

The Roman Household

pp. 94-116

Ripat, Pauline., (2013) Themes in Roman society and culture: an introduction to ancient Rome., Don Mills, Ont.: Oxford University Press

Atgoffir staff a myfyrwyr Prifysgol Cymru Y Drindod Dewi Sant bod hawlfraint ar y darn hwn ac ar y gwaith y cafodd ei gymryd ohono. Gwnaed y Copi Digidol hwn o dan delerau trwydded CLA sy'n caniatáu i chi:

- fynd at gopi a'i lwytho i lawr;
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Sylwch bod y deunydd hwn yn UNIG at ddefnydd myfyrwyr sydd wedi cofrestru ar y cwrs astudio fel y nodir yn yr adran isod. Caniateir i holl staff a myfyrwyr eraill ddarllen y deunydd yn unig ac ni ddylent ei lwytho i lawr ac/neu argraffu copi

Mae'r Copi Digidol hwn ac unrhyw gopi digidol neu brintiedig a ddarparwyd i chi, neu a wnaed gennych, o dan delerau'r Drwydded hon, i'w ddefnyddio gyda'r Cwrs Astudio hwn. Gellwch gadw copïau o'r fath ar ôl i'r cwrs ddod i ben, ond at eich defnydd personol eich hun yn unig. Bydd pob copi (yn cynnwys copïau electronig) yn cynnwys y Rhybudd Hawlfraint hwn a bydd yn rhaid eu dinistrio ac/neu eu dileu pan fydd Prifysgol Cymru Y Drindod Dewi Sant yn galw am hynny.

Ac eithrio'r hyn a ganiateir gan gyfraith hawlfraint, ni chaniateir copïo, cadw neu ddosbarthu pellach (yn cynnwys drwy e-bost) heb ganiatâd deiliad yr hawlfraint.

Mae gan yr awdur (ac mae'r term hwnnw'n cynnwys arlunwyr a chreuwyr gweledol eraill) hawliau moesol dros y gwaith ac ni all staff na myfyrwyr achosi, na chaniatáu, i'r gwaith gael ei aflunio, ei lurgunio neu ei addasu mewn unrhyw ffordd arall, neu ei drin yn ddiraddiol mewn unrhyw ffordd, a fyddai'n niweidiol i anrhydedd neu enw da'r awdur.

Mae hon yn fersiwn ddigidol o ddeunydd hawlfraint a wnaed dan drwydded gan ddeiliad yr hawl, ac ni ellir sicrhau ei chywirdeb. Cyfeiriwch at yr argraffiad cyhoeddedig gwreiddiol os gwelwch yn dda.

Trwyddedwyd i'w ddefnyddio ar gyfer y cwrs HPAH4001 - Everyday Life in Ancient Rome

Teitl: Themes in Roman society and culture: an introduction to ancient Rome.

Enw'r Awdur: Ripat, Pauline,

Enw'r Cyhoeddwr: Oxford University Press

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Course of Study: HPAH4001 - Everyday Life in Ancient Rome

Title: Themes in Roman society and culture: an introduction to ancient Rome.

Name of Author: Ripat, Pauline,

Name of Publisher: Oxford University Press

The Roman Household

Alison Jeppesen-Wigelsworth

Literary evidence of Roman family life exists for only a limited segment of the population: the upper classes. Death, however, was common to all, and there was great social pressure to bury and commemorate the deceased in Roman society. Epigraphical sources in the form of funerary commemorations—that is, tombstone inscriptions or epitaphs—are, therefore, reflective of a wider population. All could afford at least a modest burial, with the exception of the very poorest of Romans (who might be given anonymous burials in open pits that also contained dead animals and garbage). Since tombs tended to house the remains of many members of individual households, epitaphs are among the best sets of evidence for the family life of the non-elite. It must be admitted that epigraphical evidence presents its own interpretive problems, often raising as many questions as it answers. For example, epitaphs tend to be expressed according to accepted formulas, making it difficult to gauge the sincerity behind the sentiments. Nonetheless, funerary commemorations present unique evidence for non-elite families and can help to illuminate the realities of household relationships.¹

The following inscription demonstrates the potential of tombstone epitaphs to tell us about the realities of the familial relations and dynamics of the non-elite:

May malicious evil be absent from this monument. To the Spirits of the Dead: Scribonia Attice made this for herself and for Marcus Ulpius Amerimnus, her husband, and for Scribonia Callityche, her mother, and for Diocles, and for all her freedmen and freedwomen and their descendants, with the exception of Panaratus and Prosdocia. This monument must not follow an external heir.²

This inscription is found on a household tomb at Isola Sacra, a necropolis (literally, “city of the dead”) about 30 kilometres from Rome. As we shall see, the Roman



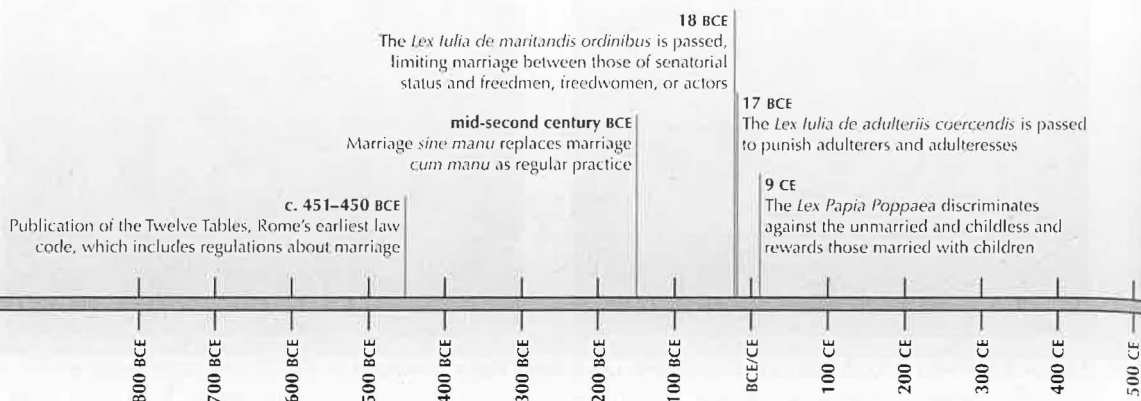
Figure 5.1 Photo of Tomb 100, Isola Sacra. Tomb of Scribonia Attice, a midwife, c. 140 CE. Left panel: Relief of Scribonia's husband bathing a patient's foot. Centre panel (not shown, text given above): Inscription. Right panel: Relief of Scribonia Attice delivering a child. © Alison Jeppesen-Wigelsworth

household was expected, in Roman law and ideals, to circle around a male authority figure—the *paterfamilias*—while women existed to fulfill supporting roles of dutiful wife, mother, or daughter. Yet here we have Scribonia Attice, a midwife, as the dedicator of the tomb. The tomb depicts equally her work (delivering a baby) and her husband's (he was a physician) in two relief panels (see Figure 5.1). She commemorates her husband, but he had nothing to do with the building of the tomb (he may have died before she had it built). It is *her* mother who is also included in the inscription. No children of her own are mentioned; perhaps Scribonia Attice was not a mother or was a mother no longer. Instead, the tomb would welcome the remains of others: a male (whose single name suggests that he was a slave), Scribonia Attice's former slaves, and *their* children. Scribonia Attice, childless professional woman, wife, daughter, slave owner, and patron of her freedmen and freedwomen, is at the centre of this familial unit. This family would be deemed atypical in light of literary and legal evidence, but it was probably, in reality, very ordinary.

