the time of Augustus. (But it is also important to note that imperial images could also suggest affection and tenderness when necessary: witness members of Augustus' own family as shown on the Ara Pacis and the citizen parents and children in later images of imperial *liberalitas* (generosity): Uzzi (2005) 41–52.)

An emphasis on public life and social status is understandable on this sarcophagus given that it was meant to honor an elite Roman male who had always been destined for a career and an existence which gave self-affirmation outside his family. His experiences of childhood and marriage should thus be read as "private" episodes which helped to shape an otherwise very public biography (Kampen (1981b)). In fact, the theme of career or profession was always important in the self-representation of Roman families, elite or otherwise, and is often expressed through symbolic attributes or vignettes showing the type of work which gave the individual family its place in wider society. In a similar way – given the traditional relationship between *otium* (leisure) and *negotium* (literally, the lack of leisure, that is business) – leisure and learning were also important as externally validating activities in which the family can be shown. Learning is obviously a central part of the child's socialization with the family, as is expressed in the lesson scenes such as that shown here. But for adults it becomes a way of representing both their relationship as a couple and their individual qualities: the theme of the intellectual pursuits, enacted by the philosopher and his muse, are hugely popular on Roman sarcophagi from the late second century CE.

Gender in the family is primarily represented in terms of the adult man and woman whose union is at the heart of things: in particular, it concerns how they are shown in relation to each other. For their children, gender becomes an issue in their conditioning, within family life, to assume the distinctive male and female roles. These points are well illustrated by scenes on the lid of this sarcophagus, representing men and women in symbolic, gendered activities and significant episodes in the early life of a child.

Figure 31.10 Child's biographical sarcophagus. Torlonia Collection, Rome; Rome Department of the Deutsche Archäologische Institut, Negative No. 33.11.

As Kampen (1996) showed in a usefully clear discussion of gender theory and Roman art, it is hard to discuss representations of gender without involving issues of power. Thus the social virtues of exemplary men are reflected on to the women who are associated with them, so that here the scenes of marriage and motherhood are given meaning by the male life of which they are shown as part. And yet this particular example raises an interesting question, for the child involved in the lesson is shown by her hairstyle to be a girl, not the usual small boy. Who is she meant to be, and how does she relate to the conventional representation of male and female qualities that normally form the subject of such scenes? If she represents the early years of the woman shown as the later wife and mother, this scene might be read as celebrating a woman's life in its own right, alongside the man's. It raises the possibility that such conventional scenes of family life could honor the woman's contributions as well as the man's (cf. Kleiner and Matheson (1996) 207; (2000) 56–57). Changing details in formulaic representations like this was a simple but effective way of investing them with new meanings. On the child's sarcophagus in Figure 31.10 (of the late second century CE) the figure on the central deathbed is not a child but an adult: is this the "death" of the man he would have become (Huskinson (1996) 22, No. 1.31)?

As a postscript to this image (Figure 31.10) it is worth pointing out that over the next few decades images on Roman sarcophagi came to focus on honoring both partners in the marriage. The figure of the woman praying came to replace the image of the first bath as a way of signifying a major female quality in the relationship – *pietas* (devotion to gods and family) which had its male parallel in scenes of sacrifice. Themes of learning and culture opened up another way by which to show men and women contributing symmetrical and complementary qualities to a "companionate" marriage. But in terms of "family life," such imagery suggested an attenuated relationship which gave few opportunities for depicting children. If "civic" and "sentimental" trends of preceding centuries had seen them emphasized on Roman family commemorations at Rome, the interests of the third century CE in themes to do with the qualities of a "good life" did not seem to require parenthood or socialization to be celebrated (Huskinson (2005)).

Barbarian families appear in two places on the Portonaccio sarcophagus, which can again be explained in terms of power and gender and *romanitas* ("Romanness"). Uzzi's work on the representation of Roman and non-Roman children as part of a visual discourse on the construction of "Romanness" offers some potentially useful readings of the men, women and children shown in significant situations on the lid of this sarcophagus. For even if it is impossible to identify the barbarians shown on either side of the seated Roman general as members of a "family" (Uzzi (2005) 136–37), the fact that they are man, woman, and child has obvious resonances with the core members of a Roman "nuclear family." By contrast with images of the Roman family on the lid, this non-Roman group is shown as fragmented, and the woman and child turned into terrified victims by Roman success. Uzzi's observation ((2005) 140) that "such images are intended to associate the non-Roman with the female, just as Roman children are associated primarily with male family members in scenes of public gathering," is a reminder of the equation enunciated by Kampen ((1996) 18): "Barbarian is to Roman as woman is to man." Here family members – of different age, gender, and ethnicity – are all represented within the familiar framework of Roman power. Children are obviously easy to manipulate in such discourses of dependency, so it is interesting to look at the two pairs of barbarian men and women depicted at the corners of the sarcophagus chest. There is nothing frightened or undignified about these figures, although their hair and dress identifies them as barbarian prisoners. On the contrary, they stand with quiet resignation, and form peaceful resting-places for the eye harassed by the visual turmoil of the victorious Roman battle. Although they have no children with them, their pairing seems to signify potential family relationships, and the message may perhaps be of a more positive future within the context of peaceful Roman rule.

7   Conclusion

Even reviewing just these few examples shows what socially important issues are involved in these representations: they touch upon demography, emotion, aspirations and ideals of the individual and community. It has also become clear that they are just that – representations that were constructed to convey certain social values and heavily

shaped by convention and genre. Thus they tend to privilege some relationships – between husband and wife or parents and children – over others (such as those between siblings or grandparents and grandchildren). For such reasons they need careful collation and analysis before being put to work to answer historically driven questions about the Roman family, whether in the metropolis or in the provinces (where regional variations in subject matter and presentation would make a valuable study). But even so they can still be seen as fascinating examples of how families chose to represent themselves across the time and space of the Roman world.

FURTHER READING

Although there are no volumes specifically dedicated to surveying images of the Roman family, important aspects are well covered by articles and in monographs on other topics. Here are a few. For images from Rome itself, good sources are the two volumes edited by Diana E.E. Kleiner and Susan B. Matheson: (1996), (2000). Essays in the volume edited by J.M. Højte (2002) focus on a group of family members – ancestors – who traditionally played an important part in the self-definition of Roman families. Diana Kleiner has examined images often linked with the families of freedmen: (1977), (1987a). Freedmen and the art connected with their status in Roman society (including funerary commemoration and houses) are also examined by L.H. Petersen (2006). Some specific political contexts for Roman family images are discussed by C.B. Rose (1997); J.D. Uzzi (2005); and N.B. Kampen (2009).

There are works which are useful for the background, social and artistic, of family images at Rome, such as Rawson (1991), and especially the essay by S. Dixon; and Rawson (2003). Huskinson (2007b) looks at artistic factors involved in constructing such images (in this case of children).

Although discussions of family images from the provinces are increasing in number, they are still less well served at the moment. Examples of some recent regional studies are Boatwright (2005); and von Hesberg (2008).

CHAPTER 32

Devotional Visuality in Family Funerary Monuments in the Roman World

Janet H. Tulloch

1   Introduction

If we look at an everyday image, such as a digital photograph taken of a family member, we tend to think of it as having no special significance beyond a handful of friends on *Facebook*. However in making this assumption, we would be greatly underestimating the importance of our picture. More than reading a pixilated image of tiny color squares recognized by the brain as "family member" we are participating in the twenty-first-century social practice of instantaneous, shared, electronic seeing. Whether we realize it or not, our personal image, visible on a web-enabled viewing platform, is a document of twenty-first-century visual culture: the image, how it is made, the way it is viewed and the response of the viewer. Our electronic image documents not only a representation of a family member but also a mode of seeing unique to this moment in history. Virtual seeing allows a potentially limitless audience of viewers to engage in a shared practice of looking via the use of a computerized viewing device. This way of seeing is so ubiquitous and so accepted in the twenty-first century that people born after the year 2000, with access to a computer and the internet, consider it "natural." To unpack the mix of cultural forces which were harnessed to produce such a complex visual system is beyond the scope of this chapter. The point which the above example illustrates is that all imagery embeds a dominant form of social-historical seeing.

