

Ancient Marriage in Myth and Reality

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Edited by

Lena Larsson Lovén and Agneta Strömberg

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P U B L I S H I N G

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Gothenburg, April 2010

Lena Larsson Lovén
Agneta Strömberg

MARRIAGE IN ANCIENT GRECO-ROMAN SOURCES AND SOCIETIES

LENA LARSSON LOVÉN

Marriage was one of the fundamental social institutions of the ancient Greco-Roman world. Throughout Antiquity marriage was central to society and in the lives of both men and women from various social groupings. However, a legal marriage was not everyone's right since it was often exclusive to the citizens of a state. Thus, the right to marry became a marker of a person's social and legal status. Conversely, the lack of this prerogative was an indication of a person's low status. For some less privileged members of society it was worth striving hard in order to acquire the right to a legal marriage and all that it entailed.

A proper marriage acknowledged by the law would in general secure the legitimacy of children, provided they were born in wedlock. Giving birth to legitimate children was for women the most essential duty both in society and within the family circle. The state of motherhood raised a woman's social status, especially if she had given birth to sons who could secure the future of the family line.

The importance of marriage is extensively reflected in various types of ancient source material such as literary topoi, laws on marriage regulations, images and myths. Marriage "in myth and reality" was the theme of an international symposium that took place at the Swedish Institute in Rome in October 2006. This volume contains twelve of the papers presented at the symposium. It is divided into three thematic sections and many aspects of ancient marriage are discussed in the contributions. The chronological period covered by the papers spans from Archaic Greece to the Roman world in Late Antiquity and they all mirror, in various ways, the centrality of marriage in ancient lives and sources.

I. Marriage in myth, legend, and literature

All the papers in the first section provide examples of marriage as a motif in Greek and Roman myths and legends, and in the literary sources. In the first paper Katariina Mustakallio discusses the possible role played by legendary marriages in the process of creating a Roman identity and a common past. The focus is on the significance of the marriages of Aeneas and Romulus, who were both key figures in the stories of the founding of Rome. The tales of their marriages are presented as part of the strategies of forming a state. The Roman legal marriage, *matrimonium iustum*, was essential both to individuals and as a social and legal institution. Both Aeneas and Romulus married women from ethnic groups or tribes other than their own. Aeneas, a Trojan refugee, married Lavinia, the daughter of king Latinus, as part of a peace treaty between two peoples. The agreement not only joined one man and one woman in marriage but also united two peoples under one leader, Aeneas. Romulus' marriage resulted in the union of the Romans and the Sabines and the marriages between Sabine women and Roman men played a crucial role in the building of the new state. Tales like these became important to the construction of a Roman identity and a common past in the works of Roman authors of the late Republic and early Empire.

Pauline Schmitt Pantel uses Plutarch as a primary source for her discussion of the marriages of some leading Athenian politicians of the fifth century BCE. The well-known politicians – naturally only men – in focus are Cimon, Themistocles, Pericles and Alcibiades. As clearly pointed out by Schmitt Pantel, there is a considerable gap between the time of Plutarch in the second half of the first and early second centuries CE and the fifth century BCE. However, she argues that Plutarch may still be a useful source for the construction of gender and the social and cultural customs and practices ascribed to men and women in fifth century Athens. In Athenian society in the Classical period marriage was at the core of the civic duties of the citizens, and the politicians discussed in this paper were all married men. Although some of the details in the information given by Plutarch may be incorrect, we may still assume that the marriages of prominent men had important public and political meanings. A legal wife and a family were central to the construction of a public image of the Athenian citizen. Schmitt Pantel further argues that marriage and sexual life played a significant role in political careers, and that the marriages of prominent men should therefore be seen as a decisive factor in the shaping of history. According to Plutarch not only wives but also other categories of women were present in the lives of Athenian

political leaders. The men who are in the focus of this paper are all described as “surrounded by women” throughout their lives, but different types of women corresponded to different phases of their lives. However, they all served the same purpose in building a public image of Athenian politicians as men with a “normal” heterosexual behaviour, whose marriages guaranteed the continuity of the state and the civic order. Thus, in Classical Athens marriage and sexuality were important factors in the shaping of history.

