things. Although Cato himself was well known for spending his nights with a slave girl after the death of his wife, other men, such as Julius Caesar, spent their time with the wives or former wives of their peers.

Social Levels. It is important to note the different social levels within the world of prostitution itself. Slaves, both men and women, were subject to the desires of their owners. Streetwalkers, women who had no set place of operation and who stationed themselves in areas where men could easily find them, had little choice about their clients. At the next level might be those who worked in brothels. Although their conditions were still deplorable and these women had no control over the men who bought their time, they did not have to have sex in alleyways, and they did have some protection by the brothel owner against abusive clients. For the most part, streetwalkers and brothel workers would have been frequented by lower-class men or young men with little money of their own.

A Different World. Courtesans lived in a different world. They often had houses or apartments provided for them, or enough money to buy their own property. They had more control over the men with which they associated. These women could provide a distraction as well as sexual pleasure. All prostitutes had to register with theaedile(city commissioner) and all paid taxes on what they earned.

Legal Loophole. Because prostitutes were immune to legislation that punished adultery, some upper-class women who wanted the freedom to have affairs registered as prostitutes, thereby circumventing the laws that Augustus had passed. During the reign of Tiberius, however, a measure was passed that prohibited the descendants of senators (down to the great-grandchildren) and the immediate relatives of members of the equestrian class from engaging in prostitution.

Homosexuality. Ancient sexuality existed in a world free from the moral issues that Christianity attached to sexual relations between men and women, men and men, and women and women. In Rome there were two primary concerns with sexuality: the first was the need to know the paternity of one's children without a doubt; the second was a matter of dominance. The Romans felt that no man should willingly be dominated sexually (or in any other way, for that matter) by another man. Homosexual behavior (this is a modern term and notion, not an ancient one) was not rejected but was considered appropriate and acceptable within certain limitations: men were free to penetrate slaves and prostitutes (male and female), but just as they were supposed to abstain from sex with freeborn women or girls, so also were they supposed to avoid sexual contact with freeborn boys. Information about lesbian relationships is exceedingly scarce and most problematic, since it comes primarily from poetry and especially from satires that aim at condemning the women who would take the dominant role in sexual intercourse with another woman. Again, the issue was one of role, rather than homosexuality itself. To the Roman way of thinking, men, not women, should play the aggressive and penetrating partner in sexual intercourse. Thus, poet Martial objects to Philaenis, not because she engages in sex, but because she "devours girls" and challenges men to competitions in satisfying sexual appetites. The true emotional devotion one man felt for another, so evident in the Emperor Hadrian's attachment to his lover Antinous, has no visible public parallel for love between two women, but that does not mean that no such love existed.

Sources:

MARRIAGE

Finding a Spouse. Marriages among the upper-class Romans tended to be arranged by the woman's father and the young man or his father. Sometimes the betrothal took place years before the actual marriage. The bride-to-be may have had little say in the matter, but a mother clearly expected to be consulted, expressed her opinion, and even made marriage arrangements in her husband's absence. An anecdote in Plutarch's Life of Tiberius Sempronius Gracchus recounts that one day Appius Claudius Pulcher hurried into his home and announced to his wife that he had arranged a marriage for their daughter. His wife, somewhat annoyed and surprised, asked why he was in such a hurry, unless the young man was Tiberius Gracchus. Pulcher was pleased because Gracchus was indeed just the man he had chosen. These marriages tended to have political or economic purposes, as well as to satisfy the desire to continue the husband's family line. Less is known about marriage among the lower economic classes, but arranged marriages took place among them as well, perhaps more for economic than political reasons. Tombstones indicate that men and women who worked together as slaves and developed an affection for each other married upon gaining their freedom. Slaves could declare that they were husband and wife and often masters would respect the bond and not separate the family, especially in the case of slaves living in the household. If a husband or wife received freedom, often he or she worked to secure the freedom of his or her spouse and children.

Personal Choices. This is not to say that upper-class marriages never evolved from mutual affection, but opportunities for such acquaintance were unlikely considering the difference in ages between women (twelve to sixteen) and men (twenty to thirty) for a woman's first marriage. Subsequent unions were more likely to be personal choices. Finding a husband was not always easy. When Cicero began looking for Tullia's third husband in
51 B.C.E, he asked the help of various friends in finding suitable candidates, in part because he was out of the country serving as the governor of Cilicia. Only a few men were available who met Cicero's political needs, personal inclination, and his daughter's approval. Publius Cornelius Dolabella, although not Cicero's first choice, was the favorite of Tullia and her mother Terentia. In Cicero's absence they were able to take the lead and arrange the engagement. Even though he had his doubts, Cicero gave his approval.

