The Roman Family in the Annals of Tacitus: A Consideration of the Family of the Annals and Its Objective Validity

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THE ROMAN FAMILY IN THE ANNALS OF TACITUS

A CONSIDERATION OF THE FAMILY
OF THE ANNALS AND ITS
OBJECTIVE VALIDITY

BY
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A THESIS Submitted In PARTIAL FULFILLMENT
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Vita

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CHAPTER I
INTRODUCTION

Ours is a period in which the very foundations of the family as a social and political institution have been viciously attacked. Our divorce rate careens toward promiscuity and the delinquency of our youth is unparalleled in the nation's history. A remedy must be sought. A solution must be found or we must despair of our Western Heritage—a culture based on the family's inviolability.

However the modern horizon is not altogether without its ancient parallel. Perhaps it will help to outline the status quo of that old-world family. As the ancient was stabilized by the advent of Christ may the modern home be vitalized by His return. The purpose of the thesis, then, is to set forth as clearly and as completely as possible the condition of the family of Rome between the years A.D. 18-68, the period with which the extant portion of the Annals deals.

In focusing upon the precise social and political group about which this thesis will work, it is not sufficient to say merely that the subject is the "family". For even in English the word "family" has any number of different meanings. The Latin "familia" is almost equally varied in its

1 Even a dictionary as small as the Funk and Wagnalls College Standard
meanings. Harpers' dictionary informs us that *familia* can signify: I. the slaves in a household, the household establishment. II. 1. a. the house and all belonging to it, a family estate, fortune; b. family as part of a gens; c. the members of a household; 2. troop, group of players, soldiers.³

Very accurately, then, to what do we refer when we speak of the "family" in the Annals? We designate a social unit composed of husband, wife, and children. The meaning listed under II. 1. in Funk and Wagnalls⁴ and the meaning II. 1.c. in the Harpers'⁵ is the one we wish. Of course we shall not be able to prescind from other aspects of the family--its clan spirit, slave system, political ramifications, and the like--yet the main interest shall be on the social grouping of man, wife, and children. Our field of activity is limited again, this time by Tacitus himself. For the Annals

Dictionary, New York, Funk and Wagnalls Co., 1940, lists several meanings under the entry "family": I. a. of, belonging to, or suitable for a family; II n.l. a group of persons consisting of parents and their children; also the children as distinguished from the parents. 2. a group of persons forming a household, including servants, etc.; a name, etc.,; a house; line; clan; tribe; race. 4. Distinguished or ancient lineage; descent. 5. Biol. a group larger than a genus. 6. Any class or group of like or related things. 7. A group of related animals. L. familia, famulus, servant)

³ Max Radin, "gens, Familia, Stirps," Classical Philology, 9, 235--247, tells us yet another meaning; a group descended from the same known ancestor and who are all living at the same time. (This would extend to about four generations.) The majority of Radin's references are to Livy but citations from other authors enable him to conclude, if we may use phrases consecrated by the logician, that generally speaking the extension of *familia* was larger than that of *gens* and that therefore the comprehension of the latter was greater.
⁴ Cf. supra, note 1.
⁵ Cf. supra, note 2.
deal almost exclusively with the patrician or at least senatorial family whose residence was Rome. This was the family of the aristocracy whence came the rulers of a Rome, mistress of the world.

As might be suspected from the limitations we have made, the thesis approach is not that of the Roman private life student with his interests in the family's daily routine, houses, villas, theaters, and viaducts. Our approach is rather that of the sociologist anxious to feel the fabric of this natural group so close to the brink of dissolution.

Data on the family shall be gathered from the Annals of Tacitus—the mature work of one of Rome's truly great historians. Thesis procedure in its most simplified form will be to make excerpts from the Annals of all passages pertinent to the family. After this process of analysis, a task of synthesis remains. Later the unity must be corroborated or interpreted in the light of more recent research and secondary authors. References to such writers may thus clarify what might be left obscure were we limited to the text of the Annals alone.

In the second chapter we consider the importance in the Roman mind of the family unit—the relation between the father—mother—children group and their clan of ancestors. What power did the family history wield? What prestige was involved in the family name? Since a Roman husband was first in authority—de jure— all power within the family circle was focused in the

6 Cf. Chapter V on the authenticity and credibility of the Annals.
father—the *pater-familias* merits priority of consideration. What in general was his relation to his family? What power did he exercise over his children, the hope of his family? How was he affected by the marriage ceremony, the launching of the new family?

*De Facto*, perhaps of even greater power in the family circle than the *pater-familias*: whose *de jure* power was absolute, the mother-wife receives our attention in the third chapter of the thesis. We consider certain religious duties of the wife. But a point of even greater importance is an evaluation of this Roman woman's family group is her social position consequent upon her great wealth and her political influence.

That the family was laboring through a transition period of stress, that family unity was no longer a virtue, a reader of the Annals need not be told. On every page of the work we read an unending tale of wealthy homes weakened by luxury and ease or shattered by vice. Marriage infidelity, either in the form of divorce or open adultery, and birth control—each struck a blow at the family's inner unity of spirit.

From the pages of Tacitus we feel, too, the great unrest and upheaval of the times as he narrates the daily grind of murder, suicide, and rapine. Ubiquitous informers had stolen from the family hearth even the joy of a secret shared. Both husband and wife were surrounded by a horde of spying informers—friends, clients, and slaves, as ready to report as to invent their tale of malice. To be sure not everything in the picture Tacitus draws is disheartening, for occasionally he completes the general frame of
the family's status quae with examples of heroism and virtue in the lives of the men and women whose ideals had raised them above the times in which they lived.

Since we may not content ourselves with merely repainting the picture given us by Tacitus, we must consider how true his colors were. This we do in the fifth chapter. Was there a Tacitus? Did he write the Annals? Do we have the Annals he wrote? Secondly, is he trustworthy? Though it is out of the question to go into the matter exhaustively, the arguments pro and contra merit our attention even brief as we must be. When we further restrict ourselves to an investigation of our author's credibility on just what he reported of the family, our conclusion, already in agreement with the best accepted authors, gains even more assurance.

By way of thesis conclusion, a sixth chapter synthesizes the picture of the family of the Annals. Not content now with the statement that Tacitus reported thus on the family, the thesis contends that what was reported was objectively true of the family. Facts and data gathered from the Annals are accurate knowledge of the first century patrician family of Rome.

Yet a preliminary caution is in order. Whatever his avowed or even subconscious motives were for writing the Annals, Tacitus hardly intended ex

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professo to present a picture of the Roman family. Information we gather about the family will be obiter dicta from passages dealing with other subjects. Tacitus had before his mind a far grander scheme than the story of the Roman family. His was the history of the rise and hegemony of a tyrannical government of dictators. Thus what he says of the family, though true, should not lead us to suppose that details omitted are false or simply lacking from the ancient family. His was not the task to tell all about the family, but only such as filled in the political picture he was sketching. Again, the aristocrat Tacitus deals almost exclusively with a patrician and imperial family. References to the family outside the aristocratic circle of Rome are few and of a more general character. Of course it is easy to infer that the common hearth was as troubled as the aristocratic.

For the ancients, an historian was also a moralist, whose peculiar temptation it is to drive home his point by heightened contrast—sometimes, even, at the expense of a more objective presentation. For this reason, perhaps, the hideous vices of the Annals were in reality not so hideous, nor the exalted virtues quite so virgin pure. However, though the moralizing tends to obscure the objectivity, the over-all view is substantially correct.
CHAPTER II

FAMILY PRESTIGE AND THE PATER-FAMILIAS

When one approaches the Annales from the viewpoint of the family, the aspect most striking by its repetition is at once the most important. Every page of Tacitus reminds us of a clan-family prestige and influence, which though faded, still remained a factor in Roman daily life. A superstructure of Roman law and militarism, which were the sources of its greatness, had been erected on the foundation stones of the family unity and the patria potestas. Rome was a city of separate, individual families gathered together in a political unit by propinquity and community of dangers and endeavors. Though for centuries Rome retained this distinctively family foundation, as the city expanded through the municipal, the republican, and the imperial government, each successive form of political structure assumed more and more active jurisdiction in civil and religious affairs. Whether this process, natural enough in itself, followed or hastened the breakdown in the extreme of family autocracy need not detain us. Even to the very decline of Rome in the later days of the empire, vestiges, at least, remained of the ancient patriarchal hierarchy.

First century examples of influence exerted upon daily life of Rome by certain aristocratic family-clan names and traditions run throughout Tacitus. Husband, wife, brother, or sister act and are acted upon differently just
because they are of a family whose origin was buried in the early mythology of Rome. When Tacitus retells how Tiberius began a system of informers, for years so pernicious to the Empire, we find that Libo Drusus "e familia Scri-boniorum" was goaded into revolution by a scheming senator, Firmius Cato. Cato's arguments merit our attention, for his case rested on the Drusus heritage. Libo's grandfather was Pompey; his great-aunt was Scribonia; the Caesars were his cousins. What was especially noteworthy was that his mansion was crowded with ancestral portraits—a point which was thought motive enough for a change of imperial rulers. Later, when the 'conspiracy' had been duly 'discovered' by its real co-instigator, Firmius Cato, Libo's only worthwhile defense was his house to house canvass of all his family's many relatives to plead with them to speak in his behalf. He was accompanied by a group of noble matrons in mourning—anything to enlist his family's widespread support.

Lepida's was essentially the same defense, an appeal to the ancestry and the nobility of her family. A member of the Aemilian clan she had been accused of adultery. Fortunately for her, the course of her trial was interrupted by a celebration of the Games. Thus she was given an opportunity to enter the crowded theater. Lepida elicited sympathy as she was accompanied by many women of high rank. Weeping and wailing before the assembled audience she called upon her ancestors and even her great-grandfather, Pompey.

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1 Tacitus, 2.27.
2 Ibid., 2.29.
3 Ibid., 3.22.
in whose memory the theater had been erected and whose statues stood before the gaze of all. Tacitus notes that she excited so much sympathy in the crowd that breaking into tears they heaped curses upon her long divorced husband, Quirinius, who was pressing for her conviction:

...tantum misericordiae permovit ut effusi in lacrimas saeva et detestanda Quirinio clamitarent cuius senectae atque orbitati et obscurissimae demui destinata quendam uxor L. Caesari ac divo Augusto nurus dederetur.4

With the people in that theater, family prestige was potent force.

Earlier the Aemilian family had been given some consolation when Tiberius granted the intestate properties of Aemilia Musa, a woman of no small fortune, to Aemilius Lepidus "cuius e domo"5 we are told she seemed to be. Strictly speaking the imperial treasury might have claimed the whole. On granting the legacy Tiberius remarked that nobility of birth required the help of money. Thus Tiberius, at least, considered family prestige important enough in the empire to be worth saving.

When there is question of selecting twenty-one members for a newly formed college of priests, the basis for the choice is nobility of birth. "Sorte ducti e primordibus civitatis..."6 Tacitus tells us7 that when Tiberius considered an applicant for public office, one of the points taken into consideration was the nobility of the candidate's lineage. In explaining

4 Ibid., 3.23.
5 Ibid., 2.48.
6 Ibid., 1.54.
7 Ibid., 4.6.
the actions of Gnaeus Piso, who proved the antagonist of Germanicus in the East, Tacitus tells us that aside from the wild strain in his blood derived from his fore-bearers, he was 'fired' to greater things by the lineage and wealth of his wife, Plancina "Sed praeter paternos spiritus uxoris quoque Plancinae nobilitate et opibus accendebatur."  

Tiberius received Piso's son with the same munificence that he was in the habit of showing the youths of the noble families. Yet it was this same Tiberius who was so loth to grant aid to Marcus Hertalus, whom Augustus had practically commanded to raise a family, lest his ancestry be otherwise robbed of a posterity. Aid was however granted to Hortalus:

...Hortalus se respondisse ait: ceterum si patribus vis deretur, daturum liberis ejus ducena sestertia singulis, qui sexus virilis essent.

Much later, Nero, irrespective of the deserving and the undeserving, granted aid to all indigent noble families "Aurelio quoque Cottae et Haterio Antonino annuam pecuniam statuit princeps, quamvis per luxum avitas opes dissipassent."

But these are just a few cases of the liberality of the emperors in financially sustaining the Roman family nobility.

Ancestry, because a powerful force, could be rather embarrassing, too.