The last paper of the first section is by Helène Whittaker who discusses marriage ideologies and ideas in Late Antiquity. The focus of Whittaker’s discussion is a letter written by the philosopher Porphyry who was born in Tyre in Phoenicia about 234 CE. Around the age of twenty he moved to Rome where he became part of the circle around Plotinus, the founder of Neoplatonism. Porphyry is known as the biographer of Plotinus and the editor of his writings. The letter discussed in Whittaker’s contribution was written by Porphyry to his wife Marcella when they had been married for about ten months. At some point earlier in her life Marcella seems to have studied philosophy as Porphyry in his letter encourages her to continue with her studies. From the letter we also learn that Marcella had been married before and that she had given birth to seven children, five daughters and two sons. Apart from the fact that Marcella was a widow and the mother of seven children at the time of her marriage to Porphyry very little is known about her life. Although the letter is written by a husband to his wife it is not primarily a personal letter between two spouses but rather a text intended for public circulation. Whittaker argues that the motif of marriage is here used as “an allegory in order to clarify philosophical concepts” and that Porphyry “wished to present his marriage as having a significance closely connected with the philosophical content of the letter”. As such the letter reflects ideologies of marriage in the third century CE., especially in Neoplatonist circles.

II. Planning the marriage, wedding ceremonies and symbolism

In Antiquity marriage was a vital rite of passage through which young men and women entered into the world of adults, and the importance of a first marriage cannot be overestimated. Marriages were often planned for the benefit of the families of the marrying partners and were sometimes preceded by very careful planning. Part II of the volume concerns aspects of the planning of marriages, wedding ceremonies and rituals, and symbolism related to marriage. A Roman marriage could be anticipated by

a betrothal, which, although it was not compulsory in order to legitimize the marriage, could be part of the planning of a wedding. The opening contribution of Part II is a joint paper by Mary Harlow and Ray Laurence, which deals with betrothal and its role in the life course of both women and men. Roman betrothals have so far attracted far less scholarly attention than wedding ceremonies and marriages and the explanation given here is that this is because far less source material on betrothals survives from Antiquity. Harlow and Laurence discuss not only the betrothed partners, the *sponsus* and the *sponsa*, but also the ways in which a betrothal may have affected other members of their families. There is far less information in the surviving texts on the female life course, but it can be suggested that a daughter's betrothal may have been as important to the family as that of a son. It is argued that "the action of betrothal had an impact on defining the status of parents as well as their children alongside its role in the process of marriage formation". As engaged to be married the betrothed parties were placed in a liminal state and the betrothal created a public symbol of the new status of the family members with new social and familial bonds and "the higher the status of the parties involved, the greater the public significance". As is demonstrated in the contribution by Harlow and Laurence, a betrothal could be entered into at a very young age, especially in the case of girls. Age at the time of betrothal and its significance is also explored at length in this paper.

As part of the planning of a marriage a written document, a marriage contract, could have been prepared. However, this is likely to have taken place closer in time to the wedding than to the betrothal, which, as mentioned, may have occurred long before the wedding itself took place. The second contribution of Part II is by Judith Evans-Grubbs, who discusses marriage contracts, *tabulae nuptiales*, in the Roman Empire. This paper was given as one of two opening lectures at the symposium and the focus is primarily on the use and significance of marriage contracts in Roman Imperial times. These had a twofold purpose: to make a record of who brought what property into the marriage, and to mark the marriage as legitimate, in contrast to the various types of illegitimate relationships that also existed. The introductory part of Evans-Grubbs' contribution is based on the information on marriage contracts in literary sources. Very few contracts have survived from the Latin West, where wax tablets were normally used for such contracts. A somewhat greater number survives from Roman Egypt and the Near East, where papyrus rather than wax tablets were used for marriage contracts. These are discussed in the following part of the paper. The concluding part deals with marriage contracts in Late Antiquity, when the use of written documents to seal

marriages was promoted by law. Evans-Grubbs argues that in this period there was a clearer emphasis by the law on the use of marriage contracts in order to distinguish legal marriages from non-legal relationships. Gifts from the groom to the bride before or at the wedding were also subject to new regulations in this period. In addition to marking the legal union of a man and a woman, a wedding was an occasion for gift exchange as goods were transferred from one family to another – hence the necessity of regulation through a written contract.

A wedding was furthermore an opportunity for a family to display their economic status in various ways. Throughout Antiquity rich textiles were regarded as high status luxury goods. The role played by the display of textiles in wedding ceremonies is examined in the following two papers, by Beate Wagner-Hasel and Karen K. Hersch. Wagner-Hasel's paper was the second opening lecture at the symposium. Here she discusses the meaning of the bridal veil and the role of textiles as wedding gifts at weddings in Greece. As documented by both images and lexicographers, the presenting of the wedding gifts took place at the unveiling of the bride. Various interpretations for the connection between the bridal veil and textiles given as gifts have been put forward, but against previous interpretations Wagner-Hasel argues that textiles at weddings, both the bridal veil and the wedding gifts, symbolised female skills and female identities. This conclusion is partly based on the assumption that cloth was mainly produced by women in the domestic sphere and that high skills were required to produce cloths, especially patterned clothes. In the discussion, comparisons are also made with anthropological studies of modern non-European societies, which demonstrate that textiles are often highly valued as wedding gifts.