The Right to Marry. Only men and women who had conubium, the legitimate right to marry, were able to enter into a union that could produce legitimate children. Slaves did not possess conubium; so, although they entered into unions that they valued, their marriages did not have to be recognized by their owners, until the Emperor Constantine issued an edict at the beginning of the third century C.E. that prohibited owners from separating slave families and required those who had to reunite them as quickly as possible. All Roman citizens possessed conubium and could, therefore, marry each other without question about the legitimacy of their children. Roman citizens could marry Latins (residents of the Italian peninsula who had been given special rights by the Roman government), who had been awarded conubium along with their other privileges. Foreigners as well might be awarded conubium and could, therefore, marry Roman citizens. Among Roman citizens there were concerns about and even bans against marriage between certain classes at different times in Rome's history. According to the historical tradition, there was a time in the early Republic when a law prevented patricians (families who were descended from the first patres, or senators) and plebeians from intermarrying. In 445 B.C.E., however, the lex Canuleia allowed patricians and plebeians to marry, but practice may have kept the two groups separate. During the reign of Augustus, the emperor promoted a law that forbade senators and their children and grandchildren to marry freedwomen or the children of freedmen and women who had been actors or actresses. Augustus also prohibited soldiers from marrying while they served in the army. The Emperor Septimius Severus ended this practice in 197 C.E. By that point Romans had permanent military outposts scattered around the Empire. A Roman man serving as an administrator in a province could not marry a woman from that province during his term of office. Prostitutes also did not have conubium. Finally, the parties also had to be of an appropriate age to marry: the bride had to be at least twelve; the groom, although often in his twenties, had to be at least fourteen. For those who did not have the right to marry but who chose to live together as husband and wife nonetheless, their relationship was called contubernium (literally, "the state of being tent-mates"). A freeborn man or a freedman might live as husband and wife with a slave woman. Likewise, a male slave might have a freedwoman as a wife. The state offered limited recognition to these relationships, even if they could not produce legitimate children.

Betrothal and the Dowry. Two agreements might precede a marriage, especially among the upper classes: an arrangement of sponsalia, or betrothal, and an agreement about the amount of the dowry (and the means for its return should the marriage end in divorce). The betrothal might be as simple as a verbal agreement between the girl's father and the young man that a marriage would occur at a certain time, or it might be as elaborate as a large family party at which the young man would present the bride-to-be with a ring. The betrothal was sealed with a kiss and the joining of right hands by the couple. There was no specific amount of time between the betrothal and the marriage, until Augustus passed legislation limiting the length of a betrothal to two years. The most important event before a marriage, however, was the arrangement concerning the dowry (an amount given a woman by her father at her marriage). Although the dowry may have been a part of early Roman marriage, the first mention of the dowry in legal texts comes in 230 B.C.E. In this year a procedure was established for returning the dowry upon the divorce of the couple. The passage of this law may indicate that divorce was becoming frequent enough to need legislation, rather than provide any indication about the history of the dowry. Although the dowry belonged to the woman, her husband was allowed to treat the property as his in order to increase the value and use the revenue. Before the marriage the woman's father and the prospective groom decided on the amount and how it would be paid. For instance, when Cicero agreed to the marriage between Tullia and Dolabella, he arranged to pay her dowry in three equal payments over three years. In theory, revenue from the dowry helped the husband provide for his wife, but evidence, again from the marriage of Tullia, suggests that was not always the case: at one point Tullia was reportedly in such financial difficulty that Cicero (who was out of the country because of the civil war between Caesar and Pompey) had to apply to his friend Atticus to take care of Tullia's needs; apparently Terentia had mishandled the family finances or refused to help her daughter. When Cicero began divorce proceedings on Tullia's behalf, Dolabella had to return the dowry in the same manner as he had received it. A husband could keep part of the dowry only if he proved his wife had committed adultery.