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8 Ibid., 2.43.
9 Ibid., 3.8.
10 George S. Chehayl, S.J. Study of Some Effects of the Punic Wars on the Roman Familiæ, Loyola University, Chicago, 1936, 101-103 points out, "Religion had been an affair of the family hearth and ancestor worship, though by 200 B.C. the tendency was to make it more communal and therefore under state control."
11 Tacitus, 2.38.
12 Ibid., 13.34.
Thus it was when it was rumored Sulla would be called to the throne by Pallas and Burrus, who were top ranking freedmen in the service of Nero. Such a tale found plausibility as Sulla was "claritudo generis et affinitate Claudii cui per nuptias Antoniae gener erat."13

How sharply Roman minds could distinguish between and separate the various components of a man's lineage became very practical in the case of Gaius Silanus. When, consequent upon his condemnation, his goods were to be confiscated, it was proposed to spare as much of his property as had been derived from the Atian house (his mother's) "...Caesus Lentulus separanda Silani materna bona, quippe Atia parente geniti reddendaque filio dixit, adnuente Tiberio."14 Silanus should have been exiled to Cyarus, yet out of consideration for his Junian ancestry the sentence was mitigated. He was relegated to Cythmus instead.15 Tiberius, although contemptuous of divine honors, made it all too clear where he wished to gain the esteem of men. His reputation in the eyes of posterity would be more than satisfactory, if men but judged he had been worthy of his lineage "...ut maioribus meis dignum... credant."16

What kind of ancestry he had becomes clear from the senatorial speeches in praise of his liberality after the Caelian fire "Sanctos acceptosque numinis Claudios..."17 His Claudian clan was indeed holy and beloved of the
gods. Yet not all Claudii were so forward. Pomponius Atticus, 18 great-grandfather of Drusus, reflected no credit upon the ancestral effigies of the Claudian house. Pomponius, it seems, had been a mere Roman Knight.

Years later when Sejanus had fallen from his high estate, it became a crime to have espoused his cause. However, in their own defense the suspects pointed out 19 that no-one had courted the favor of Sejanus of Volsinii but Sejanus of the Claudii and Julii.20 There was a difference, of course.

When there was question of another marriage for Claudius—Messalina, had by then been deposed—the younger Agrippina, a niece of Claudius, was suggested as a possible match. She was herself very attractive but that in a Rome of a thousand very attractive women. However, the one point distinctly in her favor was her exalted ancestry. 21 Her first marriage had been to Gaius Domitius Ahenobarbus of whom Tacitus says "In Domitio super vestustatem generis propinquum Caesaribus sanguinem delegarat Tiberius." 22 Domitian's grandmother, Octavia, was the sister of Augustus.

As if adding insult to injury, Tacitus summarizes a particularly long period of murder and carnage "Tot luctibus funesta civitate pars maeroris fuit, quod Julia Drusi filia, quondam Neronis uxor, denupsit in domum Rubelli

18 Ibid., 2.43
19 Ibid., 6.8
20 Ibid., 6.8. Where Sejanus is called the son-in-law of Tiberius "tuum, Caesar, generum."
21 Ibid., 12.2
22 Ibid., 4.75
A striking example of the force ancestry could bring to bear is the reprieve granted Marcellus, who had attempted to forge a will. He was excused from punishment according to the Cornelian law, as were his less illustrious accomplices because of the nobility of his ancestry and the inter-

Tacitus (II.23 and 24). Various members of pacified Gaul had come to Rome to ask the privilege of holding office in Rome itself. After the arguments in opposition to the Gauls had been voiced, Claudius arose and addressed the senate. He showed with examples that it had been traditional at Rome for the conquered peoples to be received into the Roman fold. Once he could show that the maiores had approved the plan he had added another reason for the plan's acceptance, "Maiores mei, quorum antiquissimus Clausus origine Sabina simul in civitatem Romanam et in familias patriciorum ascitus est, hortantur uti paribus consiliis in re publica capessenda, transferendo huc quod usquam egregium fuerit. Neque enim ignoror Iulios Alba, Coruncanios Camerio, Procios Tusculo, et ne vetera scrutemur, Etruria Lucaniaque et omni Italia in senatum accitos, postremo ipsam ad Alpes promotam, ut non modo singuli viritum sed terrae, gentes in nomin nostrum coalescerent. Tunc solida domi quies et adversus externa floruitur, cum Transpadani in civitatem recepti, cum specie deductarum per orbem terrae legionum additis provincialium validissimis fesso imperio subvenit est. Num paenitet Balbos ex Hispania nec minus insignis viros e Gallia Narbonensi transivisse? Manent posteri eorum nec amore in hanc patriam nobis concedunt. Quid aliud exitio Lacedaemoniis et Atheniensibus fuit, quamquam armis pellerent, nisi quod victos pro alienigenis arocebant? At conditor nostri Romulus tantum sapientia valuit, ut plerosque populos eodem die hostis, dein civis habuerit. Advenae in nos regnaverunt: libertinorum filiis magistratus mandare, nisi quod victos pro alienigenis arocebant? At conditor nostri Romulus tantum sapientia valuit, ut plerosque populos eodem die hostis, dein civis habuerit. Advenae in nos regnaverunt: libertinorum filiis magistratus mandare non, ut plerique falluntur repens, sed priori populo factitatum est. At cum Senonibus pugnavimus: solicet Velscii et Aequi numquam adversam nobis aciem instruxere. Capti a Gallis sumus; sed et Tuscis obsides dedimus et Samnium jugum subiimus. Ac tamen, si cuncta bella recenseas, nullum breviore spatio quam adversus Gallos confectus: continua inde ac fida pax. Iam moribus artibus adfinitatibus nostris mixtis aurum et opes suas inferant potius quam separati habeant. Omnia, patres conscripti, quae nunc vetustissima creduntur, nova fuere; plebeii magistratus post patricios, Latini post plebeios, ceterarum Italiae gentium post Latinos. Inveterascet hoc quoque, et quod hodie exemplis tuemur, inter exempla erit. As if in confirmation of Roman interest in the past Tacitus (Ibid., 2.88) remarks that first century Romans were interested in the past to the exclusion of interest in their own times. ...dum vetera extellimus, recentium incuriosi."
cession of Nero. No doubt the latter was the deciding factor but the former was not to be neglected "Marcellum memoria maiorum et preces Caesaris poenae ...exemere." 25

We know the ancestors and their effigies were an integral part of the statelier funerals. We often witness a long line of funeral masks and portraits wend its way through the pages of the Annals. In fact Tacitus thought it worthy of mention that the funeral of Germanicus was without the usual ancestral paraphernalia and that no procession was held "Funus sine imaginibus et pompa..."26 Another indication of family-ancestry awareness was had when the same Germanicus years before restored an altar destroyed by hostile Germans which had been dedicated to his father, Drusus "Restituit aram honorique patris princeps ipse cum legionibus decucurrit..."27 Significantly the huge mound erected in memory of the Varian legions, which was also destroyed by the Germans, was not re-erected. Family fidelity did not require it.

We read of Marcus Lepidus28 who asked the senate to be allowed to strengthen and decorate the Basilica of Paulus, a monument of the Aemilian house. Thus he renovated the famous edifice of his ancestors with his own resources. Much later29 we find that it was considered almost criminal for Silanus, consort of Messalina, wife of Claudius, that he had in his home images of Caius Cassius, one of his forebearers. If it were a spirit of

26 Ibid., 2.72.
27 Ibid., 2.7.
28 Ibid., 3.72.
29 Ibid., 16.7.
family unity which prompted him to such fidelity, we can praise his pietas but hardly his prudentia.

Instances in which Tacitus, as it were in passing, mentions the nobility of one of his characters come frequently. They give the Annals a distinctively aristocratic flavor. If the examples cited above do not indicate that family prestige had a very real effect on the actions of the men and women of first century Rome, to say nothing of Rome's legislation, then certainly the great number of occasions in which Tacitus chooses to point out the nobility of his characters indicates that lineage had a meaning for at least one aristocrat writing just at the beginning of the second century. We can reasonably infer that if nobility meant so much to Tacitus it did to those for whom he wrote—the families we are interested in.

Sempronius Gracchus, we are told, met his executors with calmly, firmly "...constantia mortis haud indignus Sempronio nomine vita degeneraverat."30 We learn that perhaps some recompense was gained under Tiberius by the great houses on the return of Decimus Silanus to the Junian family "Inlustrium domuum adversa...solacio adfecit D. Silanus Juniae familiae redditus."31

Tacitus has occasion to mention Lucius Volusius and Sallustius Crispus. Volusius is summed up "Volusio vetus familia neque tamen praeturam egressa."32 One of the first things we are told about Crispus is his lineage "Crispum

30 Ibid., 1.53.
31 Ibid., 3.24.
32 Ibid., 3.30.
equestri ortum loco C. Sallustius rerum Romanarum florentissimus auctore,
sororis nepotem in nomen adscivit. 32 One of the more pressing reasons why
Furios Camillus received 33 the praise of Tiberius and the triumphal insignia
from the Senate was that, though his family boasted an illustrious military
background, its exploits were ancient history even then. None of the family
had managed to duplicate the former triumph for centuries.

When Livia is seduced by Sejanus, the adultery is more heinous, at
least in the eyes of Tacitus, by the nobility of her ancestry and the igno-
bility of his:

Atque illa, cui avunculus Augustus, socer Tiberius, ex
Druso liberi, seque ac maiores et posteros municipali
adultero foedabat. 34

Her norm of morality should have been the good name of her ancestry and
posterity!

We read that Asinius Agrippa was "claris maioribus quam vetustis," 35
that Quintus Haterius was "familia senatoria," 35 and that Julia Augusta was
"nobilitatis per Claudiam familiam et adoptione Liviorum Juliorumque clari-
ssimae," 36 Togonius Gallus, a novus homo of the newest type, "dum ignobili-
tatem suam magnis nominibus insertit, per deridiculum auditur." 37 At least
compared with the nobility of the preceding speakers his short ancestry com-
pared poorly. Aemilii once were productive of patriots so even their black
sheep were men of no small distinction "...Quippe Aemilium genus fecundum honorum civium, et qui eadem familia corruptis moribus, industri tamen fortuna egere." 38

In beginning his short summary of the reign of Tiberius, Tacitus first chooses to point out the emperor's ancestry:

Pater ei Nero et utrimque origo gentis Claudiae, quamquam mater in Liviam et mox Juliam familiam adoptionibus transierit. 39

Livia's adoptions had their elevating effect even on Tiberius!

If, however, the clan-family spirit had a very real effect on the lives of the father, mother, son, and daughter of the first century, it must nonetheless be conceded on the evidence of Tacitus again, that the feeling of family unity was not based entirely on blood relations. Indeed it was quite sufficient for the perpetuation of a posterity, to which the ancestors had a right, 40 if a son were but adopted into the family circle. The first example of adoption met 41 in the Annals is that of Tiberius Claudius Nero and Nero Claudius Drusus, the sons of Livia by Tiberius Claudius Nero. Augustus adopted them as well as Gaius and Lucius Caesar, sons of Marcus Agrippa by Julia, daughter of Augustus. Tiberius was adopted with the stipulation that he in turn must adopt his nephew, Germanicus, son of his brother Nero Claudius Drusus. This mode of adoption, brought about by the entreaties of

38 Ibid., 6.27.
39 Ibid., 6.51.
40 Ibid., 2.37.
41 Ibid., 1.3.
Livia, was obviously such as to put Germanicus second to Tiberius in proximity to Augustus. Livia never let Tiberius forget it. 42

By such adoptions, the laws of Augustus against childlessness were rendered impotent. In the time of Nero it had become the custom for childless candidates, who would otherwise have been prohibited from office, to 'have' children, but by adoption:

\[
\text{Percrebruerat ea tempestate pravissimus mos cum propinquis comitiis aut sorte provinciarum, plerique orbi fictis adoptionibus adsciscerent filios, praeturasque et provincias inter patres sortiti statim emitterent manu quos adoptaverant.} 43
\]

However adoption certainly proved a strong enough bond to insure the succession or at least give a plausible front for the succession from Augustus to Tiberius and from Claudius to Nero. This latter was effected even while a true son of Claudius was alive, though younger than Nero. 44 Tacitus notes that the adoption of Nero was the first among the patrician Claudii "Adnotabant periti nullam antehac adoptionem inter patricios Claudios reperiri, eosque ab Atto Claudio continuos duravisse." 45 This was no small accomplishment, paralleled by but a few other families of the ranking nobility of ancient Rome.