As was the case in Greece, women in Roman society were regularly associated with textile work. In the second paper on the use and meanings of textiles at weddings Karen K. Hersch discusses the symbolism associated with the woolworking bride. At Roman weddings references to textile work played a central role in the symbolism of the wedding ceremony. The bridal outfit was supposed to have been woven by the bride herself as a visible and tangible proof of her skills in producing textiles. Objects associated with textile working, such as a distaff and a wool-basket, were carried in the wedding procession when the bride was taken to her new home. This custom may have symbolized the transfer of the work base from one house, that of the bride's father, to her new home – normally that of her husband. These are some of the issues discussed by Hersch, who emphasises that references to woolworking at Roman weddings represented “a promise of actual work”. She also investigates

what they may have meant to an onlooker of the procession. To the Romans the most illustrious spinner was Tanaquil, of Etruscan origin and legendary wife of Tarquinius Priscus. Tanaquil was also famous as a seer and another question discussed by Hersch is what role or roles Tanaquil, both as spinner and as seer, may have had in the Roman wedding ceremony.

Deities as well humans were present at the Roman wedding. The function of the Genius and the Lares was to protect the household and family members, but in the wedding ceremony these deities played somewhat different roles. This is discussed in the last paper of part II, by Linnéa Johansson. The Lares were present in the process before the wedding as well as at the wedding ceremony. Before her wedding day the bride-to-be dedicated some of her belongings to the Lares. Johansson discusses the types of belongings that were sacrificed by the bride and what the purpose of this pre-nuptial ritual might have been. On the wedding day the bride sacrificed a coin to the Lares guarding the crossroads in the city, the *lares compitales*, and on arriving at her new home she sacrificed to the Lares of that household. The Genius, was normally celebrated on private family occasions as the protective deity of the *pater familias* in particular. A wedding was a family occasion and the Genius was present here too, although with a somewhat different role than on other family celebrations. According to some literary sources a particular bed, the *lectus genialis*, was part of the wedding ceremony. The information in ancient sources about the look and the function of this ceremonial bed is very limited but various interpretations are put forward and discussed by Johansson.

III. Marriage in Etruscan, Greek, and Roman funerary iconography

The third and last section of this volume is dedicated to the theme of marriage in funerary iconography among the Etruscans, Greeks and Romans. Depictions of marriage ceremonies and married couples are frequently found on funerary monuments from all over the Greco-Roman world and from all periods of time. The monuments represent people from various social and ethnic backgrounds. The last four papers discuss examples from Etruria, the Hellenistic east and Rome in the late Republic and early Empire.

Marjatta Nielsen provides clear evidence for the high frequency of depictions of married couples in Etruscan funerary art. She concentrates on the evidence from northern Etruria and investigates the interplay

between images and inscriptions. Banqueting scenes with married couples appear in Etruscan funerary iconography as early as the late sixth century BCE. About two hundred years later depictions of married couples are sometimes furnished with inscriptions. The oldest examples with both an image of a married couple and an inscription are two sarcophagi lids from Vulci dating to the late fourth century BCE. Very often the inscriptions provide us with the names of people and families who are unknown from the literary sources. The monuments discussed by Nielsen were not on public display as their physical setting was in chamber tombs that were opened only when new burials were introduced. Single burial was the common practice among the Etruscans, but often the burial was placed in a family tomb. With regard to married couples double burials sometimes occurred – a custom of “uniting married couples in death” that followed the Etruscans over centuries. In some family tombs monuments for married couples had a particularly prominent position. They could either be the first generation in a tomb recently founded or they could represent later generations. According to Nielsen “their purpose was to elevate the couples in question – and not only men – to the status of ‘ancestors’”.