Introduction

To investigate the Roman household is, in many ways, to investigate Roman society itself. The ancient household cannot be explored in isolation from either the private or public aspects of Roman society, given that the family and familial concerns have relevance to all facets of Roman life. It is therefore unsurprising that, in the last 40 years, studies of the Roman household and family have formed a cornerstone of Roman social history. Topics of interest have ranged from Roman marriage and divorce to children and childhood, intergenerational relationships, bonds between

Timeline



free and servile household members, demographic considerations (such as the age at first marriage), and the “shape” of the Roman family (was it nuclear, as ours tend to be, consisting of parents and children, or extended, embracing step-parents, half-siblings, slaves, and freedpersons?). These studies have exploited sources of information that stretch beyond the legal texts and male-authored literature that have generally informed more traditional historical investigations. They have made use of, for example, inscriptions, papyri, and archaeological findings, revealing a more nuanced impression of the family and household in the ancient Roman world than is evident in the literary sources alone. These same sources and studies have also allowed for some perspective on the families and households of the Roman non-elite. This chapter explores different aspects of the Roman household—its members, their relationships, and its physical structures. It examines the stereotypes of the Roman family and presents the more recent arguments that have overturned them.

Terms, Concepts, and the Shape of the Roman Family

Suetonius (*Ner.* 50.1; *Dom.* 17.3) includes a fascinating detail in his biographies of two of the most hated Roman emperors, Nero and Domitian: their childhood nurses ensured their proper burial, since they were the only people who still cared for them. This information points to a critical difference between modern and Roman society. For us, the concept of “family” is probably more relevant than “household,” but when we discuss the Roman family we almost always end up discussing the Roman household. The reason for

this is simple. Members of a Roman household do not always correspond to members of a modern family, as illustrated by the example of Nero's and Domitian's wet nurses, non-blood relations with whom bonds could nonetheless be important and lasting.

There are two Latin terms used to indicate the household: *familia* and *domus*. These words have overlapping but not identical meanings. *Familia* is often translated as "family" but more often means the members of a household who were under the legal power (*patria potestas*) of the "father of the household," or *paterfamilias*. As the eldest free male in the household, the *paterfamilias* had legal authority over free and non-free members of his household (Dig. 50.16.195–6; see more on this power below), but the absolute nature of *patria potestas* should not be exaggerated. Few adult Romans were likely to have a living *paterfamilias*, and few women entered into their husbands' *potestas*, much less that of their husbands' fathers. Domineering *patresfamilias* were unlikely to have been common during the period under consideration here. Furthermore, the entirety of a Roman family was not made up only of those biologically tied to the *paterfamilias*. Although the word *familia* included the biological descendants of the *paterfamilias* and, by the second century BCE, usually excluded his wife (although she might be referred to as the *materfamilias*³), it was often used to refer specifically to the household's slaves.

Domus, on the other hand, is closer to our understanding of family as it implies the members of the household widely defined (children, spouses, slaves, and other relatives on both the father's and mother's sides). But it also includes the physical house where the members lived.⁴ As the concepts of both *familia* and *domus* suggest, the Romans in many ways had a wider understanding of family than we do. Furthermore, it is clear that the family did not consist simply of parents and children; that is, the Roman family was not strictly nuclear but extensive. It was most probably marked by divorces, deaths, remarriages, step- and half-children, siblings, and parents and was a conglomeration of free, freed, and servile persons, bound both legally and (often) emotionally.⁵

The potential complexity of household membership is evident on tombstone inscriptions, which are sometimes perplexing to the modern reader. Consider the following epitaph from Rome:

Titus Pompeius Reginus, son of Titus, made this for himself and for Titus Pompeius Reginus, son of Titus, his brother, and for his mother, Valeria, daughter of Gaius, and for his father, Gnaeus Pompeius, and for Gnaeus Pompeius, son of Sextus, his stepfather, and for his wife, Posilla. (CIL 6.24501)

This inscription leaves us with more questions than answers. Why does Titus Pompeius Reginus have the same name as his brother? Was the name reused because the brother was older and died young? Why is their father referred to as Titus, then Gnaeus? Did Valeria remarry after her husband's death, or were all still alive at the time of commemoration?

Even with these questions, the epitaph is an excellent demonstration that the Roman family could be convoluted.

Household Members and Relationships

Cicero tells us that the degrees of respect and duty that a free male Roman citizen owes to the members of his household vary and exist in descending order: he is responsible first to his parents, then to his dependants (children and slaves), and, lastly, to his other relatives (see Box 5.1). It is interesting to observe that, although she is ranked first for companionship elsewhere (Cic. *Off.* 1.54), a wife (*coniunx/uxor*) is not explicitly included on the list of those deserving dutiful attention. Certainly a man must have a wife: in order to have legitimate children, he had to be legally married to their mother. A man could, of course, have illegitimate children, but legitimate offspring were required for the perpetuation of the familial name(s) and the transmission of property and familial ritual. Indeed, the goal of any Roman household was the continuation of that household. This meant legitimate children and legal marriage, although, as previously stated, a wife was rarely a legal member of her husband's *familia* after the second century BCE.

Wives and Marriage

For marriage to be considered legitimate, three criteria usually had to be met by the partners. First, they had to be Roman citizens (or belong to a community that had been granted the right of intermarriage with Roman citizens). Second, they had to be of minimum age, probably 14 for boys and 12 for girls. (The average age at which people actually got married is unknown, although estimates range between early and late twenties for boys and mid-teens to early twenties for girls.⁶) Third, they could not be too closely related. If the couple met these requirements, they were considered to have the legal capacity to marry (*conubium*).⁷

Primary Source

Box 5.1: Cicero, *On Duties*, 1.58.

But if there were a contest or a comparison about who should get most of our dutifulness, then first would be our country and our parents to whom we are obligated for the greatest benefits. Next would be our children and our whole household (*domus*), who look to us alone and who have no other shelter. And finally, our relatives who are well disposed to us and with whom our fortune is held in common.

There were two possible forms of Roman marriage. Historians call the first and older form **marriage cum manu** and the second **marriage sine manu** (the Romans did not use titles to describe the two categories). Although the latter was the norm for most of Roman history (certainly by the first century BCE), its unique nature can be understood only in the light of the former. The word *manus* means “hand” and, by extension, “authority” or “control.” In the context of marriage, it is used to indicate the legal authority, *potestas*, of a husband over his wife. If a woman entered into a marriage *cum manu*, she was henceforth under the legal authority of her husband (or his *paterfamilias*, were he still living). She would be a legal part of her husband’s *familia* and would worship the same household gods as her husband. If her husband died without a will, she would stand to inherit as if she were his daughter, but she would not inherit from her own father’s family. This form of marriage, however, became increasingly rare over the span of the Republic.⁸ By the end of the second century BCE, it was used only for the marriages of certain priests, such as the *flamen dialis*.⁹

Compare Chapter 9, pp. 209–10,  on household religion.