There are indications, however, that the Romans recognized a flimsy

42 Ibid., 4.57. It is obvious from this that the adopted son (A) of an adopted son (B) did not just by reason of the adoption become the son of (C) who had adopted (B).
43 Ibid., 15.19.
44 Ibid., 12.25.
45 Ibid., 1.7.
character to adoption. We can feel more than a trace of sarcasm in the words of Tacitus that Tiberius "Debat et famae, ut vocatus electusque potius a re publica videretur quam per uxorium ambitum et senili adoptione inrepsisse." Then again, shortly after the death of Agrippa, it was rumored about that he was yet alive, for an imposter having posed as Agrippa had solicited aid and assistance for what might have led to sedition. Tiberius haled the fraud before his court "Percontanti Tiberio quo modo Agrippa factus esset respondisse fertur, 'quo modo tu Caesar—-as you turned yourself into a Caesar." At least in the eyes of the imposter adoption was about as skin deep as the character of the fraud. Again we are told that the relations between a step-son and a step-father were a slighter thing than those between grandfather and grandson "provignis cum vitrico levior necessitudo quam avo adversum nepotem." We are left without too much knowledge of the children of the family, though they are often mentioned. We do know, for instance, that the toga virilis was bestowed somewhat early on Nero. We know that thus Britannicus were the toga praetexta of youth, while in shining contrast to him Nero wore triumphal robes during the games in celebration of the latter's reception of the toga virilis. We know, too, that Britannicus had tutors for at the shrewish instigation of the younger Agrippina Claudius "Commotus his quasi criminibus optimum quemque educatorem filii exilio aut morte adfitic datosque

46 Ibid., 2.40.
47 Ibid., 3.29.
48 Ibid., 12.4.
a noverca custodiae eius inponit."49

We know that as a youth Nero had turned his mind very unlike other youths to carving, painting, singing, horsemanship, and poetry:

Nero puerilibus statim annis vividum animum in alia detorsit: caelare, pingere, cantus aut regimen equorum exercere, et aliquando carminibus pangenidis inesse sibi elementa doctrinae ostendebat.50

Alia primarily indicates Nero had other interests than those mentioned earlier in the paragraph. Yet the word leaves room to surmise that the pursuit of eloquence was still one of the major preoccupations of Roman youths. To be sure, Nero did not omit entirely the forensic arts for, on the occasion of his marriage to Octavia, he spoke at length before the patres senatores on Roman beginnings at the fall of Troy.51 Nero's guardians, we are told, were Burrus and Seneca "rectores imperatoriae juventae."52

It was customary for the children of the emperors to take their meals in sight of their relatives, seated with others of their own age at a table of their own. "Mos habebatur principum liberos cum ceteris idem aetatis nobilibus sedentes vesci in aspectu propinquorum propria et parciore mensa."53 With his chosen taster Britannicus sat at one such table. It was here that Britannicus was poisoned by Nero. All of the family present knew the lad had been murdered; confirmation came in the hurried burial on the very night of

49 Ibid., 12.41.
50 Ibid., 13.3.
51 Ibid., 12.58.
52 Ibid., 13.2.
53 Ibid., 13.16.
the crime. Nero vindicated his hastiness by edict "Ita maioribus institutum referens, subtrahere oculis acerba funera neque laudationibus aut pompa destinere." Thus funerals of the young, since usually sadder than those of the old, were by custom hurried through. In this case though, Nero's great haste was anything but humanitarian.

After the Augustan legislation against the childless, a family could remarkably enhance its political position by raising children. To parents so motivated, no doubt, children were a burden. Consequently rather hard feelings ran between parents who had undergone the 'burden' of childraising and the parents who enjoyed the same political position by reason of an adoption. From the complaints of the former we would suspect that their children were a yoke not lightly borne. Yet, generally, far from unwelcomed, the Roman son or daughter was honored with a position of eminence in the household. Parents or guardians were ever present to help the children. Their education was a matter of no small importance, for in the children lay all the family hopes.

When Poppaea gave birth to a daughter of Nero, the adulation was entirely without precedence in its magnitude and thus gives us little knowledge of the birthdays of other children. Yet we can easily surmise how eagerly at least Nero looked for a successor, related by blood, upon whom the family hopes might be anchored.

54 Ibid., 13.17.
55 Ibid., 15.23.
Great as may have been the force which lineage and a family name may have exerted in first-century Rome, it pales before the power and authority vested in the paterfamilias over his wife, his children, his slaves, and his farms. Thus to understand the paterfamilias is of the greatest importance in grasping the Roman mentality toward the family.

That the husband was in theory at least, the lord and master of his family realm is abundantly clear from the institution of the family council. As chief of this council the husband reigned supreme. For certain offenses a paterfamilias could thus inflict the death penalty upon members of his immediate family. Pomponia Graecina, had been indicted for practise of foreign religions. Instead of a public trial she was handed over to her husband's family council—so great was his power:

Et Pomponia Graecina insignis femina A. Plautio...nupta ac superstitionis externae rea, mariti judicio permissa, Isque prisco instituto propinquis coram de capite famaque conjugis cognovit et insontem nuntiavit.56

Any trial in which the decision is to be de capite famaque finds the judge in a very influential position.57

56 Ibid., 13.32. It is irrelevant whether Plautius actually had patria potestas over his wife, Pomponia. By the senate's decree he certainly had it effectively. What interests us is the institution, not an application.

57 Patria potestas gave a father of a family complete dominion over the life or death of any of his children, just as he had it over his slaves or his farm animals. When a Roman girl married, her husband obtained this life and death dominion over her too, with the restriction that before killing his wife a husband had to summon a 'family council' (on which sat blood-relatives of the wife) and present his case before them.

Such dominion is perfectly consonant with the Roman concept of a family as a completely self-contained world at whose center the father reigned answerable to no-one save the gods. Dominion over the children...
Confirmation for the suspicion that the family council was an institution long outmoded by the first century can be had in the words prisco insti-

slaves, and animals was always had in Roman marriage; dominion over a wife was had only in the so-called manus marriages. In non-manus marri-
ages a wife remained under the dominion of her own father, if she were not sui juris.

Manus marriage is closely connected with the all-powerful role of the paterfamilias and an integral part of the ancient Roman concept of the family. Since we shall have occasion to mention it frequently throughout the thesis, a brief explanation of the manus marriage will not be out of place. We shall first place this marriage in reference to the other types of Roman marriage. A brief explanation of the history, requirements, and effects of the manus marriage will complete our treatment.

For Roman Jurists, legitimate marriage was of two classes: matrimonium juris gentium (the term is not theirs) and matrimonium justum. This latter was contracted between free Romans, with conubium, and free of impediments, physical or moral. There were two types of justum matrimonium. One type was called 'free marriage' wherein the wife did not leave the patria potestas of her own father's family. A second type of justum matrimonium was called 'manus marriage' in which the wife left the patria potestas of her father and came under the just slightly modified patria potestas of her husband or of his father if her husband were still under the patria potestas of his father. This slightly modified patria potestas of the husband was called 'manus' whence, the marriage which gave this power was called 'manus marriage.'

For its part, a manus marriage could be contracted three ways. Confarreatio was the form of manus marriage which emphasized religious as-
pects of the wife's inclusion in the sacra of her new family. Coemptio, the second manus form, seems to have symbolized the ancient custom of wife-purchase. Usus, the third way in which manus marriages could be performed, was not so much a ceremony as a de facto co-habitation of a man and woman who considered themselves husband and wife.

Schematically the different kinds of marriage arrange themselves thus:

A. Matrimonium justum--'Roman' marriage.

1. Manus marriage--wife subjected to a mitigated patria potestas
   a. could be contracted by confarreatio (religious aspects)
   b. " " " " coemptio (wife-purchase symbolism)
   c. " " " " usus (co-habitation for marriage)

2. Free marriage--wife remained under the potestas of her own father

B. Matrimonium juris gentium--Non-Roman marriages

or of Romans with impediments

or without conubium etc.

Requirements for manus marriages were almost the same as those
In context this phrase is of course just confirmatory. Actual proof that
the council was outmoded must come from other sources than the Annals. These
outside sources tell us that the family council and even manus marriages
themselves were by the first century rare occurrences. Corbett, for one,
maintains "The husband had ceased being judge because the manus marriage was
was passing away."

58 The Lex Julia de Adulteriis had not disbanded the family council but,
significantly, had put in a substitute to take the place of the now obso-

59 At least according to Corbett, 129.

60 With the Annals alone as source book we might be hard
pressed to show that marriage involving manus was passing out of vogue.
It is clear, to be sure, that coniharreatio was a rare celebration. Cf.
Tacitus, 4.16. But there were three ways to confer manus; coniharreatio
was but one of them. Tacitus (4.16) does not say that manus marriage was
It was another husband, Titidius Labeo \(^{61}\), who, in view of his wife's profligacy, was required to render an account why he had not taken any punitive action in the face of his wife's openly scandalous mode of living.

Labeo himself pleaded that the sixty days ordinarily granted for deliberation had not yet passed. Thus he was able to escape a share of his wife's condemnation. Indeed not only was the husband empowered to act but it was felt he had a positive duty to begin trial and pronounce sentence.\(^{62}\)

One of the striking examples of the amplitude of the \textit{patria potestas} was the excuse Tiberius gave for the young son of Piso "\textit{Post quae Tiberius adulescentem crimine civilis belli purgavit, patris quippe jussa nec potuisse filium detrectare...}"\(^{63}\) Thus it becomes clear that the lad might well have been condemned as accomplice to his father's sedition, yet since he had merely been carrying out a father's commands he was judged innocent and guiltless. It is a somewhat strange contrast to this, when we find later that a son instituted court proceedings against his own father. To Tacitus it is an appalling example of the heartlessness of the age.\(^{64}\)

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out of date. The question of the wife of the Flamen Dialis does not prove anything except that \textit{manus} in a very mitigated form was conferred in her marriage—not any-one else's.

\(^{61}\) Tacitus, 2.85.

\(^{62}\) According to Corbett, 128-129 the \textit{jus necandi} existed in free marriages as well as marriages \textit{in manu}. "It seems to follow however from the legal relations of husband and wife so different in the \textit{manus} and free marriage, that only in the former could the husband or his \textit{paterfamilias} summon and preside over such a court...The trial of Pomponia Graecina was referred to the husband and relatives by special decision of the senate and does not prove that husbands had this power by common law."

\(^{63}\) Tacitus, 3.17.

\(^{64}\) Ibid., 4.28.
If we examine the father's position with regard to the marriages of his children, we could easily gain the impression that the father's consent in the marriage was the only point to be considered. That is, if we merely limit ourselves to a consideration of the marriage terminology. "Tiberius neptem Agrippinam...cum coram Cnaeo Domitio tradidisset, in urbe celebrari nuptias jussit"65 or "...quos neptibus sui maritos destinaret...."66 We learn that Gaius Caesar "...Claudiam...conjugio accepit."67 Again a motion was put on foot in the senate "...qua oraretur Claudius despondere Octaviam Domitio."68 Corbett adds:

It is nevertheless likely that in ancient Rome children were handled in this, as in other respects, more or less like chattels. Provided they went through with the forms involved in confarreatio or cœemptio—and for the latter their mere presence may have been all that was legally required—there would doubtless be little solicitude for their state of mind. Nor is there anything to show that in free marriage any greater measure of consent was at first required than that implied in the performance of in domum deductio.69

And yet in answer to Sejanus' request for the hand of Livia, Tiberius excuses himself "... posse ipsam Liviam statuere, nubendum post Drusum an in penatibus isdem tolerandum haberet."70 As if it were not enough to point out that it was Livia's decision, the emperor adds "...esse illi matrem et aviam propiora consilia."70 Mother and grandmother, not Tiberius, were more

65 Ibid., 4.75.
66 Ibid., 6.15.
67 Ibid., 6.20.
68 Ibid., 12.9.
69 Corbett, 54.
70 Tacitus, 4.40.
natural advisers in a matter like this.\(^7\) 1

This gives us an insight into the actual workings of the legalities of betrothal-marriage. Thus behind a facade of official language and ceremonial couples to be married undoubtedly had much more influence in a choice of their partners than we would be inclined to suspect. However, if Livia was *sui juris* then the lenient reaction of Tiberius was a worthless indication of any mitigation in the use of *patria potestas* in the ancient marriage contracts. If she were *sui juris* Tiberius would have no rights in the question and his magnanimity would be foolish. It is more than likely that she was not *alieni juris*, that she was *sui juris* for she was at the time well over thirty years of age, a wife whose father and grandfather had both long been dead. However, it must be granted neither she nor Sejanus thought they could be married without the approval of Tiberius, probably because the marriage involved a flagrant misalliance.\(^7\) 2

We glean all the details of the marriage ceremonies themselves from two travesties on marriage, that of Messalina and Silius and that of the emperor Nero and one of his male favorites.\(^7\) 3 Every detail of the ceremonies but

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\(^7\) Corbett, 57, points out that Justinian, *Codex*, 5.4.14, declares no one could be compelled to marry. Of course it must be borne in mind that both Corbett and Justinian are considering the matter from the purely legal viewpoint. Cf. also James Donaldson, *Woman: Her Position and Influence in Ancient Greece and Rome and among the Early Christians*, London, Longmans Green and Co., 1907, 114, for corroboration of Corbett's position.

\(^7\) 2 Tacitus, 4.40.

\(^7\) 3 The details of the ceremonies are in Tacitus 11.26-27 and 11.35 for Messalina and 15.37 for Nero's travesty.
prolonged their profligacy. But the tedium of lengthier rites was avoided more and more by first century Roman society. Ancient patrician rite of marriage according to the spelt-cake was definitely out of vogue, though Tacitus tells us it was retained by a few families. Significantly enough, one of the very reasons reported by Tacitus for the discontinuance was the very difficulty of the ceremonies themselves. 