The following paper is by Sandra Karlsson who focuses on images of married couples in Hellenistic funerary iconography. More specifically the examples in this paper come from Kyzikos in northwestern Asia Minor. The emphasis is on the Totenmahl-scenes, of which there are various interpretations but they all relate to banqueting in honour of a deceased person. The scenes represent private settings, normally indoors, and both men and women appear in these scenes. Whatever the interpretation(s) of the Totenmahls-scenes may be there are obvious differences in how men and women are presented which in turn mirror gender values. As pointed out by Karlsson, these differences can be noted among other things in the female and male body postures and in the clothing and attributes associated with men and women respectively. For instance, men are shown reclining on *klinai* while women sit on chairs, and only men take part in the meal. Rather than feasting, women are surrounded by attributes associated with female virtues and their role as housewives. A recurrent symbol is the wool basket, which indicates that it was important also in this context to emphasize the connection between women and textile work. The Totenmahl-scenes represent married couples in a standardised way and reflect a male ideology but, as Karlsson concludes, they can also reflect the change in attitudes from the public to the private sphere in Hellenistic times when men valued “a private recognition through their home and family” more highly than had previously been the case.

Freedwomen who married constitute the subject of Glenys Davies' paper. The marriages of former slaves have not received as much attention as those of people of higher rank. For people of low social standing in Roman society there was no single ceremony that made a marriage official. Consequently, this is a complex topic. Davies bases her discussion on an investigation of a number of memorials, such as ash chests and grave altars, of freedwomen who had married. Some former slaves who married also had families, as in the case of L. Passienus Saturninus and his wife Passienia Gemella, who had two sons together. The elder was probably born as a slave and later freed, while the younger was freeborn – a situation not unusual for families of ex-slaves or in families where the woman was a former slave. However, as pointed out by Davies the situation, with one freeborn son and another born in slavery but later manumitted, raises questions about the dynamics involved here. This and several more issues concerning freedmen's and freedwomen's marriages and families and what "married" actually meant in these circles are discussed by Davies. They all highlight the complexity of marriage among freedmen in Roman society and raise questions concerning the legitimacy of these unions.

The final contribution by Lena Larsson Lovén is concerned with the ideal of harmony, *concordia*, in Roman marriages and how this ideal was formed in funerary iconography. As is discussed in several papers of this volume a Roman bride was normally a teenager when she first married. The groom was in general older and sometimes a teenage girl would face a much older husband. Regardless of the age and the actual feelings of the partners, harmony and respect were expected to grow within a marriage. Roman funerary iconography where a large number of married couples are presented, either by portraits, bust length sculptures or in full figures demonstrates the ideological power of the ideal marriage. Strong emotions or interaction are rarely demonstrated in the funerary imagery, but marital harmony is emphasized by standard iconographic gestures such as, for instance, the handshake, the *dextrarum iunctio*. Sometimes an inscription praising the couple's marital virtues and stating that the long marriage had been "without quarrels" reinforces the message of harmony given by the image. Marital harmony is thus constantly underlined in both the images and the inscriptions on funerary monuments of married couples from various social groupings. However, as exemplified in this paper reality may sometimes have been completely different from the ideals.

To conclude, marriage in ancient societies has been approached from several different angles in this volume. As a whole, the discussion looks at

the ways in which marriage could be seen as one of the dynamics in building states and political alliances as well as in maintaining the civic and social structures. To marry was a central rite of passage for both males and females that marked the end of childhood. Marriages were sometimes carefully planned, contracted and followed by a wedding ceremony. Regardless of time and place weddings were surrounded by a variety of rituals and symbols, and considered to be in need of divine protection. Marriage was furthermore an important tool in creating public images of leading individuals of a society and in demonstrating the legal and personal status of men and women from various social layers. In short, marriage was a concern for practically everyone in ancient societies, even if the right to marry legally was not all-embracing. Thus, the vital role of marriage has been a central agent in the shaping of ancient history and in people's personal lives throughout the Greco-Roman world.

I.

ANCIENT MARRIAGE IN MYTH, LEGEND, AND LITERATURE

CREATING ROMAN IDENTITY: EXEMPLARY MARRIAGES. ROMAN MODEL MARRIAGES IN THE SACRAL AND HISTORICAL SPHERE

KATARIINA MUSTAKALLIO

Marriage is an institution that lies at the heart of the economic, social and cultural life of society. In patriarchal societies like Rome, marriages were strongly male dominated. Father gave away his daughter, usually a young girl between twelve and sixteen years old, to another family to be in power of her husband who was usually much older than the bride. In these circumstances the beginning of married life did not necessary hold out the promise of good conditions for a girl if her family did not support her. On the other hand, without marriages there would be no legitimate children and the future of the family – and the society as a whole – was in danger. Nevertheless the uncertain status of a bride and the struggle to defend her were themes familiar to the stories of the Roman past

The main questions of this study are why and how did the Romans create the idea of the Roman model marriage and what part did it play in the process of creating of the Roman identity. In this context the material consists of the stories of the “Legendary Past”, stories told by writers and historians, especially Livy and Dionysius of Halicarnassus, Plutarch and Aulus Gellius. The idea of the patriotic Roman history was created (and re-created) during the last century BCE and the first century CE when the generation of the Roman Revolution “whose past had collapsed and whose future was uncertain”¹ started to reconstruct their cultural identity by reconstruction of the canon of the official historical memory, the history of the Roman people.