In this chapter we discuss a way of social-historical seeing common in the Roman imperial period (27 BCE to 396 CE), which we refer to here as "devotional," since it

Image not available in this electronic edition

Figure 32.1 Roman family votive stele to Saturn, Djemila, Algeria, ca. second century CE. © ArtResource; image reference ART 88522.

is associated with rites performed near the graves of deceased family members. Within this period, our focus is on those families who recorded their belief system in some way on their family funerary monument.[1] For example, the Roman family stele shown here (Figure 32.1) from Djemila in northern Algeria (a Roman military outpost known as Cuicul) is dedicated to the god, Saturn. The inscription reads:

> S A S / M. P O S T V M I / V S V I C T O R / S A C E R D O [S]
> V(otum) S(oluit) L(ibens) A(nimo)
> ("Sacred to Saturnus, M. Postumius Victor, priest.
> The vow is fulfilled with good will") (*CIL* 8.15013).

This devotional mode of viewing was practiced by families of diverse religious beliefs, whether pagan, Jewish or Christian, each with unique differences. Before turning to specific examples of family funerary monuments and what they can tell us about differences in devotional seeing among families of diverse faiths, we need to understand some context for ancient seeing and its relationship to visual and material culture in the Roman world.

While there are no studies on ancient seeing for the complete imperial period, recent scholarship on Roman art in the early Empire (to the early third century) has demonstrated that Romans experienced a continuum of ways of seeing or viewing practices. Within this continuum, two distinct viewing modes – one mimetic and one sacred – were dominant, in between which a range of practices existed.[2] The practice which interests us, sacred seeing (or what Jas Elsner calls "ritual-centred visuality") was evoked through "the [individual's] relationship with divine powers or forces as embodied in images." Within this way of seeing, it was possible for devotees to lose their sense of self in "a world of cult and sacred realities where ultimately the presence of the god looms large and dominates … personal identity" (Elsner (2007) 289).

Unlike the colossal statues of gods found in Greek and Roman temples, in front of which an individual might understandably lose his/her sense of identity, family funerary monuments evoked a type of ritual-centered visuality that was more akin to a votive relief than the awe-inducing image of a deity (physical or imagined). For those families who worshipped some aspect of the divine during their lifetime, the remains of family members were dedicated to their deity upon death. Thus, the funerary monument established a ritual exchange among the deceased, the family, and the divine that was intended to continue in perpetuity.

As homes for the dead, tombs were vital indicators of family identity. As such, they accomplished two important goals: first, to demonstrate that the proper obsequies for the family had occurred; and second, to provide an opportunity to perform (or re-perform) a devotional act for the deceased and the god(s) who protected them. These devotional acts were a way not only to "honor the dead" but also a method for renewing the deceased's dedication to the divine. Rather than losing oneself in "a world of cult and sacred realities," a visitor to the family tomb acted as much in a priestly role (*sacerdos*) as a devotee.

This chapter argues that through architecture, iconography, and inscriptions embedded in the funerary monument, visitors were invited to participate in specific ritual practices at the tomb. For Roman pagans and early Christians, funerary rites did not follow a prescribed sacred text or liturgy. In the case of early Christian families, the Church did not oversee funerals until the late fourth century. Generally, early Christians adapted funerary rites performed by Roman pagan families. In the absence of a formal liturgy for the dead, Roman pagans and early Christians relied on cultural memory stimulated by visual representations on tomb markers to cue visitors on rites to be performed on behalf of the dead. In the case of Jewish families, immediate family members took responsibility for all funerary rites, but particular devotional acts were outlined in rabbinic texts based on scripture. As a result, Jewish funerary monuments that pictured funerary rites were unnecessary. Further, Jewish law prohibited the representation of certain religious subject matter. While forms of devotion varied according to the religious identity of the family, in the Roman world, most funerary monuments shared a way of ritual-centered viewing which we refer to here as "devotional visuality."

In this chapter we explore what can be learned about the differences in devotional seeing among families of diverse belief practices in the Roman world by studying their funerary monuments. Given the word and image restrictions for this chapter, we explore only some of the many differences in devotional practice. Our focus therefore

is on the more interesting examples from Roman antiquity, like the gold glass medallions in sections 2.2.1 to 2.2.3, the function of which is still a puzzle to scholars. Further, our examples do not speak for all pagan, early Christian or Jewish families, but can only point to some of the unique representations of devotional visuality in funerary monuments amongst families of diverse faiths.

2   Devotional Visuality and the Ancient Family

As we are working with the concept of the ancient family, we have broken down our presentation into the categories of an ancient family: ancestors; husbands and wives; children; and slaves. Each group is further divided by sub-category of belief system: pagan; Jewish; and early Christian. Though not all can be shown, the monuments examined here consist of grave altars, stelae, ossuaries, frescoes and gold glass which date from the imperial period. As some monuments cross over family member categories, they could be referred to in more than one commentary. Some funerary monuments also participate in more than one belief system. Examples of the latter type form a unique class of funerary object and will not be discussed here. However, these monuments deserve more scholarly attention.

2.1   Ancestors

In the imperial period, Roman pagans were not the only people to engage in the practice of devotion toward ancestors. Symbols of rebirth and rejuvenation such as dolphins and peacocks painted in frescoes found in early Christian and Jewish catacombs in Rome also contributed to the visual culture of family continuity, an idea denoting multi-generational existence in the ancient Mediterranean world. Beyond these symbols, whose meaning can be ambiguous, pagan, Jewish and early Christian references to family ancestors took different forms in visual and material culture. It is fair to say that all three groups participated in devotion to originating ancestors in their funerary monuments. The differences in family devotion manifested in material culture among the three groups can be attributed in part to the type of devotional seeing each group practiced toward their ancestors.

Unlike pagans and Christians, Jewish families did not decorate their tombs or ossuaries (bone boxes) with personal images of the deceased or human figures from the Hebrew Bible. In these scriptures, death is referred to as: "He slept, and was gathered to his fathers" (Judges 2:10; 2 Chronicles 34:28, etc.). The earliest Christians were known to favor images of Jewish progenitors like Abraham and Moses, but by the late third century, early Christian devotional practices developed through the cult of martyrs spread to family tombs. Roman pagans claimed divine origins through both their founding stories.[3] During funerary processions, members of the Julio-Claudian line displayed their divine heritage through *imagines*, masks worn by actors that resembled ancestors traced back to the Roman goddess, Venus. Less ostentatious displays by pagans included funerary monuments commissioned by sub-elites that
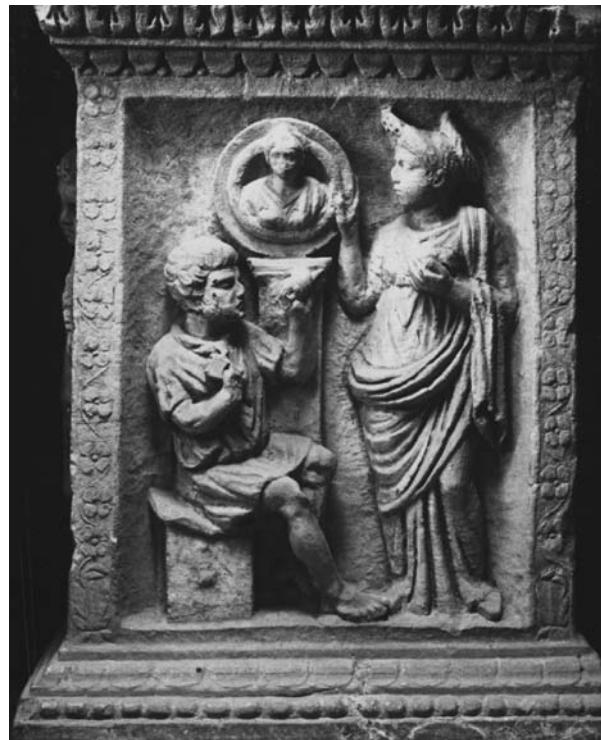
Figure 32.2 Grave altar, Rome, late first century CE. Vatican, Musei Vaticani, Galleria dei Candelabri, Inv. No. 2671; © Fototeca Nazionale; image reference F 6443.

represented the ancestor as an "object of commemoration" on grave altars and reliefs.[4] It is with this example that we begin our examination of devotional visuality found among family funerary monuments.