Marriage *cum manu* was largely replaced by marriage *sine manu*. The differences between this form and its predecessor concern the amount of independence that a woman had from her husband and inheritance patterns. A woman who entered into marriage *sine manu* did not pass into the power of her husband and was not a legal member of his *familia*. She retained the worship of her birth family’s household gods and, perhaps most important, inherited from her father. Legally and financially, she was independent of her husband and would be independent (*sui iuris*) upon her father’s death, although she would still technically have a legal guardian (*tutor*). This form of marriage also invested her with a greater ability to divorce her husband. Although she required her father’s permission to do so, the law considered his consent to be given if he did not explicitly object.¹⁰

Since a woman was under her own *paterfamilias*’ *potestas*, her father could also legally force her to divorce her husband and marry another man. It is unlikely that this practice happened often, although there is evidence of a situation of political jockeying in which a would-be bridegroom attempted to persuade a father to do just that (Plut. *Cat. Min.* 25, 52). Quintus Hortensius, seeking an alliance with Cato the Younger, asked to marry his daughter Porcia, even though she was already married with two children. Once Porcia gave him a son, Hortensius was willing to divorce her and allow her to return to her previous husband. Cato refused to force Porcia’s divorce, perhaps recognizing, given what we know of Porcia’s personality from other sources (see, for example, Cic. *Att.* 15.11), that the potential fight with his daughter was not worth it. Instead, Cato divorced his own wife, Marcia, so that she could marry Hortensius. He did so with the consent of Marcia’s father, who would not give her in marriage to Hortensius without her ex-husband’s agreement and presence at the wedding; the two men, father and ex-husband, jointly gave her in marriage. Six years later, Hortensius died. Marcia, who had never produced a child for Hortensius, inherited the bulk of his estate and returned to Cato.

Though Plutarch could find nothing wrong in this situation, it is clear that Cato's political enemies did.¹¹ Indeed, Plutarch quotes Julius Caesar's accusations of wife-trafficking: If Cato loved Marcia, why would he divorce her? If he did not want to be married to her, why would he take her back? According to Plutarch (*Cat. Min.* 52), Caesar believed that this was a political alliance cemented by the exchange of a woman. It is hard not to agree that this tale, one of the most bizarre stories of Roman marriage, was a most blatant case of marriage-seeking for political advantage and heir production. It also demonstrates both the continued legal authority of a father over his adult daughter if she married *sine manu* and the fact that some, like Cato (if not Marcia's father), might be hesitant to use it.

When contemplating women's experience of marriage *sine manu*, it is likely that the continued legal authority of a father over his daughter was less important than the financial considerations. Couples married *sine manu* were financially separate; therefore, the property of the wife's natal *familia* was never at risk of alienation. A woman married *sine manu* did provide a dowry to her husband to cover her living expenses, and he could use it for the duration of their marriage. However, it was legally hers or her family's; in the case of divorce, it had to be paid back to her or her father. Husband and wife were not even normally permitted to give gifts to one another, as doing so clouded ownership. This is not to say that generosity between spouses was completely absent or that a wife did not contribute to the family. Indeed, wives performed critical economic duties. A wife was the guardian (*custos*) of the household. In a small household, a wife's ability to estimate the family's usage of its products could mean the difference between survival and starvation. In a larger household, this economic role would be even more complex, involving the management of multiple houses and large numbers of slaves as well as significant amounts of personal property.¹²

Terentia and Cicero provide a good example of how separate finances might work within a marriage and how much a wife might contribute. Terentia was married *sine manu*, and she appears to have been *sui iuris* for much (if not all) of her marriage. She owned a great deal of property (including various farms and blocks of buildings), some of which she sold in order to aid her husband while he was in exile (*Cic. Fam.* 14.1; *Att.* 2.4). Cicero was horrified at this decision. He could not stop Terentia from selling her property, but he was guilt-ridden over the fact that his actions had made it necessary for her to try to support him and thereby possibly put her financial security (and their children's future inheritances) at risk. In supporting her husband, Terentia proved herself to be Cicero's "very faithful" (*fidelissima*) wife, but her faithfulness is illustrated through actions she took autonomously for the good of the family in a perilous situation.

As the laws of Roman marriage differ from modern unions, so do the ideals of marriage. Roman unions were not supposed to be based on notions of romance or passion, although these elements might be present or develop later. Marital relationships were supposed to be formulated for the good of the broader family, to produce legitimate

offspring. An ideal marriage was one characterized by harmony between the spouses (*concordia*). It is possible that the concept of *concordia* is best described in the negative—it might imply uncomplaining attitudes or a lack of arguing rather than the presence of emotional warmth—but it also suggests a mutually respectful attitude between partners, one based on the recognition that each put familial concerns above the personal. Partners should confide in each other and seek each other's advice.¹³

The ideal of marital *concordia* should not be taken to indicate, however, that Roman marriages could not be affectionate. There are many examples marked by the sort of happiness that resonates with modern readers. Cicero's devotion to, and reliance upon, Terentia is one; their seemingly abrupt divorce after 35 years of marriage continues to surprise readers of his letters to her. Augustus and Livia were married for 53 years (Suet. Aug. 62). Livia's son from her first marriage, Tiberius, so deeply loved his wife, Vipsania Agrippina, that care had to be taken to keep them apart when he was forced by Augustus to divorce her and marry his stepsister, Julia (Suet. Tib. 7). Pliny the Younger's third wife, Calpurnia, was so devoted that she slept with his letters under her pillow (Plin. Ep. 6.7). Examples such as these can easily be found, and they indicate that affection between spouses was fostered and found social approval.

Cicero's family exemplifies both the presence of marital *concordia* and its absence. Terentia, for example, acted as Cicero's friend and partner in all aspects of the *familia*'s interests, advising Cicero on personal and even political matters until their divorce in 46 BCE.¹⁴ In contrast, Cicero's brother Quintus did not enjoy the same marital harmony in his marriage to Pomponia, the sister of Cicero's friend Atticus (see Box 5.2). Quintus and Pomponia married, probably at the suggestion of Atticus and Cicero and in keeping with normal marital practice, to forge a family bond between two friends.¹⁵ The marriage, as Cicero's letter indicates, was fraught with squabbles and bad feelings. It reached the point that Cicero and Atticus felt that they should intervene in their siblings' relationship in order to establish (or restore) a measure of *concordia*, showing that concerns over marital harmony clearly extended beyond the married couple to include siblings and in-laws. This situation also indicates how complex family relationships could be. When Cicero's brother was unhappy, Cicero was unhappy. When his daughter, Tullia, was distressed in her marriage to Dolabella (her third husband), Cicero was beside himself. Concern over family members' marital contentment is palpable.

It is safe to say that divorce existed in Roman society, but it is impossible to tell how often it occurred or by whose standards it was "common." For example, should it be measured by contemporary North American standards? Absolute percentages of marriages ending in divorce in Roman society cannot be guessed at, nor can we tell if divorce rates were higher among the elite or non-elite. But certainly divorce was not unknown, and remarriage was usual, either after divorce or the death of a spouse. Despite the Roman ideal, death and divorce made it difficult to achieve a long marriage, and women

Primary Source

Box 5.2: Cicero, *Letters to Atticus*, 5.1.3.¹

To Atticus at Rome, from Minturnae, May 51 BC

I have never seen anything more gentle and pacific than my brother's attitude towards her (his wife and Atticus's sister, Pomponia) . . . Quintus said, in the kindest way, "Pomponia, will you ask the women in and I'll get the boys?" Both what he said and his intention and manner were perfectly pleasant, at least it seemed so to me. Pomponia, however, answered in our hearing "I am a guest myself here." . . . Quintus said to me "There! That is the sort of thing I have to put up with every day." You'll say "What was there in that, pray?" A good deal. I myself was quite shocked. Her words and manner were so gratuitously rude . . . In a word, I felt my brother could not have been more forbearing nor your sister ruder. And I have left out a number of things that annoyed me at the time more than they did Quintus . . . Well, you may tell her to her face that in my judgement her manners that day left something to be desired. I have told you about this, perhaps at greater length than was necessary, to show you that lessons and advice are called for from your side as well as from mine.