Discussion of the discontinuance of confarreatic was occasioned in Tacitus by a point of ritual. In fact so closely related was confarreatio to certain religious practises that Corbett could say:

It is equally probable that this form of marriage was already resorted to solely as a qualification for the higher priesthoods, and that it could be taken for granted that no ordinary citizen had been married in this way.

and:

If it had been common practice to marry with manus in ordinary life, this the fact that the Flamen Dialis of necessity married by confarreatio and that of necessity his wife was in manus could not have constituted a serious obstacle to confarreatio.

A Flamen Dialis was required to marry and that by confarreatio. However, confarreatio was becoming more and more infrequent. Everyone concerned preferred to avoid the latent difficulties of manus. But the dilemma was solved by dissociating confarreatio and manus for the Flamen Dialis, though, as

74 Ibid. 4.16.
76 Corbett, 77.
77 Ibid., 232.
priestess, his wife was to be under his tutelage just as if she were under manus. As priestess and only thus—i.e. in respect to her religious functions with her husband—was she under manus "...sed lata lex, qua flaminica Dialis sacrorum causa in potestate viri, cetera promiscuo feminarum iure ageret." 78

Marriage impediments receive very scanty notice in the pages of the Annals. Tacitus tells us that until the union of Claudius and Agrippina, marriages had been prohibited between nieces and uncles. 79 Even then it was only permitted an uncle to marry his brother's daughter, not his sister's "in fratrum filias." 80

We also learn that at the time second cousins were forbidden marriage "et sobrinarum diu ignorata solemnia tempore addito percrebruisse." However, M. Hochart claims to have uncovered an error here. In proof of his contention that cousins could and did marry, he proffers many examples of just such marriages. 81 Furneaux, on the other hand, tells us of evidence:

That even within this degree of relationship marriage was at one time contrary to custom is afforded by a recently discovered fragment of Livy mentioning a patrician named Celius or Claelius who 'primus adversus veterem morem intra septimum cognitionis gradum duxit uxorem.' 82

M. Hochart more than likely did not have the newly discovered fragment, so

78 Tacitus, 4.16.
79 Ibid., 12.7
80 Ibid., 12.6
82 Furneaux, II, 223, n.9.
the remark of Tacitus relevant to cousin marriages stands. Ancient custom did prohibit the marriage but they came into practice gradually even despite the prohibition. Even more, Corbett informs us:

After the second Punic War, we find instances of intermarriage between first cousins, and this has become, if not frequent, at least common enough to excite little remark before the end of the Republic. De facto, cousins did marry.

Secondary authors are of one mind that the pledge of marriage given at betrothal was but the flimsiest nature. McDaniel tells us a betrothal ceremony in no wise produced any obligations on the betrothed. Again, Donaldson:

Sometimes the sponsalia or betrothal, though a private act, was celebrated with great pomp; but the Romans thought that 'it was dishonourable that marriages should be held together by the bond of a penalty, whether future or already contracted,' and 'if,' says Juvenal, 'you are not going to love the woman who has been by a legal agreement betrothed and united to you, there seems to be no reason why you should marry her.'

Tucker is in agreement:

83 Corbett, 48. The passage in Tacitus, suspect of a lacuna of six or seven letters has undergone serious emendation at the hands of editors. Yet with this statement of Corbett, one emendation has as much authority as the next. Furneaux, II, 223, reads sobrinarum. Nipperdey, quoted in Furneaux, ad loc., reads sobrinarum et consobrinarum; Rev. Percival Frost, ed., The Annals of Tacitus, Whittaker and Co., London, 1872, II, 301, in his commentary on this passage (he reads sobrinarum) ineptly notes, "it is a curious popular custom which allowed first cousins to marry and prohibited the union of second cousins." Of course the passage in question does not require us to ascribe any such 'curious' notions to eminently practical first century Romans.


85 Donaldson, 116.
On the other hand, there was no legal compulsion whatever to carry out the contract. The Roman world knew nothing of actions for breach of promise...a family dispute, a breath of suspicion, a change of circumstances, and even an improved prospect might be sufficient excuse, or no excuse need be offered at all.86

However, this opinion is somewhat at variance with the impression given by the Annals. Had there been no obligation attached to the betrothal of Octavia to L. Silanus, Agrippina need not have resorted to crime to break it off "...nuptiasque Domitii...et Octaviae...moliri; quod sine scelere per-patrari non poterat, quia L. Silano desponderat Octaviam Caesar..."87

To be sure the lad had been introduced by Claudius to the notice of the multitude by granting him triumphal insignia and a marvelous gladiatorial exhibition on the occasion. Yet Agrippina, to effect the removal of Silanus felt it necessary to have him falsely accused of incest with his sister, convicted, and expelled from the senatorial rank.88 Of course the gravest reason which necessitated the crime was that Claudius still wanted marriage to follow the betrothal. Thus it was he who was being circumvented. However the passage leaves one with the impression that some of the secrecy and crime was necessary because the betrothal carried with it some obligation. In view of the power Agrippina influenced over Claudius it is altogether likely that she would have been able to force him to re-betroth Octavia to Domitius. She would have been able, were there no obligation involved in the first betrothal. In support of this, Corbett assures us:

86 Tucker, 297
87 Tacitus, 12.3
88 Ibid., 12.4
In substance and perhaps also in form there was a mutual promise of marriage, a promise that breach of which entailed liabilities varying from time to time in the history of Rome. But there the interpretations must stand.

We can not fail to note the importance a Roman's family name and social standing enjoyed. Some aspect of his family cult occurs on almost every page of the Annals. This family supremacy is the burden of the parade of Libos, Lepidas, Pisos, and Sullas. We appreciate family history and tradition, too, as we watch the slow-moving funeral procession, mute testimony of devotion to houses, of service to clans. We understand the alarm and sanctions of Augustus brought against the childless. We see the honor given children for, to some Romans, at least, children would insure continued service to their ancestors.

Family prestige, paterfamilias, and manus are closely interwoven into a pattern of patriarchal clan life. An all powerful, paterfamilias presides at the family council in judgment over his wife. We weigh the force of patria potestas and allegiance to Rome itself. At the same time as the downfall of confarreatic, manus marriages were becoming more and more infrequent. Intra-family marriage was permitted within formerly prohibited degrees. We closed our considerations with betrothal, the beginning of the family.

89 Corbett, 2.
CHAPTER III

WOMEN OF THE FAMILY

Whatever influence a family name may have carried in ancient Rome, no matter how great may have been the political force wielded by the family circle, the family's solidarity as a social unit was undergoing strains from which it would never recover. A firm moral union of father, mother, and children was all but extinct or fast becoming so, because the mother, who should have been the natural center of the home and the focus of hearth activity, was in her interests herself projected beyond her family. A wife's political power, her wealth, and her leisure took her away from her family. Paradoxically, that marriage which was intended to unite her to her husband and children was the main step in her emancipation from any control. It will be easy enough to formulate the story Tacitus tells of the first century wife and mother. Between the lines of her story it will be still easier to appreciate the strain her family was under.

For, between the lines we read of a family whose authority was divided, a family whose wife, always 'domina' at home, had been recognized as 'domina' abroad as well. Tucker tells us why Roman men felt so little desire for the marriage bond:

Their disinclination was the same as it is sometimes alleged to be now—the increasing demands of women, their unwillingness to bear the natural responsibilities of matrimony, their extravagant expectations, and the impossibility of there being two masters in
noble s could, perhaps, tolerate a wife who claimed equal authority.
They were unable to accept a wife who clearly had more authority, more in-
fluence, more wealth than they or their whole families.

For this family's mother played a leading role in the politics of Rome.
She was a woman whose manifold influence reached far into Senate, courts of
Emperors, tribunals, and army alike. It was generally the family of a
wife not in manu, but of a mother sui juris, master of her own domain, sub-
ject to no one. With few exceptions it was a family whose center though
politically strong and socially of high rank, was nonetheless not a loving
and loved wife, nor a devoted and cherished mother. It was the family of a
woman who used it as a pawn in a larger game of intrigue and advancement.

Tacitus first presents Livia Augusta, a wife who ruled a world's com-
eror and a mother who chose his successor. We are told her domestic life
rivaled that of the grand old Roman wife of the fables. Not so, however,
were the excessive number of her social contacts. She was a haughty, demand-
ing mother, a manageable enough wife, one suited to the intrigue of Augustus
and the duplicity of Tiberius:

Sanctitate domus priscum ad morem, comis ultra quam
antiquis feminis probatum, mater inpotens, uxor facilis
et cum artibus mariti, simulatione filii bene composita.²

Tucker, 292.
Tacitus, 5.1.
However, critics are more severe. To them Livia was a burdensome mother to her realm, a step-mother curse to her home:

Livia gravis in rem publicam mater, gravis domui Caesarum noverca. 3

This was a Livia whose real power lay behind the scenes, whose plot against her step-children was as insidious, while they flourished, as her pretended assistance was ostentatious once she had broken them:

Illic viginti annis exilium toleravit Augustae ope sustentata, quae florentes provignos cum per occultum subvertisset, misericordiam erga afflictos palam ostendebat. 4

That Livia was powerful is a fact. Of her goodness, however, there is some doubt so that Donaldson can observe:

Livia, the wife of Augustus and the mother of Tiberius was, according to some, the prime mover of most of the public deeds during the reign of both; but a doubt still remains whether we ought to place her among the good or the bad. 5

Livia’s power lay in her influence over the nominal sources of all power, Augustus and Tiberius.

So far-reaching was her power that her mere conversation with Plancina hinted the subsequent ill-health and death of Germanicus "hoc egisse secretos Augustae cum Plancina sermones." 6 As step-mother, Livia was linked with the deaths of Gaius and Lucius Caesar:

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3 Ibid., 1.10.
4 Ibid., 4.71.
5 Donaldson, 123.
6 Tacitus, 2.82.
...Lucium Caesarem euntem ad Hispaniensis exercitus, Gaium vulnere invalidum mors fato propera vel novercae Liviae dolus abstulit.7

We learn that as time and plans progressed, Tiberius was no longer shown to the armies by Livia's secret diplomacy but by her brazen command:

...non obscuris, ut antea matris artibus, sed palam hortatu.7

Nor need we marvel; Livia had by then chained the aged Augustus nam senem Augustum devinxerat.7

After the death of Augustus, the praise given to Livia was without precedent, but so too was her vast power: Some wished to name Augusta 'Parent of her country,' others, 'Mother of her country,' "Alii parentem, alii matrem patriae appellandam."8 A plan even more drastic was proposed. Tiberius was to be henceforth styled "Juliae filius."8 Such a title was more than a veiled hint as to where patria potestas really lay in that family.

Urgulania was a woman of great power in Rome—due entirely to her friendship with Livia.9 Augusta, too, created the consul, Fufius, who rose to power at her beck. In a letter to the senate after Augusta's death, Tiberius lashed out against 'feminine friendships,' against the men who rose to power through the influence of women:

Quin et parte ejusdem epistulae increpidit amicitias muliebris, Fufium consulem oblique perstringens. Is

7 Ibid., 1.3.
8 Ibid., 1.14. It is noteworthy that Tiberius vetoed these measures as unbecoming a woman.
9 Ibid., 2.34.
A new state obtained when women granted the consulate.

Livia had a deep effect on Tiberius. While she was alive she became a refuge in the storm of informers that arose during his principate. Respect for his mother was deeply rooted in Tiberius:

Nam incolumi Augusta erat adhuc perfugium quia Tiberio inveteratum erga matrem obseqium. 11

But when Livia died there remained no refuge.

Agrippina the elder was another wife of unbelievable political power, though most of it remained potential. Her influence alone prevented the demolition of the bridge across the Rhine. She alone gave praise and thanks to the returning legions of her husband. She took the absent general's place, she performed his duties. She inspected the legions, gave of her bounty, paraded her son Caligula before the soldiers. On the other hand, she thus incurred the deep hatred of Tiberius who felt that her ambition was not directed against German hordes but against himself. What was left for the general when a woman usurped his post to exercise his military duties:

...ac ni Agrippina inpositum Rheno pontem solvi prohibisset, erant qui id flagitium formidinque auderent. Sed femina ingens animi munia ducis per eos dies induit, militibusque ut quis inops aut saucius vestem et fomenta dilargita est. Tradit C. Plinius, Germanicorum bellorum scriptor, statissa apud principium pontis laudes et grates reversis legionibus habentem. Id Tiberii animum altius penetravit: non enim simplicis eas curas, nec adversus externos studia militum quaeri. Nihil relictum impera-

10 Ibid., 5.2.
11 Ibid., 5.3.
Here was a woman more influential with Roman armies than imperial envoys, generals, even an emperor! Of course any woman so powerful merited the hatred of Augusta, all the more that Agrippina's fiery temper would brook little from Livia.13

Upon Agrippina's return to Rome with the ashes of Germanicus the sorrow she elicited, the tears she provoked made her, if only for a time, one of the most influential members of Rome's nobility.14

However, Agrippina's political prestige becomes even clearer in another of her many setbacks. Her second cousin, Claudia Pulchra, was accused of adultery, employing poisons, and invoking spells against Tiberius. Being Claudia's friend, Agrippina felt that she was herself on trial. She remonstrated with Tiberius. Claudia, a descendent of Augustus, had befriended Agrippina, true progeny of the heavenly race of Augustus, "se imaginem veram caelesti sanguine ortam."15 Tiberius seized Agrippina by the arm and warned her that she was not therefore deprived of her due if she lacked the throne "non ideo laedi quia non regnaret."15 This answer would be senseless except in a realm whose family was politically powerful, whose wives enjoyed a full

12 Ibid., 1.69.
13 Ibid., 1.33.
14 Ibid., 2.73; 3.1; 3.4.
15 Ibid., 4.52.
share of the power and who, could, conceivably, desire to rule openly.