2.1.1 Roman Pagan Families

This interesting grave altar from the late first century CE (Figure 32.2) shows a standing female figure holding the rim of an *imago clipeata* (medallion portrait) in her right hand and a round object close to her chest in her left hand. The seated male figure is an artisan who works with a hammer and chisel on the *cippus* (pillar used for funerary inscriptions). The *imago clipeata* was used almost exclusively for the dead in Roman funerary monuments as it was associated with the Greek idea of apotheosis (the attainment of deification) upon the death of a hero. This idea was later adopted by Roman emperors and their wives as a visual motif for their funerary monument as can be seen in the marble pedestal of the column of the emperor Antoninus Pius and his wife Faustina (ca, 161 CE) in Rome. Although Julius Caesar was recognized as a god upon his death, it was his adopted son and heir, Augustus, the first emperor of Rome, who became the subject of emperor worship in parts of the eastern empire while still living and declared a god by the senate upon his death. Thus, the idea of apotheosis was

associated with high social status as well as eschatological ideas, making it a popular theme of devotional visuality for pagan families. While the inscription for the grave altar shown here is missing, the image on the front presents a clear idea of devotional seeing whereby a Roman pagan woman holds the apotheosized image of her female ancestor (mother?) while the artisan works on the inscription. The object in her hand is probably an offering intended for the "deified" relative shown in the *imago clipeata*.

Roman art historian Eve D'Ambra has suggested that funerary monuments which represent figures in the form of a statue or bust communicate that the correct commemoration of a predeceased family member has taken place (D'Ambra (1995) 672–75). In the case of the funerary altar shown here, the standing female figure represents her ancestor not only as an "object of dedication" (in the sense defined by Robin Osborne (2004) 5), on her own funerary monument but as someone who has joined the ranks of Roman gods and goddesses. As the deceased's funerary monument is in the shape of an altar, she no doubt hoped that family who visited her grave would lavish the same kind of devotion upon her memory and remains as she did for an important ancestor during her lifetime.

2.1.2 Jewish Families

After the destruction of the Jerusalem Temple in 70 CE, Jewish families fled from the city of Jerusalem and began new lives in urban centers where Jewish communities were already established. Yet when death was near some went back to their homeland to be buried. One such site was a town in southern Galilee known as Beth She'arim. Famous as the new home of the Sanhedrin after the destruction of Jerusalem, its necropolis contains burials of both local and diasporic Jews (Green (2008) 147–48). Those who were buried in a necropolis near their diasporic home made different kinds of references to their origins through the use of terms specifically indicating their identity as "Jew" (for example, *ebreus*, *Iudeus*, *Iudaei* and 'Ιουδαικος: Noy (1995) Nos 33, 37, 188, 8, 40) and by symbolic references to the Temple menorah and other Jewish cult objects on their grave marker (Leon (1995); Noy (1993), (1995)).

An unusual reference to originating ancestors can be found on a limestone post with engraved menorahs near Tébessa, Algeria. It bears the inscription D[EVS ABR] AHAM DEVS ISAC (Gsell (1965) No. 2912), a reference to the founding patriarch and son of the Hebrew faith. Unfortunately, part of the grave marker is missing so we do not know the names of the deceased. Since the marker was found in a Roman pagan cemetery, it is probable that the deceased was a proselyte. It is likely the Roman carver of the inscription did not understand that Abraham and Isaac were not Jewish gods. However, the carver knew to identify the remains of the deceased with his/her religion at the time of death. As such, the funerary monument demonstrates a pagan devotional way of seeing, the dedication of human remains to specific Roman gods, that was then adapted for the monument of a Roman pagan who had converted to Judaism. As originating ancestors, which Roman pagans viewed as partially divine, Abraham and Isaac were substituted for gods from the Roman pantheon.

With regard to ancestors, the major shift in devotional visuality, at least for Jews living in Palestine during the imperial period, was the new way the bones of deceased

family members were gathered after the disintegration of the corpse. Before the arrival of the Romans in Judaea, Jews gathered the bones of the dead inside the tomb and placed them in a special repository known as a charnel pit or room. "The identity of the individual deceased was completely dissolved into an ancestral collective" (McCane (2003) 10–11). By the beginning of the Herodian period (37 BCE to 70 CE) Jewish families were gathering the bones of their ancestors and placing them in ossuaries (bone boxes) which were then positioned back inside the tomb (Fine (2001); Magness (2006)). Ossuaries were a more individualized form of second burial which arose in Jerusalem during the imperial period. The sudden appearance of ossuaries can be attributed to a number of converging factors, not least of which was a growing Hellenized Jewish society (McCane (2003) 44–45). Of documented inscriptions from ossuaries, roughly 40 percent of those in Greek identified ancestors. Of those that mentioned the name of the deceased, about half also mentioned a family relationship (Rahmani (1994) 15 as quoted in McCane (2003) 14, 41). Thus devotional seeing in this period for elite Jewish families in Jerusalem shifted from devotion to ancestors as a group to devotion to ancestors as individuals.

2.1.3 *Early Christian Families*

While the idea of Christians retreating from family life to dedicate their existence to God through joining urban or desert monasteries was becoming increasing popular by the fourth century, frescoes from Christian household tombs in Rome as late as the fourth century still show families (including children) eating together with those members of the household who had passed on into the afterlife. Early Christian ancestors (or saints as they were called collectively) were shown as actively participating in scenes with surviving family members. Early Christian banquet scenes from the mid third to early fourth century conflate both mimetic and devotional viewing practices, as family members are depicted as realistic figures in their prime. The entire group, as we see in a fourth-century fresco (Figure 32.3), was then represented as participating in a ritual funerary meal together (the deceased is typically shown in *stibadium* banquet scenes as the figure in the middle, emptying his wine cup).