Note

1. Translated by Shackleton Bailey (1999, 2:24–7).

were unlikely to remain unmarried, especially given that marriage was often necessary for their economic stability.¹⁶ It was once thought that remarriage by Roman women was a contravention of a closely held ideal of female behaviour, the *univira*, or the woman who was married just once. However, Hanne Sigismund Nielsen's recent work on inscriptional evidence suggests that this ideal, although an element of the moralizing ideology of the Augustan period, was not really in full force until the later Christian period. There are 71 epitaphs that use this term (or a variation of it) to commemorate women, only 29 of which date between 200 BCE and 200 CE, with only three pre-dating the Augustan period. The remaining 42 date to the Christian period.¹⁷

To this point, discussion has focused on legal marriage, which was just one of the affective relationships present in Roman society. As mentioned above, marital relationships needed to meet three requirements to be considered legitimate. Intent, however, was also needed, particularly on the part of the male: he needed to consider himself married in order to be married. If intent was lacking—a situation that appears to have been normal in relationships between men and women of different **status** (often, but not exclusively, freeborn men and their **freedwomen**)—the relationship was not called

marriage but **concubinage**.¹⁸ A union in which one (or both) of the partners lacked not the intent but the legal capacity to marry, often because one or both were slaves, was called **contubernium**. Slaves might, therefore, not call themselves spouses (*coniuges*) but companions (*contubernales*, literally, “tentmates”), a term that recalls the basis of their relationship as fellow slaves.¹⁹

Compare Chapter 13, p. 287, ←
on the use of similar terminology in
a military context and Chapter 4,
p. 85, on slave families.

The realities of both concubinage and *contubernium* can be quite difficult to discover. Did they mimic legal marriage or were they something quite different? For example, legal sources occasionally indicate that a concubine who was the freedwoman of her partner was to be held to the same standard of behaviour where sexual fidelity was concerned, while a *contubernalis* was explicitly not held to this account by the law. But, as Susan Treggiari observes, the fact that the law “could raise the question of adultery at all shows how *contubernium* was compared with marriage.” On the other hand, funerary inscriptions praise wives and concubines with different terms, suggesting that ideals of behaviour were not identical.²⁰ Sources perhaps do not contradict each other so much as they present the breadth of possibility.

While the continuation of concubinage depended upon the intent of the male partner, the continuation of slaves’ quasi-marital relationships depended entirely upon the goodwill of their master (*dominus*). He might choose to allow the couple to live as though they were married or he might decide to sell one or both partners or their children in different directions (children born to servile parents belonged to their parents’ master and were known as **vernae**, “home-born slaves”). Slave partners might attempt to reunite or to impart legitimacy to their relationships if one member gained his or her freedom and could buy (and then free) the other. This transaction, however, also depended upon the goodwill of the master to sell the slave and to set an achievable price.²¹

Parents and Children

Since the purpose of Roman marriage was the production of legitimate offspring, children were an essential element of the Roman household, the means of providing a continuous line of inheritance and ensuring the maintenance of familial ritual. We can see the centrality of the parent–child relationship in Cicero’s hierarchy of duty (see Box 5.1): children must be dutiful to their parents (*parentes*, their *pater* and *mater*) first and foremost, a responsibility that is reciprocated in a measure greater than to all others, save only that shown to their own parents (should they be alive). This ideal is witnessed on tombstone inscriptions, as commemorations of children often state that they were most dutiful (*pien-tissimus*). As the funerary medium of this evidence suggests, however, the spectre of death (of either child or parent) was ever-present and, as we shall see, influenced both Roman child-rearing practices and our understanding of intergenerational relationships.

In the study of Roman familial relations, the relationship of the *paterfamilias* to his descendants has received special attention, as he had the greatest responsibility for the preservation of his *familia* and was therefore also endowed with the greatest legal powers over its members. The legal meaning of the term *paterfamilias* had less to do with emotional relationships and more to do with property ownership; the *paterfamilias* was, as far as the law was concerned, an estate owner.²² The concept of ownership, however, extended to the living members of his household who were under his *patria potestas*, as the law appears to have invested him with the power of life and death (*vitae necisque potestas*) over his slaves and his children throughout his life.²³ Despite evidence pointing to fond fathers (Cicero, for example, doted on his daughter Tullia; he affectionately referred to her as “Tulliola,” or “little Tullia,” in his correspondence and was devastated by her death),²⁴ scholars long embraced the vision of the Roman household led by a cruel and heartless *paterfamilias*. In reality, however, his power was circumscribed by his own mortality and by law. Many Romans would not have had a father living by the time they were 15 years old²⁵ and instead might be raised by a widowed or remarried mother, a stepfather, or a group of extended family members. Upon the death of the *paterfamilias*, his freeborn children would henceforth be under their own legal authority (*sui iuris*), although daughters of any age and pre-pubescent sons would have a guardian to oversee any legal transactions.

Even fathers who survived to see their children grow up did not exert the power to kill their children on a whim, as has been previously imagined. A Roman father had to call a council of extended relatives (*consilium*) and present evidence in order to kill his grown child. Even so, there are very few examples of fathers actually killing their adult children and, in most of these, the father was justified by the fact that his child was committing a crime against the state.²⁶ Augustus’s adultery laws of 18 BCE (see Box 5.3) also asserted that a

➤ **Compare Chapter 8, pp. 172–3 and 184–6, on Augustan legislation concerning sexual conduct.**

father could kill his daughter, but only if she was caught in the actual act of adultery in her father’s house or that of her husband **and if her father killed her lover at the same time**, a confluence of events that is unlikely to have occurred very often.²⁷

Where a father retained the right of life and death, it was in his power to expose (abandon to die) or kill an infant newly born into the *familia*. There were many reasons for exposing a child—physical deformity, its sex, and doubts about its paternity, for example—but it is unknown how prevalent infanticide was in Rome. The evidence is not conclusive, but it is possible that girls were abandoned more often than boys (see for example, *Ov. Met.* 9.669–81; *P.Oxy.* 4.744). If so, this might have been because females were simply valued less than males and because girls would need to be given dowries and therefore might be seen as a financial drain on a household’s resources.²⁸ Exposed children might die or be picked up by others and raised as servile or free foster children (*alumni*).²⁹

Political History



Box 5.3: Roman Marriage and Morality: The Legislation of Augustus

Between 18 BCE and 9 CE, Augustus passed a series of laws to curb adultery and to encourage marriage and the production of legitimate (and upper-class) children.¹ These laws were ostensibly designed to revitalize Roman morals and promote the stability of the Roman *familia*, but the underlying purpose (or at least one of them) was perhaps to increase the population of the upper classes in order to fill administrative positions and the military.² The legislation limited marriage between social groups, specifically between the **senatorial order** and **freedmen**, freedwomen, or actors. Freeborn men of any class were forbidden to marry prostitutes, brothel owners, the freedwomen of pimps (since it was thought that they had most likely been prostitutes while in servitude), actresses, condemned women, and adulteresses.