A wife whose activity extended so far beyond her family circle was hardly to be relegated to "woman's quarters" as was the Greek and oriental wife. Both Agrippina and Plancina accompanied their husbands to the Nabatean court banquet. On a later occasion Agrippina reclined at table next to Emperor cum propter discumberet.

Thus Tucker could say of the wife at Rome:

She walks or is carried abroad at her pleasure, attends the public games in the Circus, and goes with her husband to dinner-parties, where she reclines at the meal just as he does.

But in the provinces, not only did she dine with the province's magistrate, her husband, but in a sense he dined with her. It was a well known fact that before the provincials the Roman wives cast off the veil which hid their political power at Rome. In the provinces wives openly shared their husband's duties.

Legislation was proposed to ban the wives of magistrates from the provinces. From the defeat of the proposal Donaldson argues that the abuses were not as great as depicted:

Wives went with their husbands to their provinces, and often took part in the administration of them. Some of the old stern moralists were for putting an end to this state of matters, and proposed that they should not be allowed to accompany their husbands to their spheres of

16 Ibid., 2.57.
17 Ibid., 4.54.
18 Tucker, 302.
duty; but, after a debate in the Senate, the measure was rejected by a large majority, who thereby affirmed that their help was beneficial.\textsuperscript{19}

For us it suffices to know that the wife began and carried out business negotiations. Whether well or not is another question.

At any rate when she was present there were two magistrates to salute, there were two tribunals. The more imperious orders were the wife’s, who, once curbed by the Oppian Law, now broke her bit and ruled home, law-courts, and army:

\begin{quote}
Ab his negotia suscipi, transigi; duorum egressus coli, 
duo esse praetoria, pervicacibus magis et inpotentibus 
mulierum iussis quae Oppiis quondam aliisque legibus 
constrictae, nunc vinculis excolutis domos, fora, iam 
et exercitus regerent.\textsuperscript{20}
\end{quote}

At Rome, women were content to have the power without actually exercising it.

Messalina was another woman who ruled the whole of Rome as her home.

She was a wife to whom her husband was bound, and at whose nod so many Romans were murdered:

\begin{quote}
Reputantes hebetem Claudium et uxori devinctum multasque 
mortes jussu Messalinae patratas.\textsuperscript{21}
\end{quote}

Messalina forced Poppaea into ’voluntary’ suicide by threat of the dungeon.\textsuperscript{22}

Asiaticus was disgusted when forced to suicide by the lies of Messalina "fraude muliebri."\textsuperscript{23}

\begin{footnotes}
\item[19] Donaldson, 122.
\item[20] Tacitus, 3.33.
\item[21] Ibid., 11.28.
\item[22] Ibid., 11.2.
\item[23] Ibid., 11.3.
\end{footnotes}
Claudius paid one of the greatest compliments given by a Roman to his wife's political power. In his absence, Messalina had 'married' Silius, her paramour. Claudius was uncertain whether she had legally divorced him or not. If Messalina had divorced him, she was married to Silius. Tacitus tells us that Claudius went about asking if Silius or he were emperor:

Satis constat eo pavore offusum Claudium ut identidem interrogaret an ipse imperii potens, an Silius privatus esset.

What foundation for his fears could Claudius have had, unless a deepseated suspicion that the sovereignty would follow Messalina and rest upon him whom she married. Perhaps he felt the ruling power was a gift of the armies and

24 Claudius thus seems to indicate a wife could divorce her husband without his knowledge, let alone consent. Certainly in the story Tacitus gives us, Claudius thought such a divorce procedure was possible. If such a process were legal, we have another indication of the husband-wife equality at Rome.

According to Corbett (228 et seq.) Justinian in his Digesta (24.2.9) maintained that the lex Julia de adulteriis required seven adult Roman witnesses besides the freedman used in the proceedings to insure the validity of a divorce. However, Corbett (229) tells us, "The obstacle in the way of taking D.24.2.9 at its face value is, according to Levy, the multitude of texts which imply that divorces accomplished without the formalities ascribed to the lex Julia were legally valid. Thus...the domo expulit...and the 'absente viro de domo ejus discesserit'...all signify divorce, and Levy will not admit that these terms, specifying a part for the whole connote formal notification with witnesses."

Though the question remains unanswered for us, Corbett (225) seems to take a saner view than that of Levy, "We are left to the inference that the law of a monogamous people can not have suffered a series of marriages each automatically cancelling its predecessor. Such a condition would have rendered impossible any effective repression of adultery or bigamy, since the culprit could always take refuge in the allegation that one marriage had been dissolved and a second contracted."

Whether any proceedings were needed or not, the divorce ceremony was exceedingly simplified, at least in free marriages. Tucker (305) assures us, "The man...had only...say,...'Take your own property.' The woman on her side need only give similar notice and 'take her departure.'

the people. If so, he feared that they would bestow it upon the husband of Messalina, whoever he be. True, *imperium* had never officially been invested in a woman. But it was indicative of her position in Rome that Claudius could wonder whether a woman might not transfer the *imperium* at will!

As we can well imagine statues, portraits, and names of women stood side by side with those of Roman men in public and private buildings of the city. Some time after the accession of Tiberius, Livia dedicated a portrait to Augustus not far from the theater of Marcellus. On the tablets in commemoration of the event she placed her name before that of her son, Tiberius:

Neque enim multo ante, cum haud procul theatro Marcelli effigiem divo Augusto Julia dicaret, Tiberi nomen suo postscripsit.\(^26\)

Livia by this act stirred the hidden wrath of Tiberius but yet her name remained on the inscription set before the eyes of the people. All Messalina's portraits and statues are ordered destroyed after her downfall:

Oblivionem ejus senatus censendo nomen et effigies privatis et publicis locis demovendas.\(^27\)

Another factor in the breakdown of the family's spirit of solidarity was that in Rome the wife, at least when marrying for the first time, was a child bride. Girls at Rome were often betrothed in infancy, then, again, formally, at about their tenth year, and married about their twelfth or thirteenth year. Daughters who had not married by their nineteenth or twentieth year were by that token considered liabilities. Although dispensations

\(^{26}\) *Ibid.*, 3:64.

in favor of an earlier marriage were not unheard of, the legal marriage-
age for the bride was, according to Tucker, the twelfth year:

A Roman girl with a reasonable dowry might expect to be
married at any age from about 13 to 18.... The legal age
was 12.29

Such early marriages seem to preclude a marriage based on antecedent love.

At least so it seems to Tucker who adds:

...with it marriage very seldom began with love, or
even with direct personal choice, but was in most in-
cstances entirely a mariage de convenance and arranged
for them as such.... Experience has shown that the
result was too often unsatisfactory.30

Davis, too, is sceptical of this aspect of Roman marriages:

In ancient times a marriage for love was usually with a
widow or a divorced woman. The possibility of a purely
sentimental attachment for a wife, who was perhaps only
ten years old when affianced, was not very great.31

Perhaps Davis is right. However no-one will deny that a marriage without
some antecedent attraction runs grave danger of dissolution if contracted in
a society whose sanction on divorce is nil. Such was marriage at Rome.

Young Roman wives found themselves faced with this insecurity. Finding their
husbands cool and disaffected, finding their children non-existent, these
wives entered the handiest avenue open to self-expression, the road of po-
itical intrigue and power.

28 Furneaux, II, 219, n. 10.
29 Tucker, 294.
30 Ibid., 292.
31 Davis, 288. To consider the relative merits of the mariage de con-
venance and the so-called 'marriage for love' as we know it would carry
us too far afield. Both have arguments in their favor.
Messalina, for example, was about 14 or 15, when she married Claudius, who was comparatively an old man. Her whole checkered career she crowded into eight or nine years for she was but 23 when put to death by Claudius. Octavia, we are told, was 20 when put to death by Nero in A.D. 62. Even granting Furneaux that she was 22 when murdered, she was still betrothed at nine and married at 13 to a Nero who himself was barely 16.

One wife, however, whose marriage was preceded by 'love' was Agrippina, the younger. Thus the tyranny which she could start was even more brutal than that of her predecessor, Messalina. Tacitus styles Agrippina's tyranny an almost masculine servitude "quasi virile servitium." Here was a woman whose enmity extended beyond her family into the whole Roman world. She exiled Lollia Paulina because she was unable to tolerate any rival for Claudius. And this, Agrippina was able to do, despite Lollia's great prestige, heritage, and influence at Rome. Calpurnia, too, suffered ruin, because Claudius had by chance praised her appearance:

Et Calpurnia...pervertitur quia formam ejus laudaverat princeps, nulla libidine sed fortuito sermone.

Later, Domitia Lepida, Nero's aunt, rivaled Agrippina for the affection of

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32 Furneaux, II, 42, n.4.
33 Tacitus, 14.64.
34 Furneaux, II, 468, n.3.
35 Tacitus, 12.58.
36 Though to Romans it was 'incest.'
37 She was simultaneously daughter of an Imperator (of Germanicus) and an emperor's mother (of Nero), sister (of Caligula), and wife (of Claudius). Cf. Tacitus 12.42.
38 Tacitus, 12.7.
39 Ibid., 12.22
40 Ibid., 12.22.
Agrippina's own son. Domitia was removed forever "perdita prius Domitia Lepida muliebribus causis." This is an unorthodox but no doubt effective method of maintaining family unity.

Agrippina forced Claudius to his most cruel abuses. Once she desired the gardens of Statilius Taurus. They were hers for the accusing:

> At Claudius saevissima quaeque promere adigebatur ejusdem Agrippinae artibus, quae Statilium Taurum opibus inlustrem hortis ejus inhians pervertit accusante Tarquitio Prisco.

Agrippina was thus greatly responsible for the brutality of Claudius!

She was already in the habit of entering the Capitol in a carriage, an honor of old reserved for priests and holy objects:

> Carpentero Capitoloum ingredri, qui honos sacerdotibus et sacris antiquitus consessus venerationem augebat feminae.

When her henchman, Vitellius, was accused of treason, Agrippina alone saved him, not so much, significantly, by entreaty but by actual threats levelled at Claudius:

> ...praebuisset auris Caesaris nisi Agrippinae minis magis quam precibus mutatus esset....

So overtowering had this wife's pride become, so widespread her influence that when Caratacus and his Britons appeared before Claudius they were obliged to bow before two royal reviewing stands--that of Claudius and that of Agrippina. It was an innovation pointing to her claims as companion in an empire.

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41 Ibid., 12.64.
42 Ibid., 12.59.
43 Ibid., 12.42.
44 Ibid., 12.42.
isdem quibus principem laudibus gratibusque venerati sunt.\textsuperscript{45}
Novum sane et moribus veterum insolitum feminam signis
Romanis praesidere; ipsa semet parti a maioribus suis imperii sociam ferebat.\textsuperscript{45}

As a wife she claimed part of the rule as her own.

Upon the accession of Nero, Agrippina had been voted two lictors and made priestess to Claudius "Decreti et a senatu duo lictores, flamonium Claudiale."\textsuperscript{46} After Nero's accession, and, indeed, without his knowledge but at the command of Agrippina, Lucius Silanus was removed from the race "ignaro Nerone per dolum Agrippinae."\textsuperscript{47} Silanus simply was as logical a choice for emperor as her son, Nero.

If Agrippina were not the second empress to kill her husband,\textsuperscript{48} she certainly was the second mother to present an empire to her son. She bestowed the empire upon him. Nor would she ever tire of reminding Nero of his indebtedness. In a harsh answer to Domitia Silana she could say:

\begin{quote}
...meis consiliis adoptio et proconsulare jus et designatio consulatus et cetera apiscendo imperio praepararentur.\textsuperscript{49}
\end{quote}

She it was who had paved the way to Nero's principate.