   In the case of this household tomb (Figure 32.4) found in the Roman catacomb of SS Marcellino and Pietro, Rome, visitors to the tomb were invited, through the visual prompting of the imagery, to participate in a devotional practice observed by the early Christian community who used this catacomb. The inscriptions, AGAPE MISCE NOBIS and IRENE (P)ORG(E) C(A)LDA, have been typically translated as "Agape mix [wine] for us" and "Irene offer hot [wine or a meal]." This translation identifies AGAPE and IRENE with the two female figures in the banquet scene. However, as I have argued elsewhere, this translation is inadequate and does not account for the action in this fresco or others like it (Tulloch (2006) 164–93). Regardless of how the inscriptions have been translated, scholars agree that the tomb once belonged to a wealthy early Christian family. In order to claim that the visitor was prompted to perform a devotional practice on behalf of the family members buried in this tomb, we must demonstrate how the frescoes functioned in their original context of a household tomb.
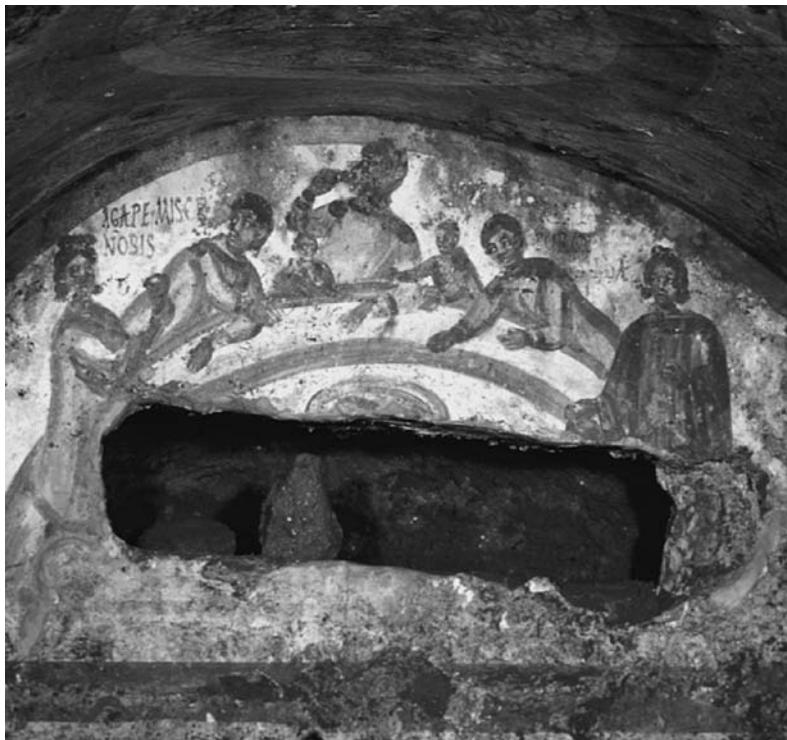
Figure 32.3 Fresco in lunette of *arcosolium*, chamber 45, catacomb of SS Marcellino and Pietro, Rome, early fourth century CE. © Pontificia Commissione di Archeologia Sacra.
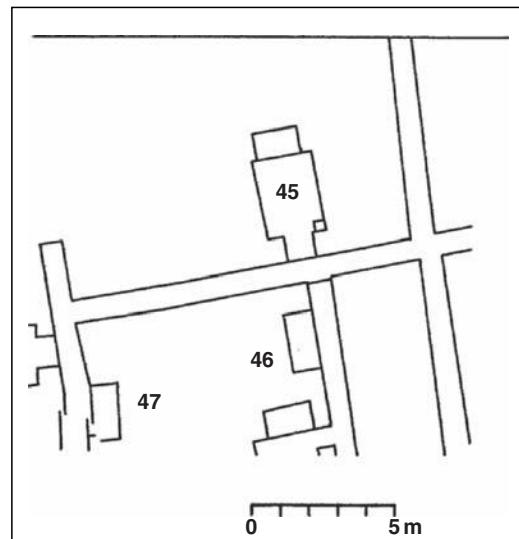
Figure 32.4 Schematic plan of chamber 45, catacomb of SS Marcellino and Pietro, Rome. After Deckers et al. (1987); © Pontificia Commissione di Archeologia Sacra.

Figure 32.5   Wall fresco, chamber 45, catacomb of SS Marcellino and Pietro, Rome, early fourth century CE. © Pontificia Commissione di Archeologia Sacra.

Figure 32.4 shows the schematic plan of the tomb. It was part of a complex of tombs and *arcosolia* carved out of Rome's underground volcanic rock (tufa) in the late third century or early fourth century (Deckers et al. (1987); Guyon (1987)). The image of five adults and two children reclining around a *stibadium* cushion (Figure 32.3) is located in the rectangular space above the number 45 on the plan. In the actual funerary chamber, the fresco appears on the lunette of an *arcosolium* directly across from the entrance. On the wall to the left of the entrance, there is a small fresco of a seated male figure gesturing towards a plate that sits on top of a *mensa* (small table) (Figure 32.5). This fresco is located on the lower-left corner of the chamber wall.

We might be inclined to interpret this smaller fresco as symbolic except for the fact that a real *mensa* made out of masonry, with traces of paint in the same design as the adjacent wall, can be found in the funerary chamber. The real *mensa* (signified by the small square within chamber 45 in Figure 32.4) is located directly across from the smaller fresco in the opposite corner of the chamber near the entrance. The visitor who entered the chamber need only look from the small fresco (left) to the banquet scene (center) to the real *mensa* (right) to understand that he/she was to mimic the

action in the small fresco by taking the offering left on the stone table for visitors to the tomb (note the plate of food on top of the painted *mensa*). Documentation of early Christian *mensae* with plates intact can be found in an official publication on the Christian catacombs of Rome prepared for the 2000 jubilee year (Nicolai et al. (2002) fig. 49). The banquet scene across from the door which probably represents an early Christian version of the pagan *silicernium* or *cena novemdialis* (funerary meals performed at the beginning and on the ninth day of burial) suggests that the visitor was invited to participate in (or perhaps reperform) the ritual funerary meal portrayed in the banquet scene through the act of consuming the offering.

The source for this ritual-centered viewing programme in an early Christian family tomb is no doubt based on the public devotion evidenced at martyrs' shrines originally located in cemeteries outside the walls of Rome. The catacomb where this chamber is located housed the shrine of the late third-century Christians, Marcellinus and Petrus, among others (Guyon (1987) figs 239, 376–77). The consumption of a food offering by visitors to the burial chamber would have been a private act of devotion that mimicked the public act that took place regularly at the tomb of the Christian martyrs. In a complex ritual exchange that involved rites, prayers and vows, the generations of early Christians buried in chamber 45 were not only "honored" but also re-pledged to God either directly in their family tomb or through devotions practiced at the shrines of his intermediaries (i.e. the martyrs).

2.2   Husbands and Wives

In a study of portrait funerary reliefs from the late Republic and early Empire, Kleiner states that the representation of a married couple was "one of the most common types of funerary portrait on surviving freedmen reliefs" (Kleiner (1977) 22–23).

By the fourth century, a portrait of a couple on a sarcophagus from the western empire did not necessarily signify the burial of two spouses. Rather, based on the inscriptions found on sarcophagi, many of these coffins were made primarily for women and could be interpreted as showing a "women's theme" demonstrating the importance of the marital bond (Dresken-Welland (2003) 211–14).

Representations of married couples from the late third to early fourth century can also be found on Roman gold glass medallions originally from the graves of pagans, early Christians and Jews. A majority of these artifacts originate from the catacombs in Rome. In this section, we discuss examples of so-called "married pairs" from the corpus of Roman gold glass originally cataloged by Charles Rufus Morey for the Vatican library. This corpus is important to any study of devotional visuality and funerary monuments because it shows that, regardless of one's religious identity, the use of similar objects in devotional practice at the grave was widespread in a large urban center like Rome. The evidence however cannot tell us whether the deployment of these objects signified a similar practice of devotion for all groups, only that the final function of the glass, as a funerary object stuck to the grave, was similar.

Of Morey's 460 examples, 28 pieces of gold glass are considered to represent a "married pair" with a further 15 identified as a "family group" (Morey (1959) 81). Of the 28 male-female pairs, five show the couple with Christ depicted as a small

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Figure 32.6   Roman pagan gold glass medallion: married pair with Hercules, fourth century CE. © Trustees of the British Museum, British Museum Image Service.

figure between male and female half-figure portraits (Nos 29, 109, 240, 310, 397). No examples of Jewish male-female pairs have been found in the nine known examples of Roman gold glass with Jewish motifs. In the section on Jewish families below, we discuss possible reasons for this important difference in devotional visuality among Jewish families living in the Roman world.