Although the law limited marriages between certain statuses, it penalized the unwed and childless and rewarded marriage and the production of legitimate children. A childless person could lose half the sum of an inheritance to which he or she was otherwise entitled, while bequests were null and void if contingent on the inheritor not marrying. In contrast, benefits of the law passed to those who were engaged or married. As a result, some men became engaged to very young girls so that they could reap legal benefits without actually marrying. In 9 CE the Papio-Poppaeian law closed this loophole: a man now had to marry his betrothed within two years. This meant that he could not become engaged to a girl under the age of 10 (12 was the minimum legal age at which a girl could marry).³

The legal benefits of child-bearing (*ius liberorum*) were various. For example, political prestige while holding the consulship was now earned not by age but by children: the senior **consul** would no longer be the elder but the one with more children. Three children earned freeborn women freedom from perpetual guardianship (*tutela*) and freeborn men from having to be guardians. Freedmen who had two or more children born to them after they were freed, or one child who had survived to age five, no longer had to provide services to their patrons (*Dig.* 38.1.37 pref. 1), while freedwomen were released from the guardianship of their ex-masters, now patrons, if they gave birth to four children following their manumission (*Gai. Inst.* 1.145).

It is unknown how well these laws actually worked, in part because it is uncertain how much incentive the benefits offered. For example, as the **Lex Aelia Sentia** of 4 CE set the minimum age of manumission at 30, it is doubtful that many freedwomen were able to produce four children following emancipation. It is also not clear that freedom from guardianship would have made much of a difference to many freeborn women, whose guardians do not appear to have intervened much in their lives. The benefits, however, to a young man entering political office were greater if he married, and there is some evidence that the age of first marriage for men dropped after these laws were enacted (*Tac. Agr.* 6.1, 3; *Plin. Ep.* 7.24.3, 8.23.7). The emperor also had the ability to

grant dispensations from the laws, and there is evidence that these were courted. Pliny (*Ep.* 2.13) reports that he had obtained the *ius liberorum* for a friend who did not have three children. Pliny himself, although he married three times, also failed to have the required three children.

Notes

1. For more on the adultery laws, see Chapter 8 of this volume.
2. Treggiari (1991: 60–80).
3. Cass. Dio 56.1.2, 6.6, 10.1; Gai. *Inst.* 2.286a.

Parents who exposed newborn children, however, ran the risk of eventual childlessness, even if they had a number of older, living children. Death rates for young children were high, with one-third dying by the age of one year and only half of all children born likely to live to age five.³⁰ The *familia* bereft of a younger generation might adopt an heir or heirs in order to preserve itself, but Romans tended to adopt full-grown adults, those who had survived the perilous years of childhood. The adult son, now adopted, took the name of his new father (although, were his natal family politically illustrious, an element of his original name might be retained as an aid to his own political career) and cut legal ties to his natal family.

An example of this phenomenon is the complex story of the Cornelii and Aemilii Paulli families. When Publius Cornelius Scipio (son of the great Publius Cornelius Scipio Africanus, who had defeated Hannibal in 202 BCE) had no son, he adopted one of Lucius Aemilius Paullus Macedonicus's four sons. The child took the name Publius Cornelius Scipio Aemilianus (to which were eventually added Africanus Numantinus, after subsequent military successes). Although the newly adopted child had no legal entitlement to his natal family's property, he did not necessarily cut emotional ties or snuff out all sense of duty to his birth parents (nor did they to him). For example, when Scipio Aemilianus inherited from his adoptive family, he immediately gave his inheritance to his birth mother, Papiria, who had been left destitute after his natal father had divorced her (Polyb. 31.26–8). Papiria returned the property to him upon her death, an inheritance that he then gave to his birth sisters. As for Lucius Aemilius Paullus Macedonicus, he died without a male heir: he had given his two elder sons up for adoption, and his remaining two sons died in childhood. He left his property to the former, thereby passing it out of the family. With his death, the *familia* of the Aemilii Paulli ceased to exist.

As Cicero tells us, children—whether freeborn blood relations to the *paterfamilias*, *alumni*, or adopted adults—had responsibilities to their parents and broader *familia*. As discussed above, children were supposed to be amenable to marriages contracted with political, economic, and/or social advantage of the larger *familia* in mind. Children were

also expected to care for their elderly relatives and ensure their proper burial and commemoration.³¹ Those born to illustrious families should maintain or increase the family's wealth and political glory; those born to more humble families should contribute to its financial well-being, starting from youth. All children, whether freeborn, foster, or servile, might be trained from a young age to do useful work.³² The expectation that children would work does not negate the care felt for children or the grief at their loss. Parents who lost a child described themselves on tombstones as miserable or most unlucky (*infellicissimi*): "To the Spirits of the Departed Calpurnius Trygetus. Calpurnius Trygetus and Calpurnia Hermione, his most unlucky parents, made this for their very dutiful son who lived 10 years, 6 months, 10 days, and 11 hours."³³

Slaves and Freedpersons

Slaves and **freedpersons** were recognized as integral elements of the *familia* and the household by both law and custom. Large households might have hundreds of slaves living on various properties, while the running of even a relatively small Roman household could not survive without slaves. However, the economic value of slave labour was not always visible to the Romans. The historian Richard Saller, for example, compares the work of slaves, particularly female slaves, to that of the modern housewife: with no wage associated with the work, Romans did not fully recognize the significant contribution to their economy.³⁴ Individual Romans were perhaps more inclined to value the emotional relationships that often developed between free members of the household and some of its slaves. *Vernae*, for example, might be treated better and could be raised as companions for the household's freeborn children, a situation that could blur the line between children and slaves in the Roman household. Indeed, their favoured positions might earn *vernae* their freedom more often than other slaves.³⁵ It is probable that some *vernae* were even fathered by free members of the household, an (unintentional, perhaps) economic spin-off of the regular sexual use of slaves by their masters.

See Chapter 3, p. 64, 
and Chapter 4, pp. 79,
on *vernae*.

Upon **manumission**, freedmen and freedwomen were expected to continue to contribute economically to the household: they had a responsibility to perform certain duties (*operae*) for their former masters (who were now their *patroni*). They might even perform the same occupations as they had before manumission, either in a lesser or equal capacity. This was certainly the case for Cicero's personal secretary, Tiro, who was his trusted aide and companion in both servitude and freedom.³⁶ Ex-masters, for their part, also had responsibilities to their freedmen and freedwomen, who became to some extent their legal, social, and economic protégés. In some situations the relationship was even closer; freed slaves might be adopted by or even marry their former masters, who might have freed them specifically for these purposes. Naming practices further demonstrate

that freed slaves were expected to continue to be members of the households that had owned them. A freed slave, who had previously had a single name, took his or her former owner's first name (*praenomen*) and family name (*nomen*) and retained his or her servile name as a sort of surname (*cognomen*).

Within the larger *familia*, as we have already seen, slaves might attempt to form their own family units by taking another slave as a companion and having children. These slave families often appear to have adopted ideals of duty similar to those of free society and could experience and sustain strong emotional bonds, despite the difficulty of staying together. As unity depended upon the whim of the master, slave families were always at risk of separation. Unity of the slave family was not assured even when mother and child stayed in the same household: sources suggest that newborn slaves were often separated from their mothers to be suckled by wet nurses in order to allow their mothers to resume work.³⁷ The possibility that servile parents or children might be sold away from each other, however, was ever present. In addition, the *Digest* (40.7.3), a legal source, suggests that some masters might allow a slave woman to gain her freedom after producing three children for him (female slaves had their highest value during child-bearing years). In such a situation, the mother would be freed, leaving her children in slavery and with no guarantee that she would be able to maintain contact with them or purchase their freedom in the future.³⁸

There is also evidence, however, that some servile parents and children might, against the odds, maintain contact even when sold to different households. In a funerary inscription, three sons who were born as slaves into different households jointly commemorated their deceased mother, a freedwoman (*CIL* 6.2318). Apparently, at some point after giving birth to her first two sons, the woman was sold to another house, where she had another son before being freed. Yet the three sons were aware of each other and had sufficient contact with each other to commemorate their mother together. How they managed to maintain a family unit from seemingly separate households is a mystery that again illustrates how complex and flexible the Roman understanding of family could be.