The Wedding. When a woman married, she did not alter her name. She did, however, change where she lived, what she wore, and possibly whom she looked to as a guardian. In most instances, however, a marriage occurred by the declaration that a man and woman were going to live together as husband and wife. The event was celebrated with a party for friends and family that began at the bride's house. One ritual that the bride performed was the dedication of her childhood toys to the household gods, so signifying that she was no longer a child, but an adult. The bridal outfit consisted of a white dress with
saffron-colored veil and shoes. Not all families could afford such expensive preparations, so the girl may merely have exchanged her child's garment for the stola ("gown") of the Roman matron. Once the celebration was over, a procession of friends and family carrying torches would accompany the new bride to the house of her husband, who was most likely still living with his parents. In addition, three young boys whose parents were still living accompanied the bride, two holding each of her hands and one carrying a special torch, the spina alba ("white wood"). The celebrants made jokes, said suggestive things, and threw nuts—all to encourage fertility for the couple. The groom left the party before the bride in order to meet her at the door of his house. When the bride arrived, she decorated the doorway with oil and wool. Some believe that the bride may have expressed her devotion to her husband by uttering the phrase "ubi tu Gaius, ego Gaia" ("Where you are Gaius, I am Gaia") to mark her arrival to his house. The bride's attendants (including the pronuba, or matron of honor) carried the bride across the threshold so that she would not trip and therefore bring a bad omen to the beginning of the marriage. The bridegroom then offered her a torch and water, symbolizing his willingness to provide for her well-being. A small ritual marriage-bed might be set up in the atrium of the house, and there she would place an image of her genius, in essence, her soul. The day after the wedding, the new couple was expected to provide a dinner party for the wedding guests. In their presence the new wife made her first offering to her husband's household gods. In the days following the wedding, the couple was expected to attend other parties together. This public demonstration, like the procession on the wedding day, made it known to all that they were married.

Marriage and Manus. There were three different types of ceremonies associated with marriage that determined the degree to which a woman and her dowry came under her husband's authority. Although a woman could own property and could buy and sell that property, she did so with the approval of her tutor, or guardian, unless she had been declared independent (sui iuris). For a married woman, her guardian was either her father or her husband. For a divorced, widowed, or orphaned woman, another man, usually a relative from her gens, served as her guardian. His job was more to protect the family's resources than to hinder a woman from buying and selling property.

Confarreatio. The confarreatio (literally, "a sharing of far," a sort of grain made into bread) was the most elaborate and most rare of the three ceremonies associated with marriage and was practiced only by patricians and likely substituted for the basic wedding ceremony described above. If a man wanted to serve as the Flamen Dialis, the high priest of Jupiter, the Flamen Quirinalis, the high priest of Quirinus, the Flamen Martialis, the high priest of Mars, or the rex sacrorum (the king of sacred matters), both he and his parents had to have been married through confarreatio. In this ceremony, the husband received manus, or authority over his wife, from her father. In the ceremony itself, the bride and groom sacrificed a loaf of bread made from far to Juppiter Farreus. They performed rituals and repeated a given set of vows in front of ten witnesses, including the Pontifex Maximus and the Flamen Dialis. One account states that a sheep was sacrificed and skinned and that the couple sat on the sheepskin with their heads covered. A couple married by confarreatio could not divorce. If one of the spouses should die, the other had to step down from his or her priesthood.

Usus. The second way to establish manus was called usus. In this instance, after a man and woman announced that they were husband and wife, a husband gained manus only if his wife was never away from his home for more than three consecutive nights each year. If she did not stay away from her husband's house, he received manus over her and her dowry. Manus became less common as the Republic came to a close but still existed enough in the early empire that a procedure (emancipatio) existed to free a woman from her husband's control. Usus faded out as a means of marriage by the end of the second century C.E.

Coemptio. The third procedure affecting a marriage, was coemptio, a sort of ritual sale that placed a woman and her property in a man's control in the presence of a minimum of five adult Roman male citizens as witnesses. That man could become her husband, but coemptio in and of itself did not constitute a marriage; it only conveyed manus. A man and woman who had previously married might at some point, therefore, perform coemptio to establish the husband's manus. A woman could, in fact, make a coemptio with a man who was not her husband in order to make that man her tutor, or guardian. Understanding
The explicit purpose of marriage was for the procreation of legitimate children. A husband could, therefore, divorce his wife if the marriage produced no children (the assumption was always that a lack of children resulted from a defect in the woman's ability to conceive). Although some men divorced their wives for being barren, other men, such as the husband of Turia, refused to divorce their wives just because of a lack of children. The writer Pliny the Younger had a young wife who, although she became pregnant once but miscarried, never bore him any children.