2.2.1   *Roman Pagan Families*

Of the 28 male-female pairs, two gold glass medallions show the couple with a Roman divine figure between them. In one example, which was originally part of a cup (Morey (1959) No. 311), a small winged Cupid extends his hands to the heads of the pair. In the other example (Figure 32.6), originally part of a plate (Morey (1959) No. 316), the couple is overseen by a small figure of Hercules who wears a lion's skin draped over his shoulders. Standing on a disc hovering in front of the pair, he holds a club in his right hand and apples in his left. The lion skin and club are common attributes which identify this demigod of strength. There are two dedicatory inscriptions on the glass bottom. The large circular inscription reads, ORFITVS ET CONSTANTIA IN NOMINE HERCVLIS, and the smaller inscription spread between their heads states:

ACER	INO	LIC	IBAT	(ACERENTINO FELICES BIBATIS)
EN	FE	ES	IS	
T		B		

This inscription has been interpreted in numerous ways. The British Museum translates the inscription as: "Orfitus and Constantia. Live happily in the name of Herakles, conqueror of the Underworld" (British Museum, M & LA 63, 7–27, 3; Buckton (1994) 32). Another way of translating it would be to separate the two inscriptions as follows: "Orfitus and Constantia in the name of Heracles"; "Drink in happiness of Cerentinian wine" (Dalton (1901)).

The figures in this example are thought to represent a prefect of Rome in the mid fourth century, Memmius Vitruvius Orfitus, and his wife. The larger inscription tells us that this couple is under the protection of Heracles. His small figure precedes the couple as though to ward off unwanted obstacles as they make their way to the underworld. The smaller inscription suggests that the glass was part of a drinking rite that could have taken place at the couple's wedding but equally as a devotional rite at the site where the husband and wife were buried.

2.2.2   *Jewish Families*

Examples of Jewish motifs on Roman gold glass from Morey's corpus include lions, Torah shrines, the Jerusalem Temple, menorahs, shofars, and lulabs – in other words Jewish cultic objects and sites. Of the nine gold glass objects identified by Morey as Jewish, two have no inscription, four are dedicated to individuals through an inscription (Nos 114, 346, 426, 458) and the remaining three are funerary formulae without an extant name (Nos 115, 116, 359). Of those without an inscription or a name, the iconography identifies the original recipients as Jewish through cultic objects. As stated above, none of the Jewish gold glass medallions depict a husband-wife pair or any other type of human figure. The reasons for this lack of human representation in Jewish funerary objects were both theological and cultural.

Unlike pagan funerary rites, Jewish funerary rituals did not include a public display of the deceased in the home before burial nor was the deceased made to look life-like in the funerary procession. Rather, burial after death was swift – on the same day if possible. The corpse was prepared by family members. The main participants in the rites were the members of the immediate family (McCane (2003) 10). Jewish law prevented the idolic use of human imagery, although rabbinic attitudes towards art changed somewhat in Late Antiquity as can be seen by the presence of some human and numerous animal forms in the third- to fourth-century necropolis of Beth She'arim where many rabbis and their families are buried (Fine (2005) 86–87). McCane suggests that attention paid to individual identity in death and beyond played a much stronger role in Greek and Roman culture with its emphasis on individuals in law, philosophy, and the arts. Ancient Israelite religion on the other hand emphasized the group, the family, tribe, and clan (McCane (2003) 10–11). Within the imperial

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Figure 32.7   Early Christian gold glass medallion: married pair with Christ, fourth century CE. © Trustees of the British Museum, British Museum Image Service.

period, a growing individualization of Jewish funerary monuments began, with names and familial relationships appearing on increasingly decorative graves whether marked by a grave plate, ossuary, or costly sarcophagus.

2.2.3   Early Christian Families

Like Roman pagans, early Christian families represented themselves on funerary monuments. As stated above, five examples of 28 known male-female pairs of Roman gold glass show the couple with Christ holding a wreath in each hand. He is depicted as a small figure hovering between the male and female half-figure portraits. An inscription reads, DVLCI SA NI MAVIVAS (DULCIS ANIMA VIVAS) (Figure 32.7), which can be translated as "Sweet Spirit Live," on two of the five examples identified as Christian, suggesting that at least this glassware could be bought with ready-made inscriptions and, possibly, ready-made figures. There is nothing in the iconography or inscription of these images which specifically identifies them as Christian. In fact, the base looks remarkably like the medallion made for the Roman pagan husband-wife pair. However the motif of the small figure holding a wreath in each of his out-stretched hands is found in other examples of Roman gold glass where the other

figures are identified as the Christian apostles, Peter and Paul (Morey (1959) Nos 37, 50, 51, 66, 241, 286, 314, 450). Given the diameter (6.04cm) of the glass base shown here, it was probably part of a cup.

It has been argued that the function of gold glass attached to gravesites was to identify the deceased. However almost all examples of the "married pair" type show young couples in similar garb. Except for the rare examples which used the brushed technique to produce fine facial features (see Morey (1959) Nos 1, 3, 4, 5, 6, 7; there is some question of authenticity for Nos 5, 6), these representations of pairs are practically interchangeable. Even with a name, the function of identification was unlikely the most important. Rather their main purpose, regardless of pagan, Jewish, or early Christian iconography, was to demonstrate to visitors that the proper obsequies, in accordance with the religious identity of the deceased, had been performed. Further evidence of this function can be found in the Christian catacomb of SS Pietro and Marcellino. In a different burial site from the one discussed earlier, it is possible to see a large ceramic plate mortared into the arch of an *arcosolium* (Deckers et al. (1987) No. 47) and its lunette depicts a funerary meal in progress. Both the mortared plate and the fresco graphically demonstrate that the deceased has been properly buried and commemorated. Similarly, as objects mortared to gravesites, gold glass medallions of married pairs signaled that commemorative rites for the couple had taken place for all to see.

2.3   Children

Patterns of devotional visuality that have emerged so far are somewhat amplified in the funerary monuments of children, possibly due to the tragedy of untimely death. While this intensification occurs visually in the funerary art of Roman pagan and early Christian families, it occurs primarily through funerary inscriptional evidence for Jewish families.

2.3.1   Roman Pagan Families

The grief of Roman families for lost children was deep, in that it proved, as Lattimore observes, to be a "dislocation of the natural and proper order of life" (Lattimore (1962) 187), which Romans attempted to control though ritual and propitiation to the gods. The esteem with which children were held can be shown in their representation as "objects of dedication" on funerary monuments. Sometimes children were visualized as venerated ancestors, with their likeness carved as a bust and incorporated into a shrine-like niche (*aedicula*) along with parents, but they were also shown as honorees in their own right. One such marble altar dating from the late first century CE shows an eight-year-old girl, Iunia Procula, as a portrait bust (Kleiner (1987a) No. 23). Set within a shell-like niche and framed, the girl is flanked by Jupiter Ammon heads at the front and rams' heads adorn the rear top corners. Garlands are suspended from the pairs of heads. Not only is the viewer reminded of the religious ceremonies that accompanied her funeral through the presence of the garlands and rams' heads (rams were sacrificed to the household Lares after a burial), but reminders of continued propitiation occur in the form of the libation dish (*patera*) and pitcher on the

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Figure 32.8   Detail of children's loculi, chamber III, Vigna Randanini catacomb, Rome, late third century CE. Photograph by Estelle Brettman. © International Catacomb Society, Boston, image reference No. 48.

narrow sides of the altar. Finally, this altar tomb was under the protection of Jupiter, the highest god in the pantheon. The close resemblance of funerary altar iconography to actual altars "ensured the allusion to religious ceremonies that accompanied the funeral of the deceased: the laying out of the grave, the burial and the subsequent celebrations on birthdays and feast days" (Kleiner (1987a) 78). The combination of iconographical elements evoked a clear devotional visuality whereby the visitor was prompted to perform or re-perform aspects of the original obsequies in a complex ritual exchange among the deceased, the gods and the tomb visitor.