Another tombstone inscription from Rome reveals the complicated legal history of another slave family: "To the Spirits of the Departed Decimus Publicius Antiochus and Publicia Musa, his wife, Publicia Albana, their illegitimate daughter, made this for her most worthy father and mother, together with Marcus Caesonius Primus a freedman" (*CIL* 6.25122). Publicia Albana's self-identification as illegitimate tells us that she was born before her parents were legally married. Given that all three have the same *nomen* (Publicius/Publicia), her parents were likely both freed from the same household. The mother was freed before their daughter was born, but the father was not (or else Publicia Albana would be listed as his daughter rather than as his illegitimate offspring). To make matters more interesting, Publicia Albana commemorates her parents together with a freedman, Marcus Caesonius Primus, whose name indicates that he did not belong to any of the others mentioned on the tombstone and whose relationship to them is, therefore, entirely unclear.

Primary Source

Box 5.4: Vitruvius, *On Architecture*, 6.5.1–2.¹

Those rooms which no one is allowed to enter without an invitation are considered “private”: bedrooms, dining rooms, bathrooms and so on. But the public rooms are those which people have a right to go into without being invited: entrance halls, courtyards, porticoes and so on. It follows that men of average wealth do not need wonderful entrance halls, vestibules and courtyards, since their social obligations consist in going to pay their respects to others rather than receiving their own clients. Those whose wealth comes from agriculture must have room to keep their livestock and produce on display in their entrance hall . . . Those who lend money or are engaged in government contracts need houses that are both pleasant and impressive, and safe from thieves . . . Those of the highest status, who are involved in politics and the struggle for office and have to appear in public, must have high and impressive entrance halls, wide courtyards and wide porticoes lined with trees to show off visibly how important they are.

Note

1. Translation slightly adapted from Gardner and Wiedemann (1991: 9–10).

The Physical House

The physical structures in which the households of Roman society lived varied widely according to social status and wealth (see Box 5.4). A dwelling, called an *aedes* or *domus*, could range in size and opulence from a small unit in an apartment building (*insula*) to an urban mansion or country villa, depending on the family's social standing and wealth. Many urban dwellers lived in modest apartments.³⁹ Wealthy families often had both urban and rural properties, between which the free members of the *familia* moved at will. Slaves tended to belong to either the urban or the rural household (members of the *familia urbana* or *familia rustica*, respectively) as their jobs dictated.

In his treatise on architecture, Vitruvius, an architect and engineer, presents idealized visions of Roman houses. In reality—or at least as the remains of the Italian towns of **Pompeii** and **Herculaneum** suggest—these ideal forms were rarely realized: the physical remains of Roman houses are much more varied, and it is clear that even preference for basic designs changed over time. For example, the atrium/peristyle house (discussed in greater detail below) was a popular design during the Republic but fell out of favour in the imperial period and was replaced by a design featuring a single courtyard surrounded by elaborate chambers for entertaining.⁴⁰

Most striking to the student of ancient domestic architecture is the fact that public and private spaces were never as clearly defined by function for the Romans as they are for us. Even *cubicula*, rooms that are usually translated as “bedrooms” and which Vitruvius tells us could not be entered without an invitation from the house’s inhabitants, could be multi-functional rooms used for dining, entertaining, and storage, in addition to (possibly) being used for sleeping. Different rooms might be used in different seasons, and furniture could be moved to repurpose a chamber.⁴¹ As discussed further below, it is also often very difficult to tell which rooms were used by which members of the household.⁴² There is, moreover, evidence that owners of large-scale houses may have rented out rooms on the second or third floors as apartments and that their houses were closely associated with nearby commercial buildings. Andrew Wallace-Hadrill has argued for “moving away from the standard image of the Roman *domus* as a ‘single-family unit’ and towards thinking of it as a ‘big house’ inhabited by a ‘houseful’ rather than a household,” which included everyone from extended family to slaves to commercial tenants.⁴³ The lines between public and private, free person and slave, and rich and poor blur when it comes to Roman domestic space.

Despite the variations possible for the atrium/peristyle house—Wallace-Hadrill notes that the design implied by this label was the “ideal rather than typical”⁴⁴—it is possible to reconstruct a generic floor plan of this type of dwelling (see Figure 5.2). The Romans traced this style, which tended to house the elite, to their Etruscan predecessors (Varro *Ling.* 5.161). Houses from Pompeii, such as the House of Sallust and the House of the Prince of Naples, provide evidence of this style (with variations) and are the same type that Vitruvius describes in Box 5.4.⁴⁵

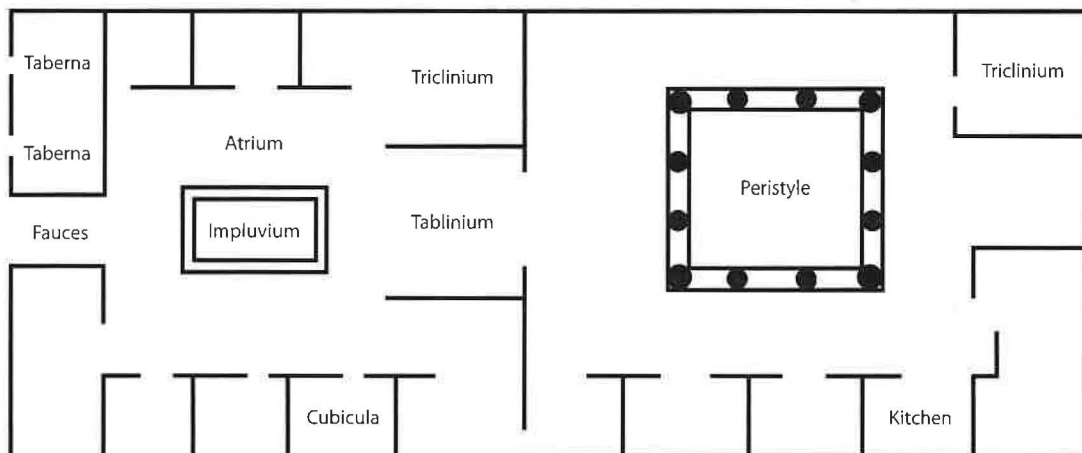


Figure 5.2 Generic Plan of an Atrium/Peristyle House

In this type of house, access was gained through the entrance hall, or *fauces*. This hall could be flanked by *tabernae* (restaurants or taverns) or small shops. The House of Sallust, for example, featured six rooms that flanked the entrance hall and had doorways into the street, spaces that were likely used as shops. Houses could also include exterior stairs leading to additional lodgings, which perhaps provided housing for a family's slaves or freedpersons or were rented out to lower-status families. The less wealthy might also have dwelt behind or above their shops and businesses with their slaves and apprentices.

The atrium was the central room of the house and was visible from the street through the *fauces*. It often had a roof that sloped inward from a rectangular opening (*compluvium*) to allow light and water to enter. The water then fell into a central basin called the *impluvium*. It was in the atrium that the master of the house would meet his clients and welcome visitors. Literary evidence can supplement archaeological remains to provide information about the typical contents of the atrium. For example, we learn of an assault made on the home of a Roman politician during the late Republic. When the attackers entered his atrium, they smashed the wax images of his ancestors (*imagines*) on display there, turned over his wife's couch, and tore out the weaving from her loom (which was likely there for decoration or the use of her slaves rather than for her own use).⁴⁶ Archaeological remains suggest that the family's shrine to its ancestral deities (*lararium*) might also be placed in the atrium, although *lararia* frequently turn up in other rooms, too.