Later, Agrippina had so tightened her grip on the imperium that she actually attempted to ascend the emperor's official tribunal while in session in the Palatium. She would openly exercise the power she wielded behind the

\begin{flushright}
\textsuperscript{45} Ibid., 12.37.
\textsuperscript{46} Ibid., 13.2.
\textsuperscript{47} Ibid., 13.1.
\textsuperscript{48} It is not certain that Livia murdered Augustus.
\textsuperscript{49} Ibid., 13.21.
\end{flushright}
formality of a husband and son. Nero however descended to meet his mother as she approached the tribunal. He thus managed to avert an open manifestation of his mother's triumphs:

quin et legatis Armeniorum causam gentis apud Neronem orantibus escendere suggestum imperatoris et simul praesidere parabat, nisi ceteris pavore defixis Seneca admonuisset, venienti matri occureret. Ita specie pietatis obviam itum dedecori.50

Pretending filial homage Nero thus continued to cloak over his mother's influence.

Closely connected with the position of the wife both in and out of the family was her almost unbounded personal wealth. Within the family circles her private wealth made her the equal of her husband and in many cases even subjected him to her dominion. A house divided against itself, we are told, can not long stand. A Roman house was no exception. Outside the family circle a wife's personal wealth was in large part a foundation for her power and influence in politics and law. Tacitus gives ample testimony to her resources.

Livia was named principal co-heir in the will of Augustus "Tiberium et Liviam heredes habuit."51 When we consider the wealth given to others in the will, we realize that Livia was an extremely wealthy widow.

Junia, too, possessed immense personal fortunes. At her death many...
nobles were mentioned in her will; Tiberius was not in their number:  

Testamentum ejus multo apud vulgum rumore fuit quia magnis opibus cum ferme cunctos proceres cum honore nominavisset Caesarem omisit.  

In her infatuation for Silius, Messalina poured wealth, honor, and the royal entourage itself upon him "...largiri opes, honores, postremo...servi, liberti, paratus principis apud adulterum visebantur." One Roman mother, the younger Agrippina, proposed to transfer her private wealth into the hands of her son, the emperor Nero. Tacitus tells us that her personal resources almost equalled those of the emperor himself:

Quin...et suarum opum quae haud procul imperatoris aberant copias tradebat.

We are left to surmise the wealth of Lollia Paulina, who was granted 5,000,000 sesterces of her confiscated property to assuage her exile:

Ita quinquagiens sestertium ex opibus immensis exuili relictum.

No such solace was given the wealthy wife:

...Egnatia Maximilla, magnis primum et integris copiis, post ademptis.

She was not permitted to take any of her wealth into exile.

We gain some idea of the wealth which had accumulated in the hands of women if we consider that two hundred years before the time of Nero, legislation was planned to limit the exorbitant amount of Roman money which was

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52 Ibid., 3.76.
53 Ibid., 11.12.
54 Ibid., 13.13.
55 Ibid., 12.22.
56 Ibid., 15.71.
already in the hands of matrons. Chehayl tells us:

...by 169 B.C. so much capital was accumulating in the hands of women that it appeared to constitute a danger, and by the Lex Voconia of that year women could no longer be named heirs in legacies.57

Such a law was evaded, of course, so that Chehayl could add:

Gradually, the old family jurisdiction over women, which was connected with...marital and tutorial power, became weakened, and women increased in social and economic independence and importance.57

That was 169 B.C., but the trends had already begun. These were tendencies which found their completion in the family and worked havoc on the home of two centuries later.

A wife's dowry proved the occasion of great influence over her husband. If he wished to divorce her, he was responsible for the dowry's return. Thus husbands financially embarrassed would have to bear up with what to them was an insufferable wife. Such a husband simply could not afford a divorce. A wife, with this in mind, assumed rights and privileges never intended for Roman women. Davis points out:

...the lot of the suitor who made a rich marriage and whose spouse persisted in living, was not always a happy one. If the lady knew her vantage ground, she might then rule her husband with a rod of iron. Her husband was her guardian but not a scrap of her property could he alienate or contract away without her consent. He became the slave of his wife's fortune.58

57 Chehayl, 98.
58 Davis, 290 et seq. We need not be detained by the technicality that the wife's dowry belonged to the husband. Dowry laws had become so complicated that effectively, at least, the husband was but guardian of the wife's portion, Thus Corbett, (155) can maintain, "In Greece and in the
It proved a slavery from which none but the wealthy were emancipated.

Moderate sized dowries among the senators and nobility often ran as high as a million sesterces. This was the dowry given by Tiberius to Fonteius Agrippa's daughter. Her father had offered her as prospective Vestal Virgin, though another was chosen in her place "Et Caesar quamvis posthabitation decies sestertii dote solatus est." This was not unprecedented for a wife as Davis assures us:

With a girl of the highest classes... the bridegroom might look for even 1,000,000 ses. Her marriage could then be a stepping-stone to power.

Because a mother or wife exercised great political power, she could as easily incur grave political censure. Though no woman would be accused of seeking the imperium for herself, she could be and was indicted for aid, or even sympathy given her husband and son in their attempt to grasp the reins of government:

Ne feminae quidem exsortes periculi. Quia occupandae rei publicae argui non poterant, ob lacrimas incusabantur; necataque est anus Vitia, Fufii Gemini mater, quod filii necem flevisset.

Greek-speaking East remains the property of the wife; but at Rome the dowry always belongs, from the strictly legal point of view, to the husband. Even at Rome however, it is popularly regarded as the wife's portion; and we also find jurists describing it as her 'patrimonium' because of the increasingly frequent duty of restoration. Under the late Empire it is gradually assimilated to the Greek institution, for the most practical purposes, by a series of enactments that effectually prevent its absorption in the husband's estate."

59 Tacitus, 2.86.
60 Davis, 291.
61 Tacitus, 6.10.
Even the tears of an influential mother were cause enough for death.

Despite the wife's accumulated wealth, despite her acknowledged power in the politics of Rome, despite her hold over an impoverished husband, she still owed much of her prestige and influence to her married state. Corbett points out:

For her the wife, marriage implied a profound change of status. Even when the wellnigh absolute power of manus ceased to be assigned to the husband, giving way to the more equal relations of free marriage, the position of the justa uxor continued to be legally as well as socially distinct from that of the spinster.

To have been married once, though, sufficed, for the divorcee enjoyed most of the legal advantages of justa uxor.

Generally, in marriages between free Romans, wives assumed the social status of their husbands. However some wives were so neglectful of their status that the senate under Tiberius prohibited women whose father, grandfather, or husband had been even a Roman knight, from advertising their bodies for sale on the prostitute lists:

Eodem anno gravibus senatus decretis libido feminarum coercita cautumque, ne quaestum corpore faceret cui avus aut pater aut maritus eques Romanus fuisset.

The wife of Titidius Labeo, a woman of praetorian family, had joined her name to the lists of the Aediles. By this means she had sought to avoid censure of the lex Julia de adulteriis. But for esteeming her rank so little she

62 Corbett, 108.
63 By doing so they lost their status as 'matronae.' Cf. Furneaux, I, 347, n. 14.
64 Tacitus, 2.85.
65 Furneaux, I, 348, n. 1. and an excellent summary in Corbett, 140.
An even graver punishment was imposed on free women who lived in concubinage with another's slave. She herself became a slave, according to Tacitus, if the slave's owner was ignorant of the union. If the owner had known of it, she was to be numbered among his freedwomen.

\[
\text{...de poena feminarum quae servis conjungerentur, statuiturque ut ignaro domino ad id prolapsae in servitute, sin consensisset, pro libertis haberentur.}
\]

Whatever can be said of the wife's powers, she lost them all when reduced to servitude. Slaves were but chattel in the ancient economy.

Of course, not even every wife or mother thought so little of a husband's or father's position. Not every married woman used political prestige and opportunities to tyrannize their husbands. Not every woman exacted a rigorous account of the wealth she had entrusted to her husband. Livia and the elder Agrippina were models of the devotion Romans expected of a wife and the love they sought from a mother.

Among the homes of the lesser nobility, too, there are examples of wives devoted to their husbands. Pomponius Labeo's wife chose to accompany her hus-

66 Corbett, 142 indicates that this punishment was not at all intolerable. It was later changed to death.
67 This applies in cases where there was no adultery involved, of course, but only fornication. Concubinage is the word, not marriage for there was not marriage between free Romans and slaves. Even slaves did not marry among themselves, though there existed a marriage equivalent: contubernium. Cf. Corbett, 30.
68 Tacitus, 12.53.
band to death after his accusation.69 In like manner Mancrus Scaurus and
his wife went to their death.69 Egnatia Maximilla chose to forfeit vast es-
tates in order to accompany her husband into exile.70 Artoria Flacilla thus
shared the exile of her husband.70

Pompeia Paulina, indeed, attempted to follow her husband, Seneca, to a
self-imposed death. She was kept from death by order of Tiberius. She spent
her few remaining years in mourning:

...cui addidit paucos postea annos, laudabili in maritum
memoria et ore ac membris in eum pallorem albentibus.71

Antistia Politta shared her husband's banishment into Asia.72 When he had
been beheaded,73 she embraced his bleeding corpse, and treasured deeply the
bloodied robes she wore that day. Thus widowed Antistia remained in uncon-
soled mourning. For herself she took only enough food to ward off death:

...cruentamque cervicem ejus amplexa servabat sanguinem
et vestes respersas, vidua inpeza luctu continuo nec ullis
alimentis nisi quae mortem arcerent.74

Among the Roman wives of the Annals Politta seems almost an exception.

Arria, wife of Thrasea Paetus was another wife who rose above her times.
She wished to follow her husband in suicide even as her mother had joined her
father. Paetus was able to dissuade her from suicide with him. He asked her
not to deprive their child of its sole support:

69 Ibid., 6.29.
70 Ibid., 15.71.
71 Ibid., 15.64.
72 Ibid., 14.22.
73 Ibid., 14.58.
74 Ibid., 16.10.
In obedience to her husband she would remain alive.

A Roman wife was priestess in her own family. Antistia, Pollitta, and Arria were wives of a moral stature consonant with their religious character as priestesses. In the days previous to the breakdown of the family aspects of Roman religion, a wife shared intimately in the family's services in honor of her husband's ancestors. Certain phases of confrarreatic had no other avowed intent than to render the new wife acceptable to the family's ancestry. Fowler well points out:

Within the family every act, every relation, was matter of religion; the numina had to be considered in regard to it. The end and aim, then as throughout Roman history, was the maintenance of the sacra of the family without which it could not be conceived as existing—the due worship of its deities, and the religious care of its dead. Take marriage as an example: "The entry of a bride into the household—of one who as yet had no lot in the family life—meant some straining of the relation between the divine and human members," and the human part of the family must be assured that the divine part is willing to accept her before the step can be regarded as complete. She has to enter the family in such a way as to share its sacra: and if confrarreatic was (as we may believe) the oldest form of patrician marriage, the bride was subjected to a ceremony which was plainly of a sacramental character....75

Thus husband and wife both shared in the religious homage due their ancestry.

It is noteworthy, however, that nowhere in the Annals do we find any

75 Ibid., 16.34.
reference to family religious functions performed by husband and wife. By his silence, of course, Tacitus proves nothing absolutely. Perhaps he felt he had no occasion to mention family religious services. Nonetheless his silence is at least consonant with the breakdown of family religious practice and the disuse into which confarreatio had fallen. Considering the silence of Tacitus we have a high probability that just as the husband had relinquished certain of his priestly functions, his wife, too, no longer considered herself priestess in the home.

However the Roman wife had not lost every mark of her priestess character. Wives still performed religious functions though outside their family circles. After the great fire in Rome married women propitiated Juno with feasts and night long vigils of distinctly religious character. The matrons performed their service first on the Capitol, then on the nearest seashore, whence water was brought for sprinkling the temple and Juno's statue.

Ac propitiata Juno per matronas, primum in Capitolio deinde apud proximum mare, unde hausta aqua templum et simulacrum deae perspersum est; et sellisternia ac pervigilia celebravere feminae quibus mariti erant.77

Donaldson observes:

Marriage was not an obstruction to the services of a god, if the god presided over functions that were consistent with it...78

Significantly, however, both Tacitus and Donaldson speak of religious functions outside the private family circle. Thus even in her service of the

77 Tacitus, 15.44.
78 Donaldson, 129.
deities, a wife looked beyond the confines of her family. Agrippina's appointment as priestess of Claudius proved nothing except that in one instance the State chose a priestess for one of its deceased emperors from that emperor's family. But it was State religion, not family.

Perhaps it was precisely because the wife in theory, at least, became so closely united with her husband's ancestry that Tacitus censures the marriage of Augustus and Livia while the latter was pregnant. Augustus felt obliged to consult the pontifex whether a pregnant woman could wed rite:

Abducta Neroni uxor et consulti per ludibrium pontifices
an conceptu necdum edito partu rite nuberet.

For one objection to the religious purity of the union: Livia did not bear the children of the Caesars whose worship she, at least theoretically, began with her second marriage. Part of her share in the household was to bear children who would carry on the family ancestor worship.