The canonisation of the Republican historical memory took place in visual as well as in the literary art programs.² This period was central to the newly established self-understanding and the self-image of the Romans. It was the time of re-creation and re-interpretation of Romanness.³ Re-vitalised and re-created historical examples and models had special value in forming a new Roman identity.

Many scholars have defined Roman culture as a culture of memory. Behind the historical memory there was a continuous debate on and interpretation of the past, the politics of memory. In Rome the population was divided into different ranks according to their origin (free or slave), ethnicity/language (such as Roman/Greek/Celt etc.), and gender (women/men/eunuchs). The Roman civil rights divided the population into the privileged and the unprivileged. The crisis of the last century BCA caused a very considerable modification of the Roman values and norms. The period after the crisis was the time of revision and re-explanation of the “common memory” and the renewal of the so called “traditional Roman values” by Roman writers and artists led by the new ruler, Augustus.⁴ In this historical setting memory of the marriage models and legendary couples are of central interest.

Creating and re-creating identity and historical memory

Before going on to the analysis of the literary sources we should look more deeply at one of the basic theoretical issues. The concept of identity should be approached more carefully. “Identity” is an abstract concept that is connected to the loyalty felt by an individual to a greater group based on, for example, cultural, political, gender, religious or national grounds. A person may have and usually does have several identities at the same time.⁵ Scholars of various disciplines have tried to define factors that mould group identities: for instance Anthony D. Smith lists six different factors of identity including myth of a common past, shared historical memories, and one or several features distinguishing one culture from others. According to Smith, beliefs about common origin and past shape the national identity, beliefs that do not necessarily correspond to the facts. Smith considers a growth of patriotic feelings was already perceptible in pre-modern times, even if nationalism as an ideology was a phenomenon quite unknown.⁶ There are, of course, difficulties in applying the modern concepts of identity to the ancient world.

The starting point of this study is that there is *no stable identity* but that identity is re-created from time to time by cultural processes. Memory in itself (and thus also history) is a cultural construction.⁷ There are different methods of “creating” and working out historical traditions. Since the last century BCA the Roman citizenry became poly-ethnic and the Latin language alone could not suffice as the instrument for a common identity. The Roman cultural identity was reconstructed by making new legislation, building temples, founding public religious cults and certainly by telling historical and quasi-historical stories of the Roman past.

As Stuart Hall has pointed out, the discourse of the peoples and their origins is not as modern as it seems.⁸ The founding myths of the ancient city-states open an interesting perspective on the discussion of the creation of identities related to peoples and places. The classical city-states in the Mediterranean area fought each other for leadership, raising a patriotic spirit by highlighting their victorious pasts, although among these city-states, Rome's relationship to its modest past and archaic culture is more complex. The Roman identity was in many respects different from the many city-states that emphasised divine origins and pure descent.

Lately the origins of Rome have been the subject of a great number of studies; the respective narrative material has received both modern mythographical and archaeological interpretations.⁹ Rome is the representative of the prototype of all cities and states, the *Urbs*. There is a difference in how the ancient written material, historical writing and other literature describes the origins and the early stages, and how the archaeological material sheds light on these issues. The birth of a nation takes place mentally while the walls surrounding a city constitute a clear and concrete boundary with certain physical implications. In this process reconstructing and retelling of legends, especially those related to the founding of the state, are of fundamental importance.

Marriage and gender order

When we are talking about gender we are talking about the social and historical construction of sex.¹⁰ Becoming a male or a female citizen is a cultural and reciprocal process. The prototypes of the proper Roman gender order - especially that of the time of the Early Principate - are to be found in the stories concerning legendary matrimony of the founding fathers (and mothers) of the Roman people. There are great variations in gender orders, for example there are hierarchical, oppressive, complementary or equal gender systems, depending on historical, social, cultural and religious factors. Furthermore, according to gender studies, we might notice different levels of gender hierarchy or oppression. When considering complementary gender order, men and women may be seen as complementing one another as separate parts that together make up a composite whole (fractional complementarity); in another kind of complementary gender order men and women are each integral, and when put together they are seen as greater than the sum of their parts (integral gender complementarity).¹¹ The question of the gender roles and gender order in Roman ideal and legendary marriages is central to approaching the question of the Roman identity.