2.3.2   *Jewish Families*

In a study of ancient Jews in Rome, Leon mentions there are "many small *loculi* for children and even for tiny infants, and in some areas there are clusters of these children's graves" (Leon (1995) 60), suggesting that children were sometimes buried separately. (Neither Leon nor Noy give a possible explanation for such clustering.) One such cluster is represented in Figure 32.8 from the Randanini catacomb in Rome in which frescoes of a water container or fountain and lozenge were compromised in order to accommodate the *loculi*. Neither fresco references Judaism in particular.

An important difference in Jewish devotional visuality is the lack of representation of the deity on funerary monuments. As discussed above, the reason is theological and, as Leon states, was done "possibly because the use of the holy name was avoided" (Leon (1995) 248). Funerary inscriptions addressed to God, though rare in the corpus from the Diaspora, do exist. In those from the city of Rome, three are extant. The example here (Figure 32.8) mentions the boy, Justus, a foster child. Leon's translation of this funerary inscription follows the Greek:

(center): εἴτε σε, ᾽Ιουστε τέκνον, εδυνάμην σα/ ρω χρυσέω θειναι

θεψάμενος νυν δέσ/ποτα εν ειρήνη κόμησιν αυτου ᾽Ιουστον/

νήπιον ασύκριτον εν δικαιώματί σου/ [ε] νθάδε κειμε ᾽Ιουστος,

ετων δ᾽ μηνων ή, γλυ-

(right): -κυς/ τωτ/ ροφε [1] / [menorah] ων.

(left): Θεόδο/ τος τρο/ φευς τέ/ κνω γλ/ υκυτ[ά] // τ[ω].

"Would that I, who reared you, Justus, my child, were able to place you in a golden coffin. Now, O Lord, [vouchsafe] in thy righteous judgment that Justus, a peerless child, may sleep in peace. Here I lie, Justus, aged 4 years, 8 months, sweet to my foster father. Theodotus, the foster father, to his most sweet child" (Leon (1995) 317).

In this example the word "Lord" is rendered as δέσποτα (*despota*) rather than the Greek word, θεός (*theos*). The name of the Hebrew god is referenced therefore symbolically according with Jewish law concerning the writing and utterance of the deity's name. What interests us is the nature of the ritual exchange between Theodotus, his deity, and the presence of the deceased, Justus, through his "voice." In this inscription, the foster-father prevails upon God to guarantee the peaceful sleep of his child. "In peace his sleep" is a typical formula for ending Jewish funerary inscriptions among epitaphs from Rome. Here it is tied to the action demanded of the deity by the commemorator. While most Jewish funerary inscriptions do not openly refer to the deity (Noy lists only three outside of Rome), it is possible that the divine addressee in this formula (whether for children or adults) is understood. It is probable that the representation for the divine in Jewish funerary monuments is not missing, but rather is understood in a devotional representation of invisibility. The invocation of God in this example can be attributed to the extreme anguish of the father.

2.3.3 Early Christian Families

There are many images of children to be found in catacomb frescoes belonging to early Christians dating from the early third century. Among those in the Roman catacombs, children are shown eating with their families (Figure 32.3), but more typically they are shown

Figure 32.9   Detail of fresco, Crypt of the Sacraments, catacomb of Callixtus, Rome, late second century CE. © Pontificia Commissione di Archeologia Sacra.

serving adults at meals or assisting adults who serve at meals. We also find images of a small boy being baptized in the catacomb of Callixtus (Finney (1994) figs 6.50, 6.58).

The funerary monument focused on here shows two individuals flanking a tripod table from the catacomb of Callixtus dating to the end of the second or beginning of the third century (Figure 32.9). This fresco has long puzzled scholars primarily because of its possible association with early Christian funerary rites and the contemporary debate of who performed them in the imperial period. I offer the suggestion that the two figures are actually young children. This interpretation explains the "stubby arms" on the female figure as well as the figures' round faces.[5] Whether the above figures represent "real" children or a symbolic idea is unknown. Whatever their status, they are associated with a funerary offering represented by the food (bread and fish?) on top of the table and the figures' juxtaposition to a *stibadium* meal in an adjacent fresco (Figure 32.10). In the context of the household funerary chamber where the figures are painted, we find four smaller *loculi* which may have held the bodies of children. We also find the images of other children in the same chamber. On the same wall, we see Abraham's son, Isaac, shown as a small child. On an adjacent wall we see the image of a small boy being baptized. If the figures flanking the tripod table are meant to represent children, then the question of the representation (and by implication the role) of children in early Christian ritual requires greater attention by scholars. Children represented as part of early Christian funerary rites would not be out of keeping with the teachings of Jesus (Matthew 18:1–5, 19:13–15; Luke 18:15–17).

Figure 32.10 Children and adult loculi with frescoes, Crypt of the Sacraments, catacomb of Callixtus, Rome, late second century CE. © Pontificia Commissione di Archeologia Sacra.

As it is the only extant example of its kind, this fresco is extremely valuable for the study of devotional visuality in early Christian funerary monuments.

2.4   Slaves

When dealing with the social location of slaves, studies of visual and material culture generally turn to the inscriptional and material evidence of freedmen and freedwomen (*libertini*) due to a paucity of sources which commemorate slaves as slaves and not as freedmen or freedwomen. Here, our goal is to keep the focus on funerary monuments that mark the deceased as a slave at the time of death. The image depicted for this entire section, a slave cemetery marked by a single amphora, is from the edges of the Isola Sacra cemetery near the old Roman port of Ostia (Figure 32.11). However it could be from anywhere within the Roman empire, since slaves, unless they became manumitted, had no legal status. They were technically kinless and without a nationality, the property of their masters. The use of an amphora to mark the mass grave (cf. Meiggs (1973) 463–64) is a cruel reminder that libation rites lavished upon the marked tombs of others were soon forgotten for those buried here. It is no wonder that individuals who were legally invisible in life should also be invisible in death. Without some form of material representation, how could one be the recipient of devotion? How could one be commemorated?

Bracketing for the moment the subject of early Christian slave-martyrs, monuments for slaves that have survived have done so either because the slave held a high rank in relation to other slaves within a wealthy household (for example, as a manager) or the slave was associated with a high-ranking family member. Otherwise, slaves were buried in anonymous communal graves (Bodel (2000) 128–34; Hope (2000b) 111). A further problem in identifying examples for this section is the expectation that slaves would adopt the religion of their master/mistress. This was true under both Jewish

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Figure 32.11   Slave mass grave, Isola Sacra cemetery, Ostia, second to early fourth century CE. © ArtResource; image reference ART 333067.

and Roman custom (Hezser (2005) 163–64; Osiek and MacDonald (2006) 105–106). It is for this reason that we have dropped the separate religious groups here.

Scholars have suggested that within the Roman *domus*, slaves' religion was most closely associated with the domestic cult of the Lares, "a cult controlled by slaves" during the first 200 years of the Empire (Osiek and Balch (1997) 82). Slave funeral colleges carried out the valuable function of burying fellow slaves with dignity (Osiek and Balch (1997) 82). Because of the custom that slaves worship the same religion as their owners, any religious identification found on a slave's funerary monument must be approached with caution. Such an identification may not necessarily represent the deceased's religious identity of choice.

Using inscriptions relating to slave colleges with religious names from Waltzing's work on professional corporations for locating slaves in the Roman world, we find many slave colleges do indeed refer to the cult of Lares (*Cultores Larum*; Waltzing (1968) 4.160–62). Slave colleges also combine this cult with that of caring for the master's *imagines* (ancestor masks) (*Collegium magnum Larum et Imaginum domini*; Waltzing (1968) 4.161). Not all of Waltzing's entries on slave colleges with religious names refer to the cult of the Lares. Two refer to the god Silvanus (Nos 78, 91), one to the goddess Minerva (No. 88) and one possibly to the goddess Diana (No. 76).