Alliances. Marriage could create political and economic alliances, as well. After Caesar, Pompey, and Crassus formed the first triumvirate, Pompey married Julia, Caesar's daughter, to add a personal dimension to their political arrangement. Likewise, Antony married Octavia, the sister of Octavius, one of his partners in the second triumvirate. Since he had produced no male heir, the Emperor Augustus used marriage to try to establish a successor to his rule. When all the other choices had died, he forced his stepson, Tiberius, to divorce the wife he loved and to marry Julia, Augustus's only daughter. This marriage made Tiberius both his son-in-law and stepson and, therefore, his closest male relative. It also made him miserable.

Marriage Legislation. Like other governmental officials before him, Augustus became concerned because fewer people were marrying and having children. He therefore passed laws in 18 B.C.E. and 9 C.E. that favored men and women who had legitimate children and that urged men and women to marry. For Roman citizens, Augustus required men to be married by the age of twenty-five and women by the age of twenty. If a woman's husband died or divorced her, the legislation required that she remarry within two years or a year and a half, respectively. These lengths of time allowed for the appropriate period of mourning and ensured that any children the woman might bear were recognized as her husband's. Men, on the other hand, were expected to remarry quickly, although those whose wives had died most likely would have observed a year of mourning. Augustus required that men be married, up to the age of sixty, and women, up to the age of fifty-five, under the assumption that those were the outer limits of childbearing age.

Special Consideration. Augustus also expected the couple to have children and to raise them. Therefore, he gave special consideration and privileges to men and women who had three or more children. The children had to reach a certain age (puberty for boys and marriageable age for girls) to count. Children who were killed in war counted, regardless of their age. The more children men had, the more privileges they received: when two men were elected consul, the one with more children became the senior consul. Before Augustus's reign, seniority was determined by age. In Rome, a man with three children no longer had to serve as a woman's guardian. (A man who lived outside Rome had to have four or five children, depending on whether he lived in Italy or in the provinces.) Women who had three children no longer had to have a guardian. For freedwomen, four children released them from the guardianship of their former owner, or three children if they had already transferred their guardianship to someone else. Freedmen no longer owed work to their former owners once they had two children. Slave women could gain their freedom by producing four children, but because any children born while the woman was a slave were automatically also slaves and stayed in the master's household, even if she left, the idea of consigning children to servitude for their own benefit may have prevented many slave women from pursuing the matter.

Divorce. In the early Republic, when most (if not all) marriages conveyed manus, only husbands could initiate a divorce, and only with a just cause such as adultery, poisoning children, or compromising the security of the familia. If he divorced his wife for any other reason, his property was confiscated and half was given to his wife, half deposited in the temple of Ceres. In the earliest recorded divorce, in 307 B.C.E., Lucius Annius was removed from the Senate by the censors because he did not properly consult his friends before divorcing his wife. (The loss of his property would also have ended his eligibility for the Senate.) The expectation that Lucius should have consulted others about a private matter suggests that a husband needed some external support for his decision. A divorce in 230 B.C.E. reveals a new development: Cæcilius Ruga divorced his wife because she had failed to have a child. Since the stated purpose of marriage was to produce legitimate children, the perceived sterility of a wife was deemed as just cause for a divorce. In this instance, the wife was able to reclaim her dowry and Cæcilius suffered no other penalty. As marriage with manus became less common, women's fathers or even the women themselves, if they were sui iuris (independent), were able to initiate divorce with full recovery of the dowry. In general, a father could not initiate a divorce against his daughter's or son's will. The exception was the emperor. Augustus acted rather freely, ordering divorces and arranging marriages to further his dynastic aims and satisfy his personal needs. He forced Agrippa, and then Tiberius, to divorce their wives to marry his daughter Julia. He commandeered Livia from her husband while she was pregnant with her second child.

Social Class. Social class also affected one's ability to divorce: a freedwoman could not divorce her patron without his consent. Only upon a formal agreement of divorce or upon the patron's second marriage did a freedwoman gain the right to remarry.
Divorce Procedure. The divorce procedure appears to have been rather informal—an announcement that the marriage was over and the other person should have his or her property—tuas res tibi babeto. In the late Republic, a more-formal declaration involved one party sending a freedman—someone who could testify in court, if need be—to deliver the message of divorce to the other party. Although in the late Republic and early empire one party had to inform the other of the intention to divorce, in 294 C.E. the Emperors Diocletian and Maximian ruled that formal notice did not have to be given for a divorce to be valid. It was not until 449 C.E., during the reign of Theodosius and Valentinian, that divorce again required a formal notification, this time in the form of a repudium—a statement of rejection—by one spouse or the other.