Roman ideal marriage: oikos teleios?

In the Roman marriage ceremonies the gender order, and especially the role of wife and husband, was established by the rituals. Usually the formula *ubi tu Gaius ibi Gaia* has been connected to these practices. The Roman legal tradition recognised three types of the formal and traditional *in manum* marriages. According to Roman historical memory the oldest form of the *manus* marriage was *confarreatio*, which was an elaborate religious ceremony with at least ten witnesses and presided over by the High Priest.¹²

Flamen and *Flaminica Dialis*, the priest and priestess of Jupiter, had to live in *confarreatio*-marriage. Most of the authors of antiquity ascribe the founding of the priesthood of *flamines* to the legendary king, Numa, whose seer wife, Egeria, advised him in religious matters.¹³ According to Plutarch and Livy, Numa Pompilius was the Founding Father of the Roman religion in general.¹⁴ The ritual of *confarreatio* took its name from the use of cake, made of spelt (*far*) in a sacrifice made to Jupiter. The *confarreatio*-marriage survived into the time of the Empire because it was essential to the maintenance of the state religion. The principal *flamines* (priests of Jupiter, Mars and Quirinus,) and the *rex sacrorum*, the priest named sacred king, had to be born of parents married in *confarreatio* and members of the priesthood themselves must marry in this way. Originally it was a marriage confined to the old families of pure patrician origin. *Confarreatio* marriage of *Flamen* and *Flaminica Dialis* was virtually indissoluble.¹⁵

The couple of *Flamen* and *Flaminica* were considered ideal: this ideal model was presented and visualised in their dress.¹⁶ The *Flamen's* dress was important because his sacred office meant that he had to be distinguishable, as must his wife, the *Flaminica*: she was dressed as a bride. According to Sextus Pompeius Festus who lived in 100 CE and published a shortened version of the encyclopaedia of Marcus Verrius Flaccus (about 55 BCA- 20 CE) brides adopted the habit of using the veil from the *Flaminica Dialis' flammeum*,¹⁷ thinking it would bring them happiness in their marriage because divorce was prohibited for the sacred couple.¹⁸ Whatever the historical authenticity of this explanation, it shows how the marriage of *Flamen* and *Flaminica Dialis* was seen as a model for the others.

The privileged status of the couple was evident: when the *Flamen Dialis* attained his office he was emancipated from the control of his father, and became *sui juris*.¹⁹ At the banquet he had a special seat and the *rex sacrorum* alone was entitled to a higher position. There were several

other signs of his status as well: he had a right to a lictor, to use the *toga praetexta* and *sella curulis*, and to a seat in the senate.²⁰ There were other peculiarities of his status and sacred office. Nevertheless, *Flamen Dialis* was subjected to many restrictions and privations or taboos; there is a long catalogue compiled according to tradition by Aulus Gellius from the works of Fabius Pictor and Masurius Sabinus, as well as in Plutarch's *Roman Questions*.²¹ *Flaminica Dialis*'s assistance was essential in the performance of rites. The relationship in the *confarreatio* matrimony of the *Flamen* and *Flaminica* was special: a wife in *manus* marriage usually could not possess any property of her own and she was totally dependent of his husband. The situation in the marriage of the priest and priestess of Jupiter seems to have been quite different, even though it was described as a *manus* marriage.²²

In his book *Roman questions* Plutarch, a second century Greek scholar and writer on the Roman culture, asked, "Why did the priest of Jupiter resigned his office if his wife died?" The argumentation of Plutarch is interesting. According to him "The house of the married man is complete, but the house of him who has married and later lost his wife is not only incomplete, but also crippled". Plutarch goes to the most central aspect, the sacral role of the *Flamen* and *Flaminica*: "Is it because the wife assists her husband in the rites, so that many of them cannot be performed without wife's presence?"²³

It seems that the roles of the *Flamen* and *Flaminica Dialis* were complementary in matrimony as well as in their religious obligations. Plutarch's argumentation goes even further. He compares this couple with the most important public officers of Rome, the censors. He says: "One might be less surprised at this resignation [of a priest of Jupiter if his wife died] if one should adduce also the fact that when one of the censors died, the other was obliged to resign his office".²⁴ We come across few instances in which husband and wife and their matrimonial union is compared with the relation between two of the most important and respected officials. This leads us to the conclusion that the couple *Flamen* and *Flaminica Dialis* was considered a complete couple, according to the gender theory, and their home the *oikos teleios*. According to the categories used by Tracy Pritchman we may say that their relationship was nearer the integral than the fractional gender complementarity.²⁵ Without his spouse the patron of the house, *Flamen Dialis* was not capable of acting in his sacred role. If this was a model marriage in the sacral sphere how was the model marriage formed in "historical" sphere? How did they recreate the idea of Romanness and the proper Roman gender order?