Slaves can also be found among members of colleges with religious names primarily made up of freedmen and/or the freeborn. Religious names in this group include

Hercules and Diana, Silvanus, and Mithras (Waltzing (1968) 4.253). The first two colleges are listed as the commemorators of the deceased slaves, but whether their remains were actually dedicated to these gods is unknown. The slave, Januarius Valentinus, a member of the college of the cult of Mithras in Aquileia appears to have held the prestigious rank of *pater leonum* (father of lions) among its 34 members. As a mystery cult, we have little information on Mithraic funerary rites. We do know, however, from remains of numerous archeological sites throughout the empire, that the all-male cult practiced a form of ritual-centered visuality relating to soul travel within their temples (Beck (2006)).

Sometimes individual representations of slaves are preserved on their owner's funerary monument, especially if they had served their master in some outstanding way. A funerary relief from the early first century for Marcus Caelius, a member of Rome's 18th Legion, shows the centurion flanked by two carved male busts resting on a *cippus*. What initially appears to the viewer as the ancestors of the deceased are actually representations of his ex-slaves, Marcus Caelius Privatus and Marcus Caelius Thiaminus (*CIL* 13.08648 = *AE* (1952) 0181 = (1953) 0222 = (1955) 0034). Thus, it would seem that it was possible in extreme circumstances for some highly regarded slaves within Roman pagan families to surmount the obstacle of invisibility and become known as an "object of dedication" in death through representation on someone else's monument.

Christian and Jewish *collegia* were also known to be among the professional *collegia* in the Empire, although Waltzing does not list either of these groups under slave corporations. Despite evidence of Jewish slaves from inscriptions in western Europe from the imperial period, in her 2005 study of Jewish slavery based on Hellenistic Jewish and Roman literary sources, Hezser states: "Rabbis seemed to have considered slavery and Jewishness incompatible, so that not only circumcised non-Jewish slaves but also Jews who had become enslaved or had enslaved themselves were not considered Jewish" (Hezser (2005) 117). Perhaps it is partly for this reason, in addition to the notion that slaves were expected to adopt the religion of their owner, that it is difficult to find Jewish slaves listed among the Jewish funerary inscriptions from the imperial period (Leon (1995) 237–38). An exceptional inscription from Aquileia which identifies the deceased as a freed Jewish slave, dates from before or at the beginning of the imperial period: *L[ucius] Aiacius/ P[ublii] L[ibertus] Dama/ Iudaeus por/tor v[ivus] s[ibi] f[ecit]* ("Lucius Aiacius Dama, freedman of Publius, Jew, customs-house worker, made [the tomb] for himself while he was alive") (Noy (1993) No. 7).

Our earliest knowledge of Christian slaves comes from Christian and Roman documents (Osiek and Balch (1997) 174–92). However, it is the gruesome deaths of early Christian slaves, typically arrested along with their master/mistress and martyred for confessing to be Christian, which launches the trajectory of devotional visuality which becomes the "cult of saints." While not all martyred slaves enjoyed "cult status," slaves were frequently separated out from other martyrs by early Christian writers for their endurance and faithfulness through torture. The pattern of devotion at slave-martyr funerary sites seems to be no different from the non-slave martyr site in the early Christian material record. While written accounts exaggerate the rapid development of tomb shrines as loci of pilgrim devotion, archeologist Jean Guyon has shown that the process of widespread martyr veneration occurred over a period of about 70 years after the Peace of the Church. In the case of Marcellinus and Petrus' martyrs' shrine in Rome,

about five renovations were needed during the fourth century to convert fully the funerary space into a site of public devotion (Guyon (1987) 362–81). In addition, during the fourth century, massive basilicas were built over some of these original tomb-shrines. In Carthage, a large building, today known as the Basilica Majorum, was erected over what some archeologists believe to have been the tomb-shrine of Perpetua and her slave Felicitas, martyred in the early third century. Thus, the funerary monument of some early Christian slaves became not only an "object of dedication" but a charged sacred site, where the remains of the saint, Christian pilgrims and entire congregations came to practice devotional seeing with God. Of an unknown pool of early Christian slaves, some who were martyred received not only a spectacular earthly representation through the material form of a basilica but a posthumous identity in heaven.

3   Conclusion

This chapter has analyzed some of the interesting examples of devotional visuality showing the complex ritual relationships which existed among families, the deceased, their deity(ies) and the funerary monument in the Roman world. We have observed that material representation in death was related to one's status within a household as well as one's religion, both tempered by a family's financial resources. The most invisible individuals with regard to the practice of devotional visuality seem to have been Jewish slaves, since even freeborn Jews did not include funerary portraits in their grave monuments, nor were rabbis likely to acknowledge the existence of Jewish slaves. Whatever funerary rites were directed toward slaves were likely to be in accordance with a belief system other than their own. Since slaves did not possess a legal self, representation of the simplest form, one's name on a plaque, was a major achievement. Membership of *collegia* or ownership by a great family could bring some relief from the invisibility of death. The major exception for slaves existed among early Christians, since it was possible for a slave not only to become an object of veneration within Christianity but an intermediary of the divine through martyrdom. Martyrdom brought a posthumous identity to lowly slaves through the erection of devotional shrines and basilicas built in their name.

In Roman paganism, devotional visuality of ancestors commanded rites which likened them to gods. While strongly religious, Jewish families lacked individual identity in their early emphasis on devotion towards ancestors as an anonymous group. Gradually throughout the imperial period, veneration shifted from group to individual ancestors, allowing for the creation and decoration of custom-made bone boxes. Individual identity in the form of funerary portraits continued to be absent on Jewish grave markers in the Roman imperial period.

Evidence for devotional visuality was strongest in the funerary monuments of children for all three religious groups. Early Christian children participated in funerary meals with their families and possibly had minor leadership roles in funerary ritual. Roman pagan and early Christian families did not hesitate to represent their deity(ies) protecting children or leading husbands and wives into the next world. Jewish families may have practiced a devotional visuality of invisibility with respect to their deity, but extreme grief, shown in the case of children, could push families into invoking their deity permanently through an inscription.

Finally, the visual construction of devotion in grave monuments seems strongest in the Roman pagan and early Christian monuments examined here, both religious traditions without formal liturgical texts in the imperial period. For Roman pagan and early Christian families of means, devotional practices could be prompted by the visual scheme found on a funerary monument or tomb. Even without sacred texts to guide family members or friends through rites, visitors were aware of the appropriate ritual actions to undertake at graveside.

FURTHER READING

The best introduction to this subject is through the art catalogs mentioned in the bibliography, such as Ferrari (1959); Kleiner (1977), (1987a); Candida (1979). Many others exist but these are important classics upon which contemporary scholars still rely. Kleiner and Matheson have published two newer catalogs which focus exclusively on the material and visual culture of Roman women: (1996), (2000). These books include information on funerary monuments, but the focus is more sociological than ritualistic. One of the most sensitive treatments of ways of seeing the Roman family in the ancient world can be found in Clarke (2003). Although the chapter on non-elite tombs and sarcophagi does not focus on devotional visuality, the book is important for its reconstruction of the lives of all household members, including children and slaves, through careful study of Roman art and archeology. A major contribution to ways of seeing the Jewish family in funerary monuments is made by Fine (2005). Green's (2008) study is significant for its pioneering work on Jewish funerary rites in Roman Palestine. Books on early Christian funerary monuments tend not to focus on the relationship between ritual or ways of seeing and family funerary monuments. Two exceptions include Tulloch's chapter in Osiek and MacDonald (2006) and more recent work by Jensen (2008).

NOTES

1 For the idea of visualities embedded in ancient material culture, I am indebted to Barbara Kellum (2008). McCollough and Edwards (2007) name 'social constructions,' that is, gender, ethnicity, religious convictions, etc., as embedded within ancient material culture.

2 On Roman art and visuality, see Elsner (2007); on viewing practices in the early Empire, see Bartsch (2006); for a Christian point of view, see Balch (2008).