Such is the Roman wife and mother whom Tacitus portrays in his Annals. A proper evaluation of the first century family must of necessity take her into consideration. Although she was a woman who owed her freedom to her marriage, she was a wife who held unbounded resources independently of her husband and family. Her wealth led to political influence which was not diminished because exercised behind the facade of husband and father. So

79 Tacitus, 13.2
80 I take rite to mean: in accord with the religious force involved in confarreatio. There could have been no question here of more legality. Not the pontifex but the legisperitus dealt with purely legal thorns.
81 Tacitus, 1.10.
influential, she was not to be banished to ('women's quarters.') She walked where she would, talked with whom she would, and dined as her husband's social equal.

In the provinces her wealth and power were more manifest. She shared, even if she did not usurp, the very external functions of her husband's rule. She could instigate law suits and enter the courts as chief accuser. Hers, too, and only hers, were various priestly offices in the State religion which supplanted the traditional family ancestor worship.

And despite all her wealth and influence, or perhaps because of it82 examples were not lacking of harmonious domestic life, of wives as devoted to their husbands and families as the majority were to their own personal wealth, prestige, and pleasure.

82 Cicero, De Senectute, 7., tells us: "cares...cum paribus facillime congregantur."
CHAPTER IV

THE FAMILY AND THE TIMES

We often speak of immoral times when, in cold logic, we really mean that at a given time men and women are immoral or a large portion of them are so. Men and women are immoral not times. Yet even when we acknowledge widespread immorality of men and women, we do not often consider the fact that it is the immorality of family members. A family is so intimately connected with the political, economic, religious, and social ramifications of a people that their families immediately reflect their morality. Everyone is somehow connected with a family. Thus if men and women are moral, their families are moral, because they are their families.

The Annals portray a good portion of family members not living up to moral standards. Some vice, indeed, political graft for example, might conceivably co-exist with a fine family morality. But such was not Rome's vice. Immorality peculiar to the family itself was rampant.

Divorce, to cite an instance, had made deep inroads into natural family harmony. No sanctions were effective enough to fight divorce. Tucker reminds us that:

The only check on divorce lay in family considerations, in public opinion, which was extremely lenient, in financial convenience, or in the possibility of particularly wanton conduct being so disapproved of in high quarters.
that a senator or a knight might perhaps find his name missing from the list of his order at the next revision.1

Certainly Augustus ran no such risk when he divorced his wife to marry Livia, who had just divorced Nero...abducta Neroni uxor...2 In the course of Lepida's prosecution we find Quirinius had divorced her...Quirinius post dic-tum repudium...3

Claudius did not know whether Messalina had divorced him--so easy were the proceedings"...an discidium tuum nosti..."4 Later, a tribune of the people, Octavius Sagitta, covered with a money payment Pontia's adultery, then her divorce and promise of marriage"...Pontiae mulieris nuptae...Adul-terium et mox, utmitteret maritum, emercatur..."5 Octavia's divorce and subsequent murder rank her among Rome's most tragic women.6 More instances of divorce could be cited. Their number, indeed, was limited somewhat only by the fact that many were able to murder their undesired consort.

Divorce was accompanied, as it always is, by adultery, its nonlegal, under-cover, running mate. Adultery despite repeated legislation against it, was as prevalent as divorce. Appuleia Varilla, it was argued, tainted the royal name of the Caesars by her adultery.7 Sejanus depended upon seducing Livia, wife of Drusus, to lay remote foundations for a rise to power.8

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1 Tucker, 305
2 Tacitus, 1.10.
3 Ibid., 3.22.
4 Ibid., 11.30.
5 Ibid., 13.44.
6 Ibid., 14.63.
7 Ibid., 2.50.
8 Ibid., 4.3.
Aquilia was exiled for her adultery with Varius Ligus "Aquilian adulterii delatam cum Vario Ligure...exilio punivit..." If Messalina was not divorced from Claudius, she committed adultery with Gaius Silius.10 We need not add example to example. Ever recurring legislation against adultery amply demonstrate how completely this blight had overshadowed the family.

Another form of adultery, concubinage, had its share in Rome's family-breakdown. Claudius kept concubines. His two favorites occasioned Messalina's downfall for they first informed the emperor of his wife's marriage to Silius"...duas paelices quarum is corpori maxime insueverat...pepulit delationem subire."11 Examples, frequent enough in the Annals, need not be multiplied for Romans simply did not look upon concubinage as out of the ordinary, let alone even immoral. A Roman's double moral standard did not recognize a husband's infidelity as adultery.12

Incest, too, with its special havoc on family life found place in Rome. Agrippina and Claudius relaxed prohibitions of marriage between blood relatives.13 Although Tacitus tells us14 that no-one of note followed the royal example, nevertheless he furnishes us examples of incest among even closer relatives than uncle and niece. More frequently, we find cases of alleged

9 Ibid., 4.42.
10 Ibid., 11.12.
11 Ibid., 11.29.
12 He could be guilty of adultery if his extra marital relations had been with another's wife. Adultery was with wives, not concubines.
13 Tacitus, 12.7.
14 Ibid., 12.7.
incest where mere plausibility gave the evil minded an opportunity to turn
informer. Although he does not speak specifically of incest in the royal
family, Donaldson points to intermarriage as a possible cause of weak family
life:

The descendants of this family intermarried cousins with
cousins, or even in closer connexion, and, between the
unique exaltation of their lot and the frequent inter-
marriages, need we wonder that a taint of insanity in-
fected them?15

A family might conceivably weather storms of infidelity. But no family
can afford to avoid its raison d'etre, children. Without a child to rein-
force the marriage bond, without a child as possible progenitor of another
family, home and race alike are doomed to extinction. The *Lex Papia Poppaea*
had no other good reason than to increase the penalties exacted upon the unwed
and childless "incitandis caelibum poenis...sanxerat."16 Perhaps Davis is
not too severe:

...It is plain the people of the Empire were not simply
very wicked; they were on the high road to moral degener-
acy, economic decline, and almost deliberate race-suicide.17

Yet no money-losses could force the unwilling to a healthy family life "Nec
ideo conjugia et educationes liberum frequentabantur, praevalida orbitate..."18
Tacitus comments that by the *Lex Papia* the state as parent of all sought to
insure what citizens would not do "...si a privilegiis parentum cessaretur,

15 Donaldson, 133.
16 Tacitus, 3.25. We are told that another reason for the law was to fill
the public coffers. It was a decidedly secondary reason.
17 Davis, 296.
18 Tacitus, 3.25.
velut parens omnium populus vacantia teneret." 19 But the State is only ana-
logously parent. Reform imposed from outside was to fail to produce results
again, for the wealth of childless widows was yet to figure a large part in
the intrigue of Rome and its politics. 20

Yet childlessness was not limited to Rome's aristocracy:

There is little evidence to show that the imperial houses
were worse off than the average noble family of the same
age. Under Claudius it had been necessary regularly to
"create" Patricians that the old religious cults might be
maintained. 21

Self-imposed extermination was part of the slums as well:

The chances of a race-suicide were even more favorable
among the proletariat. The masses living on corn-doles
could have no true family life. The mortality of child-
ren in the unsanitary insulae must have been higher than
in the worst slums of New York. The population of Rome
was maintained, not by any natural growth, but by the in-
flow of outsiders from the rural parts and provinces. 22

While magistrates were chosen on the sole basis of number of children, 23 the
evil grew. Such surely is the picture of a family under stress, a family in
the throes of a life and death battle that was to issue in the unnatural dis-
solution of a natural unity.

Mitigation of patria potestas and discontinuance of manus marriages had
both contributed to the family's breakdown. Roman home-life had been erected
on a patriarchal system sunk in the bed-rock of patria potestas. Manus, the

19 Ibid., 3.28.
20 As an example, Agrippina attempted to keep the wealthy Junia Silana single.
21 Davis, 297.
22 Ibid., 298-299.
23 Tacitus, 2.51.
husband's power, and patria potestas, the father's power, had insured at least external unity. Both provided the sanction and stimulus needed by a weakened family bond. But with the removal of both of these sanctions, Roman family life suffered a blow from which it was never to recover. No sanction was found to take their place.24

Strangely enough, the very measures intended to save the family officially removed the family from being the foundation stone of the State. No longer would the family be the unit out of which Rome would build. Families no longer possessed a self-contained legal machine. Henceforth the State would endeavor to coerce its subjects to marry. Henceforth the State would punish those offenses which injured the family. Thus Donaldson could well observe:

The general effect of the legislation based on it lex Papia Poppaea, and the course of events, was to alter the basis of the Roman State, and to make the individual, and not the family, the unit.25

Augustus in his legislation, however, merely recognized the loss which the family had already sustained.

In a marriage which is essentially dissoluble, as was the popular "free marriage" of Rome, children compromise the position of either mother or father. For a child demands a permanent home. Such a child had to be avoided and he was by Roman husbands and wives. In a marriage in which divorce was

24 No effective sanctions took the place of manus. The legal sanctions of Augustan legislation proved poor family adhaesive.
25 Donaldson, 146-147.
not an evil but natural termination, a child embarrasses all concerned. For, a child refuses to cease being a child at the will of the contracting parties. Rome's was a family whose sense of self-sacrifice had been dulled by a generation of unprecedented wealth and power. Luxury was everywhere in evidence. An enervating Pax Romana had laid siege to the Roman household. Even speaking of a Rome two centuries before Nero, Chehayl could see the tendencies to luxury appear:

...contact with the Orient, once it had been established pointed out to the Romans a richer, gayer, more alluring world than they had ever known before;...the consequent relations with oriental luxury, morality, and religion exerted a decided influence upon Western Civilization during the next few centuries.26

Thus the next two centuries tell a story of successively mitigated luxury laws. A tax-paying world centered itself on Rome, into whose coffers flowed the riches of Europe, Asia, and Africa.27 Augustus had consolidated military gains and a long siege of peace had begun to wear down human resistance. Luxury was the rule on every hand. So ingrained had habits of luxury become that a law to limit table-ware, silverware, silks, furniture, and slaves was, on one occasion, hastily defeated.28 Even Tiberius himself felt helpless to force the passage of anti-luxury laws.29 Reform had to come from within and Tiberius knew it.

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26 Chehayl, 78.
27 Pallas, Nero's freedman, possessed 300 million sesterces. Tacitus, 12.53.
28 Tacitus, 2.33
29 Ibid., 3.52.
With luxurious wealth, of course, came idleness. With idleness came a host of distraction-seekers, men and women who spent whole days and nights on the benches of the theater.\textsuperscript{30} Tacitus tells us they became deathly sick from the long over-exposure "morbo exitiabili."\textsuperscript{30} Crowds had become so large that several Knights had been crushed to death in one of the mobs. Restrictions had to be put on theater-goers periodically.\textsuperscript{31}

Large gangs roamed the city's streets at night. As Nero was known to lead one such mob, no defense was left the unknowing passerby who was per-chance assaulted. Perhaps it was the emperor. How could anyone dare to resist him? It was as a night spent in a captured town:

Deinde ubi Caesarem esse...pernotuit augebanturque injuriae adversus viros feminasque illustres, et quidam permissa semel licentia sub nomine Nerois inulti propriis cum glo-bis eadem exercebant, in modum captivitatis nox agebatur.\textsuperscript{32}

Julius Montanus resisted the emperor with some force. Then recognizing his emperor begged his pardon. He was forced to suicide.

As though we need be told, Tacitus points out that his was a world in which nothing but a memory of the old wholesome Roman character remained "...nihil usquam prisci et integri moris...."\textsuperscript{33} Such a loss was incalculable because a people habituated to luxury, ease, and idleness will not readily

\begin{itemize}
\item \textsuperscript{30} Ibid., 16.5.
\item \textsuperscript{31} Ibid., 1.77 and 4.14.
\item \textsuperscript{32} Ibid., 13.25.
\item \textsuperscript{33} Ibid., 1.4. Tacitus observes (14.15) that it is hard enough to remain pure even in the decent walks of life. In Rome with compulsion exerted on all to spend themselves in vice, virtue was almost morally impossible "Vix artibus honestis pudor retinetur nedum inter certamina vitiorum pudicitia aut modestia aut quiequam probi moris reservaretur."
\end{itemize}
undergo the hardship and sacrifice involved in raising a family. These were the Romans of whom Donaldson speaks:

...the expense of bringing up a family had come to be felt by many as a burden and the trouble of family affairs was regarded as an encroachment on the enjoyments of life.34

Faced with the serious problems of life, ease-loving Romans took a weak man's answer--divorce or adultery. Frightened by the responsibility of children, Roman nobles met the problem by avoiding their responsibility altogether.

At the base of all the turmoil and family unrest, however, lay the artificiality of Rome's economic and social structure and her arbitrary political regime. For Roman patrician and plebeian alike the future was wholly unknown, completely unpredictable beyond the next meal or the next whim of the emperor.

Rome, itself, was not self-supporting. Cities rarely are. But more than this, it supported rabble hordes whose only cry was 'bread and circus.' One occasion this mob nearly crushed Claudius in the forum as they pressed upon him shouting that relief and security be granted them. A scanty two-weeks supply of grain was all Rome had at the time. Tacitus emphasizes this insecurity by observing that Rome's life was now entrusted to the uncertainty of cargo-boats "...navibusque et casibus vita populi A Romani permissa est."35

This hand to mouth existence of Rome's rabble caused a deep unrest--an unrest which felt its way into the hearths of the Roman families.