Marriage contracts forming Romanness? Aeneas and Lavinia

There are several versions in ancient literary tradition concerning the origins of Rome. In his commentary on Livy, already a classic today, R.M. Ogilvie emphasises that as far as the tradition of Rome's origins is concerned, the scene is dominated by two founding personalities: Aeneas, the leader of the Trojan refugee expedition, and Romulus, the founder of Rome.²⁶ Here we will concentrate to the marriages of these two figures.

As far as we know, the Romans believed that their forefathers were refugees and strangers. According to Livy they fled from the pillaged Troy.²⁷ Aeneas left with his family and fled to Macedonia, then to Sicily and finally to the coast of Italy, where they landed. As refugees they had nowhere to go: they had to fight for their survival, and at the same time they had to learn to co-operate with the native inhabitants living in Italy, the Latins.²⁸

Livy points out that the Latins and their king Latinus had already heard about the famous newcomers. According to legend the leader of the Trojans, Aeneas, was son of Anchises and the goddess Venus, and that his troops were famous for their courage. The refugees showed that they were well prepared for war as well as wanting peace. The war between the two people was finally solved by the treaty between Latinus and Aeneas, the Latins and the refugees, but the formal peace treaty was not enough in this context. The public treaty was reinforced by a private one: Aeneas married Latinus' daughter, Lavinia.²⁹

This introductory part of history of Rome stresses the values of *matrimonium* as the strongest treaty uniting man and woman, and at the same time making two peoples into one.³⁰ This union was celebrated by the founding of the city of Lavinium, which got its name from Lavinia, wife of Aeneas. The name of the Mother City to Alba Longa and Rome, maintained in memory of Lavinia's special role in Roman history. She is depicted in Livy's narrative as a person of unusually strong character; she even had her under-aged son, Ascanius, under her tutelage (which in fact was completely impossible for a woman according to the Roman law), and when Ascanius grew up he left the whole city of Lavinium to his mother and founded another, Alba Longa, for himself.³¹

The two peoples, the Latins under King Latinus and the Trojans under their leader, Aeneas, form a new nation, led after the death of Aeneas by a woman, Lavinia. She also remains in charge of the city when the son gathers his troops and starts to conquer an area for his own. The story highlights the untimely death of the father, the under-age status of the son,

as well as the central role of the wife as a symbol of a new beginning and peace. When we compare Livy's version with the versions of other authors, Livy's choice attracts attention.³² The author wanted to underline the significance of agreements, especially the marital contract, as guarantee of organised social life.

The story of Aeneas is closely connected to the story of the Trojan War. Interestingly enough the exemplary marital relationship between the couple Aeneas and Lavinia is in total contrast to another even more popular couple, Paris and Helena, the legendary lovers whose love affair caused the Trojan War. In many respects the relationship between the two couples differs drastically: Helena was abducted by Paris, they were not a married couple, they did not have any offspring, and their relationship caused trouble, war and chaos. In contrast, the relationship between Aeneas and Lavinia was a *matrimonium*, their marital contract was a guarantee for an organised society and a new peaceful life between two peoples. The union was honoured by founding of the city of Lavinium.

Illegitimate twins with no parents

Now we will turn to the other case study, the story connected to the founding of Rome. The mythical setting and the thematic composition of this case study, the story of the establishment of a proper Roman marriage order, is more complicated. We have to start much earlier than the event itself to get the whole picture.

The story of Romulus and Remus is of great interest when analysing the Roman identity. All the components of the story of Romulus and Remus emphasise the relationship between the legendary twins and untamed nature. After Rhea Silvia, despite being a Vestal and bound to celibacy, gave birth to them, they were abandoned. A she-wolf took care of them until a shepherd found them and gave them to his wife, Acca Larentia.³³ In the legend Romulus and Remus are described as stepsons of a she-wolf, and in a way they were half-wolves themselves. Nevertheless, they founded a city that was going to be more powerful than any other in the world. The twins' lack of a normal family-life, as well as being separated from the society of human beings, is an important symbolic representation depicting the particular identity of the Roman people. Rome was a unique city because its strength was based on nature, not on royal blood, heritage or strong family ties.