3 Aeneas, who escaped from Troy during its destruction, was the son of Venus and the Dardanian Prince, Anchises. The twins, Romulus and Remus, were the sons of Mars and the human priestess, Rhea Silvia, a descendent of Aeneas.

4 On the complicated role of busts in constructing historical memory, see D'Ambra (2002) 225 and Zanker et al. (1992) 343–44.

5 A baked clay group of two figures dating from the second century BCE–second century CE, a boy and girl who play musical instruments, could be the iconographical source for the girl since the group was made from a mould. Copies likely circulated beyond their original Parthian borders during any number of wars with Rome. Like the female figure in the fresco, the girl stands in contrapposto and wears a short-sleeved tunic with vertical folds on the front and a round bordered neckline (see British Museum AN158008001).

Glossary

(These are brief explanations, rather than definitions, of terms. They are elaborated on, or challenged, in individual chapters.)

adfines/affines	relatives by marriage
agnati, "agnates"	relatives through the paternal line
agnomen	an extra name, placed after the regular name form
alimenta	food, maintenance; the name of a Roman program in second century CE to support children in Italy
alumni	nurslings, foster-children
andron	room in a Greek house, often identified as for men's use
anniculi probatio	presentation of a year-old child, to obtain privileges of Roman citizenship
archon	senior magistrate in Athens; office-holder in synagogue
arcosolia	recesses in catacombs
atrium	entrance hall, reception room in Roman house
bulla	pendant worn by freeborn Roman children
calculator	arithmetic teacher
cenatio	room for dining
codex	a book, in the modern form of leaves bound together, as opposed to the rolls of papyri
cognati, "cognates"	relatives by blood, through paternal or maternal line
collactaneus	fellow nursling, one suckled by the same nurse
collegium	association of office-holders or club members; guild, society
columbarium	literally, "dove-cot"; communal burial chamber with niches for urns for ashes
contubernium	living together (in a tent, as for soldiers); cohabitation of man and woman (especially slaves) not eligible for formal marriage

conubium	marriage; the right to form a Roman marriage
cubiculum	room available for sleeping; inner chamber of a catacomb
decurio, "decurion"	magistrate in a country town; regional equivalent of Roman senator
delicium	delight, pleasure; source of delight, favorite (often of young slaves)
dominus	master, owner, head of household (Roman; cf. *kyrios*)
epikleros	in Athenian law, a daughter without brothers, an heiress
fauces	throat, narrow passage, entrance hall
fibula	clasp, pin, brooch
grammateus	office-holder in synagogue, secretary
grammaticus	philologist, secondary-school teacher
gynaeceum/	
gynaikonitis	room, space traditionally attributed to the use of women
impluvium	catchment pool in floor of *atrium* to receive rainwater through *compluvium* in roof
insula	island; a block of residential buildings
i**ustae nuptiae/**	
iustum	
matrimonium	full legally-recognized Roman marriage
kyrios	master, owner, head of household (Greek; cf. *dominus*)
Latinus Iunianus,	
"Junian Latin"	a person of limited Roman citizenship rights; an informally freed person
libertus dediticius	an ex-slave of inferior status due to some crime
ludi magister	elementary school teacher
Manes	the departed spirit, shades of the deceased
manus	literally, "hand"; the power of a husband over wife, as in "*manus* marriage"
mothakes	a category of illegitimate children (of helot women) raised along with full Spartan citizenship children
notarius	shorthand/secretarial teacher
nothoi	illegitimates; children of Spartan men and non-citizen women
nutrix	nurse; can be female or male, wet-nurse or more general nurse
obsequium	obedience, respect; especially that due to a patron by an ex-slave
oeconomia	household management, i.e. management of the *oikos*
officina	workshop; training establishment
officinator	workshop official
paedagogus	person (usually slave) who accompanied child to school
patronymic	part of the name indicating father or paternal descent
peculium	private property, allowance, for dependent child or slave to use at will

peregrinus	foreigner, free non-citizen
pergula	booth, stall, projection in front of a house
phratry	"brotherhood", sub-division of the tribe at Athens, group descended from common male ancestor; membership granted through paternal link
pithos	very large wine jar
proskynema	dedication, dedicatory inscription
provocator	"challenger", special kind of gladiator
retiarius	gladiator who fought with a net
salutatio	a greeting; morning reception for callers
salutatores	callers, those who attend morning reception to pay respects
scholia	marginal annotations made by commentators on ancient texts
scholiast	writer of scholia, abbreviated as "schol."
senatus consultum	decree of the Roman senate
servus, serva	male slave, female slave
stele	block of stone, gravestone
taberna	shop, booth, hut
tablinum	room opening off *atrium*, often used as an office
toga virilis	the plain white toga worn by adult Roman men; boys adopted this at coming-of-age in place of purple-bordered toga of childhood, *toga praetexta*
triclinium	dining couches arranged round three sides of a room; room used for dining
tutela	guardianship, wardship; responsibilities of a *tutor*
tutor	guardian (e.g. of minors, sometimes of women)
verna	home-born slave; child of slave woman of the household
vici	neighborhoods, localities
vilica	wife or female partner of a *vilicus*
vilicus	supervisor, steward of a farm

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BGU	*Berliner Griechischer Urkunden.*
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CJ	Krueger, P., ed. (1880), *Codex Justinianus*. Zurich.
CLE	Bücheler, F. (1895–1897), *Anthologia Latina II. Carmina Latina Epigraphica 1–2*. Leipzig. Lommatzsch, E. (1926), *II 3: Supplementum*. Leipzig.
CPR	Harrauer, H., ed. (1985), *Corpus Papyrorum Ranieri. Volume VI.2 Griechische Texte III, Part 2*. Vienna.
D	Mommsen, T., ed. (1870), *Digesta Iustiniani*. Berlin.
FGrH	Jacoby, F. et al., eds (1923–), *Die Fragmente der griechischen Historiker* (multiple volumes). Leiden.
FHG	Müller, K. and Müller, T. (1841–1870), *Fragmenta historicorum graecorum*. Paris.
FIRA²	Riccobono, S. et al., eds (1968–1969), *Fontes Iuris Romani Antejustiniani* (3 volumes). Florence.
GriechVers-Inschrift	Peek, W., ed. (1955), *Griechische Vers-Inschriften*. Berlin.
IAq	Brusin, J.B. (1992–1993), *Inscriptiones Aquileiae* (3 volumes). Udine.
IC	Guarducci, M. (1935–1950), *Inscriptiones Creticae*. Rome.
ICUR N.S.	*Inscriptiones christianae urbis Romae septimo saeculo antiquiores. Nova Series.*

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IGUR	Moretti, L., ed. (1968–1990), *Inscriptiones Graecae Urbis Romae*. Rome.
ILS	Dessau, H., ed. (1962), *Inscriptiones Latinae Selectae*. Berlin.
INap	Miranda, E. (1990), *Iscrizioni greche d'Italia: Napoli*. Rome.
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OGIS	Dittenberger, W., ed. (1903–1905), *Orientis graeci inscriptiones selectee* (2 volumes). Leipzig.
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PCairMasp	Maspero, J., ed. (1911–1916), *Papyrus grecs d'époque byzantine. Catalogue général des antiquités égyptiennes du Musée du Caire*. Cairo.
PCairZen	Edgar, C.C., ed. (1925–1940), *Zenon Papyri, Catalogue général des antiquités égyptiennes du Musée du Caire* (5 volumes). Cairo.
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Schol.	Scholia: ancient explanatory annotations on Greek and Latin manuscripts. Scholiasts were the writers of such notes.
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SIG	Dittenberger, W., ed. (1960), *Sylloge Inscriptionum Graecarum* (4th edition). Hildesheim.
SuppIt	*Supplementa Italica.*
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