See Chapter 3, p. 53, and
Chapter 17, p. 384, on *imagines*. ➔

See Chapter 9, p. 209–10, ➔
on domestic shrines and cult.

Cubicula surrounded the atrium and could serve as bedrooms or dining chambers (*triclinia*). In the House of the Prince of Naples, however, the rooms on one side of the atrium, because they had less light, have been identified as servants' quarters. In this example, there is also a kitchen and toilet off the atrium, along with a small chamber (likely belonging to the doorman) that contains stairs to the second floor, which perhaps featured more slave quarters. Often *triclinia* opened on to the atrium in its far corners, and the back of the atrium gave way to the *tablinum* (the office of the *paterfamilias*). The *tablinum* was open to the peristyle at the back of the house. The peristyle was a colonnaded porch surrounding a garden that allowed light into the house; the kitchen and latrine (which were regularly located next to each other) often opened on to the peristyle.

We would like to know where different members of the *familia* slept (and with whom) because information about sleeping habits could potentially reveal a great deal about the nature of different relationships between members of the household. Unfortunately, the archaeological evidence is inconclusive: bed frames and bed niches remain, but there is no easy way to distinguish between what we would call single and double beds. Thus, it is hard to pinpoint the room occupied by the *paterfamilias* and his wife as opposed to the rooms occupied by children, slaves, and other members of their *domus*.⁴⁷ Whether spaces designated as slave quarters functioned as bedrooms is also uncertain. Indeed,

it is possible that slaves often did not have dedicated areas in which to sleep but slept wherever there was space and whenever there was opportunity.

That said, it is clear that some slaves might be expected to sleep with free members of the household, suggesting that the latter, including the married couple, neither had nor desired much privacy, even in their bedchamber. Sources such as Tacitus (*Dial.* 59) describe children sleeping with their nurses.⁴⁸ We also have evidence of slaves sleeping in the same room as their (adult) masters; for example, the *Digest* (29.5.14) describes a slave girl (*ancilla*) sleeping in her mistress's chamber when other slaves entered to assassinate her mistress. They threatened to hurt her if she cried out, so she stayed silent while they murdered her mistress—a choice for which she was later punished by death so that slaves would know “not to look to themselves” when their owner was in physical danger.⁴⁹

In short, there was little physical separation between household members of different status; there was also a good deal of physical proximity between landlords and renters and between domestic and commercial activity. The physical space of the Roman household, characterized by its lack of space demarcated for specific functions or for people of specific status, reflects the heterogeneous nature of the *familia*.

Summary

The Roman household was complex. It included people of various statuses, the property belonging to the freeborn members of the household, and the physical structure of the dwellings in which the members of the household lived. The Roman household does not precisely equate to our understanding of a family, although we often merge the Roman household and the Roman family in discussions. There was also no single, typical “Roman household” in the way that we might consider the nuclear family to be typical of modern contemporary society. The human element of the Roman household consisted of complex arrangements of married couples, their children, other relatives, slaves, and freedmen and freedwomen. The composition of any given household, furthermore, fluctuated over time. Although every *familia* had to be headed by a *paterfamilias*, family members could be separated by death or divorce, and new families and stepfamilies formed. Slave families were at even greater risk of separation. There was little to stop a slave master from selling off various members of a slave family to other households. And yet, as inscriptional evidence demonstrates, slave families might be able to keep in contact with one another and find each other later in life, although this was not guaranteed.

Economically, the various members of the household worked together for the good of the household, but not all work was valued equally. Property divisions between husband and wife were also clear. Although the husband and wife would form a partnership for the *familia* and *domus* that contained their mutual children, their individual property and wealth remained individual.⁵⁰

Just as familial composition was variable, so was the structure and room usage of the physical house. It is difficult to tell from the archaeological remains of houses where the various household members slept, worked, dined, or relaxed with each other or with friends and associates. Our very inability to pinpoint these behaviours (and our desire to do so) points to real differences between Roman family life and contemporary expectations of our own.

Questions for Review and Discussion

1. What are the key Latin terms related to the Roman family, household, and their members? How do they compare to modern conceptions?
2. How did slaves and former slaves contribute to the household? What was the family experience for slaves?
3. What were the expectations of children in the household? How does the treatment of children compare with that in modern society?
4. Did the Roman concept of family change? If so, in what ways?
5. What did a Roman house look like and how did it function?

Suggested Reading

Bradley, K. 1991. *Discovering the Roman Family*. Oxford: Oxford University Press.

Each chapter in this book is a self-contained examination of different aspects of family life. Topics include the role of men, remarriage, child labour, and the social role of nurses.

Dixon, S. 1992. *The Roman Family*. Baltimore: Johns Hopkins University Press.

Dixon provides a clear introduction to the topic of the Roman family by focusing on the definition of the family, Roman law and the family, marriage, children, and life cycles within the family.

Frier, B., and T. McGinn. 2003. *Casebook on Roman Family Law*. Oxford: Oxford University Press.

This sourcebook of case law related to the Roman family includes detailed explanations.

Gardner, J., and T. Wiedemann, eds. 1991. *The Roman Household: A Sourcebook*. London and New York: Routledge.

Arranged thematically, this sourcebook brings together a host of well-translated sources on the family.

George, M., ed. 2005. *The Roman Family in the Empire: Rome, Italy, and Beyond*. Oxford: Oxford University Press.

This collection of essays examines the family in the light of literary, iconographic, epigraphic, and papyrological evidence, both within Italy and in provincial regions such as Africa, Lusitania, Pannonia, Egypt, and Judea.

Rawson, B., ed. 2011. *A Companion to Families in the Greek and Roman Worlds*. Oxford: Wiley-Blackwell.

This monumental work brings together 32 chapters on all aspects of families and family life in the ancient Mediterranean basin, covering Classical Greece through early Christianity. The bibliography is also extensive.

Saller, R.P. 1984. "Familia, Domus and the Roman Conception of the Family." *Phoenix* 38: 336–55.

Saller's article on the differences between the terms *familia* and *domus* is very important to understanding the Roman household.

———, and B. Shaw. 1984. "Tombstones and Roman Family Relations in the Principate: Civilians, Soldiers and Slaves." *Journal of Roman Studies* 74: 124–56.

This article uses evidence from commemorative tombstones to examine the Roman family.

Sigismund Nielsen, H. 2001. "The Value of Epithets in Pagan and Christian Epitaphs from Rome." In *Childhood, Class and Kin in the Roman World*, edited by S. Dixon, 165–77. London and New York: Routledge.

By comparing pagan and Christian epitaphs from Rome, this article demonstrates a change in Roman attitudes to family as the use of morally charged terminology increased. This shift included a new focus on women's chastity.

Treggiari, S. 1991. *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian*. Oxford: Clarendon Press.

The definitive book on Roman marriage, this text covers every aspect of the subject, from betrothal to divorce or death.

Notes

- 1 See Sigismund Nielsen (1996: 35–60) for the limitations of epigraphical evidence.
- 2 *IPOstie-A*, 00222 = *ISIS* 00133. All translations are mine, unless otherwise stated.
- 3 According to Ulpian, any woman could be termed a *materfamilias* whether she was married, widowed, or divorced, provided she lived a respectable lifestyle (*Dig.* 50.16.46.1).
- 4 Saller (1984: 336–55).