In his analysis Gary B. Miles suggests that the Roman identity lies in the story of the twins. Miles says: "... Romulus's isolation, his self-sufficiency and his self-creation are most clearly marked in the initial acts

of founding his city ...Within the context of the previous narrative this episode confirms the characterisation of Romulus as one who makes his own destiny".³⁴ However, Romans were not entirely self-sufficient. It is impossible even for men of great strength to be self-made... without women. The first problem to be solved, after the founding of the city, is the procreation of new citizens. How to create offspring in a city which consists of only male citizens?

How to find wives for the stepsons of the she-wolf?

According to stories concerning early Rome, the first Roman men did not have the right of intermarriage with the neighbouring tribes. The Romans were considered to be suspect people and of low birth. To solve the problem Romulus decided to invite neighbouring tribes to Rome to celebrate the festival of Consus, an ancient agricultural deity. In particular, the Sabines came with their families, wives and children to see the new city of Rome. During the celebration the Romans grabbed young women and carried them away. The circumstances in which the rape of the Sabine women occurred were further aggravated by the fact that Romans had acted against the laws of hospitality, during a sacred festival. After the initial shock, the fathers of the raped maidens gathered together and persuaded their cities to declare war against the Romans.³⁵

In this critical situation Romulus decided to affirm the status of the Sabine women as lawful wives and honourable matrons, and the captured women started to accept their new position.³⁶ The Sabines, however, carried on their war and finally reached the citadel with the help of Tarpeia, whom they had bribed. In this critical situation the Sabine women rushed out in the midst of the flying missiles and offered themselves as victims of the war. They managed to separate the two armies from each other and appealed to their fathers and husbands to stop the impious bloodshed and prevent their children, grandsons of the Sabines and sons of the Romans, from bearing the pollution of parricide.³⁷ The intervention of the Sabine women had the effect of calming down the anger and the fighting ended. As a result peace was made between the two peoples. Livy emphasises the importance of the act by recounting that Romulus was so pleased that when he divided the people into thirty *curiae*, he named these sections after the women.³⁸

When looking at the legend our attention is attracted by four subsequent phases, the capture of the Sabine women, the status awarded to them as lawful wives and matrons, the intervention by the Sabine women in the midst of the battles, and the ensuing peace treaty between the two

peoples. The story starts with the Romans being desperate, and the future and vigour of the new city being seriously endangered, and it ends with peace and treaties between the battling parties and with confirmation of the future of the city. The central actors of the episode are the Sabine women, first passive booty, but finally the main actors who become particularly venerated through the naming of the *curiae* after them.

Roman identity – based on what?

The tale of the origins of Rome can be seen as a story in which sacrilege and crime follow each other. Romulus kills his own brother, and the death of Romulus himself is shadowed by a possible crime: it is suggested that the senators killed their king by tearing him to pieces.³⁹ Can the identity of any city or people be based on a tradition that emphasises hostility, violence and sacrilege?

Romans did not have the privilege of being autochthonous people. They had neither the heritage of noble blood, nor great ancestors. What is so notable especially in Livy's account is the very fact that it totally lacks any emphasis on divinity so typical of ancient cities and their founding traditions. Although Livy does emphasise in the foreword of his work that it was characteristic of legendary times to mix the divine with the earthly and thus add prestige to the founding of cities, the birth legend of Rome does not quite conform to this.⁴⁰ In the background of the twins there is hatred between brothers, carried forward from generation to generation, as well as the separation, immediately after the birth, from the mother who had committed incest, and from the family who does not recognise them.

Gary B. Miles has argued that historical narrative presents women as subordinate to male goals and relationships, and that the foregoing representation of the first Roman marriage - as an institution subordinated to male purposes - is closely related to the Romans' perception of themselves not as an autochthonous people, but as a self-made community of immigrants.⁴¹ Roman historians' and especially Livy's emphasis of the active role of the Sabine women, however, does not support the interpretation of Miles, but rather highlights marriage as a bond more important than other contracts. Moreover, the privileges obtained by the Sabine women and the *curiae* named after them underline the importance of women as the guarantors of Rome's vigour and grandeur. As we have already seen in the Lavinia case, *matrimonium* is represented as the strongest treaty uniting man and woman, and at the same time joining two peoples into one. It does not seem to be coincidence that historians focus on matrimony in describing the construction of the Roman nation. The