Sources:

THE NATURE OF THE FAMILY

Members of the Familia. A familia included everyone who lived in the same household. The oldest male in the house was known as the paterfamilias. The paterfamilias had ultimate authority over the whole familia. Likewise, the oldest woman in the house was the materfamilias. Unlike the paterfamilias, the authority of the materfamilias was not legal; rather, she held a position of respect and was able to exercise the authority that this respect gave her. A husband and a wife (vir and uxor respectively, or coniunx, a word like "spouse") were not the paterfamilias or materfamilias, if they lived with the husband's parents. Children, liberi ("the free ones"), were members of the familia, but only of their father's gens ("family"). Likewise, a wife remained a member of her gens even after her marriage, unless she married with manus, a condition that placed her under her husband's control and therefore made her a member of his gens. Other members of the familia include the household slaves, particularly ones who took care of the children. The nutritrix, or nurse, cared for children from their birth. Some children developed a long-lasting affection for their nurses, and evidence suggests that nurses remained in the household long after the children had grown. When the Emperor Nero committed suicide in 68 C.E., it was his nurse and former lover, Acte, who cared for his body and buried him in the family tomb. Once a child became a little older and began attending school outside the home, a paedagogus ("a child escorter") was assigned to accompany and protect the child.

LIST OF PRAENOMINA

Because there was a limited number of praenomina, or first names, often the first name appears only as an abbreviation in literary works and in inscriptions. The abbreviations, with the corresponding names, are as follows:

<table>
<thead>
<tr>
<th>First Name</th>
<th>Abbreviation</th>
<th>Roman Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aulus</td>
<td>A.</td>
<td>Mam. Mamercus</td>
</tr>
<tr>
<td>Appius</td>
<td>App.</td>
<td>N. Numerius</td>
</tr>
<tr>
<td>Caius</td>
<td>C.</td>
<td>P. Publius</td>
</tr>
<tr>
<td>Gnæus</td>
<td>Gn.</td>
<td>Q. Quintus</td>
</tr>
<tr>
<td>Decius</td>
<td>Dec.</td>
<td>Sex. Sextus</td>
</tr>
<tr>
<td>Caesius</td>
<td>K.</td>
<td>Ser. Servius</td>
</tr>
<tr>
<td>Lucius</td>
<td>L.</td>
<td>Sp. Spurius</td>
</tr>
<tr>
<td>Marcus</td>
<td>M. Marcus</td>
<td>T. Titus</td>
</tr>
<tr>
<td>Manius</td>
<td>M'. Manius</td>
<td>Ti(b). Tiberius</td>
</tr>
</tbody>
</table>

Some of the names, such as Quintus, Sextus, and Decius, come from numbers (for example, fifth, sixth, and tenth). Spurius was a name often given to sons who were born after their father's death or whose paternity might have been in question. (Or they were given the cognomen Postumus, "after burial.") Other abbreviations one might see in inscriptions are:

f or F—filius or filia (son or daughter)
N or N—nepos (grandson)
l or L—libertus or liberta (freedman or freedwoman)


Members of a Gens. A gens refers to all individuals born or adopted into the same family and who, therefore, had the same family name. All males had at least two names: the nomen, which was the family name, and the praenomen, which corresponds to a first name. Some men also had a cognomen, an honorary name or a sort of nickname that had become part of the family tradition. Take, for example, the orator Marcus Tullius Cicero: his gens name is Tullius, the name he shared with his father, his brother, his son, and his daughter (the latter in a modified form, to show feminine gender). Marcus is his praenomen. His brother's praenomen was Quintus. Cicero is his cognomen, a nickname that had become hereditary in the Tullian gens. Because there was a relatively limited number of praenomina, men were usually identified not only by their full name but also by the praenomen of their fathers and their grandfathers. For instance, the orator was known as Marcus Tullius M. f. M. n. Cicero: Marcus Tullius Cicero, son (filius) of Marcus, grandson (nepos) of Marcus. In modern times scholars tend to refer to Roman men by their cognomina: Brutus (Marcus Junius Brutus), Caesar (Gaius Julius Caesar), Augustus (Gaius Julius Caesar Octavianus Augustus). Notice the last example, the name of the emperor Augustus. Because Julius Caesar had no male