- 5 Free and freed members of the household often shared a tomb. See, for example, *CIL* 6.24658, from Rome: "To the Spirits of the Dead. For Pomponia Fortunata, her mother, and for Aulus Aulienus Iustus, her brother, and for Aulus Aulienus Saturninus, her father, Auliena Iusta, daughter of Aulus, made this, they were well-deserving, and for herself and for all their freedmen and freedwomen and descendants."

- 6 See Scheidel (2007b) for a summary of estimates and the problems involved in accepting any of them.
- 7 Treggiari (1991: 37–49).
- 8 Even in the Twelve Tables, the earliest Roman law code, a wife had options for staying out of her husband's power: she must spend three nights each year away from her husband (Gai. *Inst.* 1.111).
- 9 Treggiari (1991: 22–5).
- 10 *Ibid.*: 445.
- 11 For more on the Stoic view of Cato's actions, see Luc. 2.326–89.
- 12 See Saller (2003: 190) and Columella *Rust.* 12, pref. 7; compare Xen. *Oec.* 7–10.
- 13 On various interpretations of the expectations of marriage, see Bradley (1991: 126–8); Dixon (1992: 83–90); and Treggiari (1991: 229–61).
- 14 See further Jeppesen-Wigelsworth (forthcoming).
- 15 Nep. *Att.* 5.3; Treggiari (1991: 109).
- 16 On “serial marriage,” see Bradley (1991: 130–9).
- 17 See Sigismund Nielsen (2001: 170, 173–5, Table 10.2; forthcoming [“Killing the *Univira*”]); I am grateful to Dr Sigismund Nielsen for permitting me access to this material.
- 18 Treggiari (1991: 51–2); Dixon (1992: 93–4).
- 19 Treggiari (1991: 52–4); Dixon (1992: 90–2). Note that the term *contubernalis* in the context of slave unions had mostly dropped out of use by the second century CE.
- 20 Treggiari (1991: 52–3, 180–01 [quote from p. 53]). Bradley (1987: 48–9) comments on the use of similar phrasing in inscriptions to describe slave and free unions, and Jeppesen-Wigelsworth (2010: 258–330) contrasts the portrayal of *concubinae* and *contubernales* with that of legal wives (*coniuces* and *uxores*).
- 21 On the slave family, see Bradley (1987: 47–80).
- 22 Saller (1999: 182).
- 23 The fourth of the Twelve Tables includes this formula, but it is unclear how absolute it was originally. Some saw it as all-encompassing (Gell. *NA* 5.19.9; Dion. Hal. *Ant. Rom.* 2.26.4), but Cicero (*Leg.* 3.8.19) tells us that it applied only to deformed children. Gaius (*Inst.* 1.52, 1.55) states that a master has the power of life and death over his slaves, who are in his *potestas*, and points out that children are also in a father's *potestas*; therefore, the two laws are often read together. Even if this understanding is correct, few fathers likely ever exercised this power, and it may truly have been symbolic. See Saller (1994: 114–21).
- 24 See Bradley (1991: 139–40) for examples.
- 25 Saller (1994: 52) estimates that 37 per cent would have lost their fathers by age 15.
- 26 Dixon (1992: 47). Spurius Cassius tried to become a king (Val. Max. 5.8.2; Livy 2.41.10), and Aulus Fulvius tried to join Catiline's conspiracy (Val. Max. 5.8.5; Sall. *Cat.* 39.5; Cass. Dio 37.36.4).
- 27 For more on the realities of the *paterfamilias* versus the Roman myth of the *paterfamilias*, see Dixon (1992: 31); Saller (1984: 336–55; 1999: 182–97); Shaw (2001); and Frier and McGinn (2003).
- 28 See Harris (1994). For the view that female infanticide was not prevalent in antiquity, see Engels (1980).
- 29 Dixon (1992: 128–9).
- 30 Gardner and Wiedemann (1991: 88). For more discussion, see Scheidel (2001b). Children's tombstones often express parental sorrow and affection; see Bradley (1991: 139).
- 31 Parents might also remark on their own dutifulness. See, for example, *AE* (1902, 00081), from Rome: “To the Spirits of the Departed Titus Flavius Heliodorus, a son who was very sweet and who lived 3 years, 10 months, and 9 days. His father, Titus Flavius Maximus, an *evocatus* (recalled veteran) of the emperor, and his mother, Aurelia Antonia, made this (together) as very dutiful parents.”

- 32 Dixon (1992: 108–12); Sigismund Nielsen (2007: 39–54). As far as the law was concerned, slave children under the age of five had no value but gained it thereafter, as they were expected to work (*Dig.* 7.7.6.1–2).
- 33 *CIL* 6.14202. Numerous other examples can be found on Roman tombstones.
- 34 Saller (2003: 185–204).
- 35 This manumission did not necessarily occur any earlier, however. For example, a tombstone inscription records a *verna* who died at age 27 (*CIL* 6.5195).
- 36 Cicero frequently mentioned Tiro in letters to Atticus. Twenty-seven letters written to Tiro survive (all of Book 16 of Cicero's *Epistulae ad familiares*) and highlight Cicero's concern for Tiro's bad health and the work that he continued to perform for Cicero as a freedman. See *Cic. Fam.* 16.13, 16.14 for health concerns and *Fam.* 16.22 for some duties performed by Tiro.
- 37 Dixon (1992: 128).
- 38 Gardner and Wiedemann (1991: 148); Saller (2003: 201–04).
- 39 The *cloenaculum* largely equates to the modern understanding of a multi-room apartment (see Storey [2004: 51–2]), but *insula* could also indicate “an independent unit within the structural fabric of some other edifice” or an entire city block (Storey 2004: 54–5). For more on Roman *insulae*, see Packer (1971); Storey (2004: 47–84); and Bergmann (2012: 237–40).
- 40 Wallace-Hadrill (1994: 82–5, 51–7).
- 41 For example, *Suet. Aug.* 72 and *Plin. Ep.* 2.17.
- 42 Wallace-Hadrill (1994: 8–14, 50–61).
- 43 Wallace-Hadrill (2003: 4). On experimenting with population density, Wallace-Hadrill has argued for seven to eight people per house. For more on the “public” versus “private” aspect, see Riggsby (1997: 36–56).
- 44 Wallace-Hadrill (1994: 82–5, 51–7 [quote on p. 83]). For further examples and an analysis of the remains found in Roman households, see Allison (2004) and Allison's *Pompeian Households: An On-line Companion*, available at www.stoa.org/projects/ph/index.html.
- 45 For more on the House of the Prince of Naples (VI.15.8), see Wallace-Hadrill (1994: 26, 47–51). For more house plans from Pompeii, see www.stoa.org/projects/ph/houselist.html. For a detailed example of a “typical” *domus*, see www.vroma.org/~bmcmanus/house.html.
- 46 *Asc. Mil.* 38.
- 47 Wallace-Hadrill (1994: 91–117). On the survival of beds, Wallace-Hadrill notes that there is one exceptional child's cot/crib that survives. From Suetonius's description of the rift between Tiberius and Julia, it is clear that married couples often shared a bedchamber. See *Suet. Tib.* 7.3 and Fantham (2006: 83).
- 48 See also *Sor. Gyn.* 2.12.19 and Bradley (1991: 13–36).
- 49 Compare also *Dig.* 29.5.1.28 for a slave boy (pre-adolescent) who slept at the foot of his master's bed and was also put to death as punishment for not crying out (out of fear) when other slaves entered the room to kill their master.
- 50 For more on the multiple aspects of ancient families, see Rawson (2011).