Slavery, to a great extent, brought the rabble into being. Slaves glut-

34 Donaldson, 141.
35 Tacitus, 12.43.
ted labor markets and thus condemned the free born to a life of theater servitude. Thus, at least, Chehayl explains the free slaves who sat chained to the benches of the circus:

When there is a conflict between the two labor systems, either the cheap slave-labor deprives the free laborer of employment, or else it forces him to accept lower wages and longer hours, making of him an economic slave though he be legally free. So it was in Rome. Large numbers of the bourgeois forced from their occupations by the new economic conditions and enticed by the attractions of the capital, became a dangerous crowd of city idlers, easily bribed, despised yet feared, the tool of the agitator, a power for evil, a mob to whom logic was nothing, bread and amusement their all.36

A homeless rabble as this was an ever present threat to the peace and tranquillity needed for a wholesome family life.

But aside from enslaving the legally free, the armies of slaves in Rome and Italy were themselves a constant menace to any established order. Organization, or lack of it alone, kept the slaves in bondage. One embryonic slave war, we know, was cut short quite by chance. When the leaders had been hauled to Rome, men viewed with alarm the huge slave-gangs which constantly increased while the number of the free-born daily decreased:

...in urbem traxit, iam trepidam ob multitudinem familiarum, quae gliscebat immensum minore in dies plebe ingenua.37

Clinius Maecenas, one of the magistrates of Augustus, when placed in charge of Rome and Italy, found it necessary to delegate the job of curbing the power principally of the slaves "... sumpsit a consularibus qui coerceret servitia..."38 Since Rome was faced with this ever present threat of slave uprisings,

36 Chehayl, 38.
37 Tacitus, 4.27.
38 Ibid., 5.11.
it was law that all the slaves of a family were to be killed, if one of them murdered his master.39 A drastic measure was needed to cope with a perilous situation. But dangerous though slaves were, they were just another cause for tension, uncertainty, and unrest in the home.

There was, too, an arbitrary political regime, governed in no small part by the whim of the emperor or his freedmen. Under guise of political or military expedient royal henchmen proscribed what they would—especially the wealth and prestige still left the nobles. Arbitrary in desire or method, such a political regime could engender nothing but present fear and wild forbodings of the future, neither of which is conducive to a healthy home life.

One might be tempted to argue that in such circumstances a noble might be bound in conscience to avoid a family. Donaldson at least seems to imply some such obligation:

Their the Romans' children might be a curse to them or they the children might be exposed to lives of poverty, accusations, harassment, and proscriptions—lives, in fact, which were miseries, and not blessings.40

Perhaps Romans argued it was unjust to bring children into a world where men lay murdered at the nod of an empress,41 where treason was a word or unguarded glance.42

But the most nerve-racking and effective torture inflicted on aristocrats was the lash of ubiquitous 'informers.' We will probably never fully realize

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39 Ibid., 14.42 and 13.32.
40 Donaldson, 141.
41 Tacitus, 11.28.
42 Ibid., 6.7.
the mental and emotional despair occasioned by those whose only trade it was to spy upon their neighbors. Despite a chance curb placed on informers' activities, and although an occasional false informer might be punished, accusation flourished to an extent that it even became profitable to inform on the informers. Dill assures us:

...the profession grew in reputation and emolument. It is a melancholy proof of the degradation of that society that the delator could be proud of his craft and even envied and admired.

Yet not even mutual destruction could exterminate such spies. They accomplished their work admirably for:

The terror of Tiberius, Caligula, and Nero had done its work effectually. And its worst result was the hopeless self-abandonment and sluggish cowardice of a class whose raison d'etre in every age is to maintain a tradition of gallant dignity.

Tiberius had given informers a free rein. Droves of them rose at his call.

Vibius Secundus was sentenced for extortion. Court dockets were filled with province-magistrates in line to defend their administration. Considius Proculus was arraigned for treason. He was accused, condemned, and punished in

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43 Ibid., 3.56. The number of suicides closely parallel the number of accusations. We are thus given another insight into the unrest.
44 Ibid., 3.37. No-one will ever estimate the amount of blackmail there was, how much money was paid by the innocent to silence malicious 'informers.'
47 Ibid., 50.
48 Tacitus, 4.30.
49 Ibid., 6.16 we read of specialist informers.
50 Ibid., 14.28.
51 Ibid., 13.33.
record time. But fast or slow the carnage took its relentless toll of Roman nobility.

Slaves, freedmen, even senators hastened to report on their associates, Publius Dolabella was among the first who broke family ties to inform upon his kinsmen. He was not the last. In time every family's secret whispers were openly told by family members themselves. Husbands, wives, and children viewed one another with suspicion and distrust as future informers:

Non alias magis anxia et pawns civitas, sui tegens adversum proximos; congressus, conloquia, notae ignotaque aures vitari; etiam muta atque inanima, tectum et parietes circumspiciebantur.

Walls, roofs, friends, strangers—all were suspect! Even senators had hidden between the roof and ceiling to hear the private conversations of Titius Sabinus. The family had been stripped of every intimacy, every secret. Distrust and suspicion widened the gap between husband and wife.

After the downfall of Sejanus when the first to accuse was the safest, the patres disgraced themselves in their eagerness to inform on each other. Tacitus tells us that they seemed diseased. In any case they show every symptom of mob hysteria:

Quod maxime exitiaible tulere illa tempora, cum primores senatus infimas etiam delationes exercerent, alii pro-palam multi per occultum; neque discerneres alienos a conjunctis, amicos ab ignotis, quid repens aut vetustate obscurum: perinde in foro, in convivio, quoque de re locuti

52 Ibid., 6.18.
53 Ibid., 6.29.
54 Ibid., 4.66.
55 Ibid., 4.69.
wealthy, childless, and aged. That magic combination assured its possessor a peculiarity eminence in a Rome of greedy fortune hunters "Valuitque pecuniosa arbitate et senecta..." But from the family's viewpoint it can be mooted whether the immunity gained balanced the children lost.

Of course, the spirit-crushing fears engendered by informers did not cut off family life completely. We have already cited instances of devoted husbands and wives, of parents who loved their children deeply. There were, too, men and women of the caliber of Thrasea and his wife. These were men and women who could compare well with even the exalted valor and virtue of the 'good old Sabine stock.' But men like Thrasea were exceptions. It must be conceded the family in general partook of the lax morality of the times. Infidelity, divorce and adultery were part of the accepted social pattern. Childlessness was in style, a fashion imposed by the ruthless upheaval and uncertainty of daily life.

Thus Tacitus sketches the broad outlines of a family which had reached the bottom of degradation. Patria potestas had been mitigated beyond usefulness. Manus was all but a dead letter. Nor did anything take the place of these two family building blocks. Nothing effective enough to ward off the family's impending dissolution was substituted. Luxury, ease, idleness all took their toll of the moral fibre of a once sturdy Roman character.

Rome's family like Rome itself, tried to grow in the soil of economic,
social, and political unrest and uncertainty. There was the economic and political instability of the rabble, ever harassed with the possibility of grain shortages. There were the masses of slaves, menacing, resentful, watchful. An arbitrary dictatorial government fostered the swarms of informers and spies who removed privacy from the city and subjected its dwellers to perpetual fear. Innocent and guilty were alike as liable to fall at a moment's notice. Friends, neighbors, clients, slaves, even one's mother, father, daughter, or son were ever eager to report or twist a chance phrase or an unguarded expression. Healthy environment needed for family life was nowhere to be found. The full life had become impossible and family life is part of the full life.
CHAPTER V

THE ANNALS, THE FAMILY AND TRUTH

Findings on the family of the Annals have now been made. Beyond doubt, works we now call the Annals, whatever else they may be or do, give a 
re of the family as we have found it in their pages. Bluntly, the Annals 
hat they say.

However, a further point is raised. What of their objective value? Are 
annals as we now have them authentic productions from the pen of an anc-
aristocrat? Or do we have, as some contend, a forgery, composed by 
o Bracciolini in the fifteenth century? Even having settled the authen 
y of the Annals, we have a second task. We must consider the objective 
ity of the Annals, for it is patent that even a forged history can tell 
ch that is truth. No matter who wrote the Annals, the question must be 
red, did the writer have any reason to falsify either the facts or his 
es? Does he give any indication that he attempts to be fair and objec-

It is obvious we cannot deal with the first question, that of the Annals' 
cticity, with anything like the thoroughness it deserves. The question, 
efully treated in all its varied ramifications, would lead us too far 

chart, De L'Authenticite.
afield. Let it suffice, then, to record in passing the judgements of the
more eminent Tacitean scholars, Henry Furneaux, 2 M. Hochart, 3 and M. Fabia. 4
In the second chapter of Furneaux's introduction to his edition of the Annals
he considers the question of the genuineness of the Annals:

It has not heretofore been thought necessary for any
edition of this work to establish its genuineness; but
the recent attempts to prove it to be a forgery by
Poggio Bracciolini in the fifteenth century, while they
cannot be said to have found such acceptance as to
necessitate a full discussion, may make it desirable
briefly to subjoin some external evidence to show that
it is at least the work of an ancient author. 5

In outlining his procedure in proof of the authenticity of the Annals Fur-
neaux adds:

We have no reason to suppose that any scholar of the time
of Bracciolini had access to historians of this period
who are lost to ours. Even those whom we have must have
been known to him only in manuscripts. The inventor of
a Tacitean history of the principate of Tiberius or Nero
must act as any scholar would now have to act who desired
to compose a Tacitean history of that of Gaius or Domi-
tian. He must make the best use of Dio Cassius and Sue-
tonius, and of whatever could be gleaned from other authors,
and he must invent the rest of the material, as well as
the form and language. Any careful comparison of the
Annals with these sources will show how large a proportion
of the whole narrative as it stands will have to be set
down thus to invention; and in testing such a theory, the
details become important, almost in proportion to their
intrinsic unimportance.

If it can be shown that even a moderate number of
facts, such as would be unlikely to occur to an inventor,

2 Furneaux, The Annals of Tacitus (Second Edition), Oxford University Press,
3 Polydore Hochart, Nouvelle Considerations au Sujet des Annales et des
Histoires, Thorin et Fils, Paris, 1894.
4 Philippe Fabia, Les Sources de Tacite dans les Histoires et les Annales,
5 Furneaux, Annals, 8.
stated in the Annals, and in no other extant author are confirmed by coins and inscriptions, most of which were certainly, and all of them probably unknown in the fifteenth century; the supposition of so many felicitous accidents will be generally conceded to pass the bounds of reasonable probability.6

continues:

We may ask from what sources Bracciolini could have ascertained, or by what felicity he could have imagined that Cadius Rufus was governor of Bithynia, Eprius Marcellus of Lycia, Tarquinius Priscus of Bithynia, L. Antistius Vetus of Asia, that Claudius Quirinalis was praefectus classis and Gavius Silvanus tribune of a praetorian cohort, that Silanus had a daughter Lepida, that the names of Julius Aquila, Sextus Africanus, Verulanus Severus, Punisulanus Vettonianus are names of persons employed in public service at a time agreeing with that of their mention. None of these facts could have been derived from any other literature known to us; all are confirmed by coins or inscriptions of which Bracciolini and his contemporaries must have been ignorant.7

Thus Furneaux disposes of the question of the authenticity of the Annals, for it must be noted that though Furneaux wrote after he had seen Hochart's two works,8 he does not answer the latter's arguments, but rather transmitting Hochart's proposals, he contents himself with arguments which prove the authenticity of the Annals, at least to himself.

M. Hochart, however, has his own viewpoint. For his part, Hochart arouses our suspicion in the first part of his work by recounting the rather suspicious circumstances under which the manuscripts of the Annals and Histories were found. Poggio Bracciolini, it seems, was in the very lucrative

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6 Ibid., 9.
7 Ibid., 11-12.
8 Ibid., 8. Furneaux, writing in 1896, notes Hochart's De L'Authenticité, 1890, and his Nouvelles Considerations, 1894.
business of locating and recopying ancient manuscripts. This would give no cause for alarm were not our suspicion aroused by Poggio's rather lax morality, coupled with the discovery that Poggio was known to tell a half truth, or even a lie, if prompted by utility:

La mauvaise foi de Poggio est ainsi patente, aussi bien dans cette version que dans la première. Il n'a pas voulu ou n'a pas pu dire la vérité sur l'origine du manuscrit qui contenait une partie des œuvres de Tacite.

Braccioli was not able or did not wish to tell the truth about the origin of the manuscript of the Annals.

In the second part of his work, Hochart examines factors which cast doubt on the authenticity of the Annals. He finds that the script which supposedly indicated an ancient handwriting was in reality just an accurate reproduction by Poggio and his contemporaries of a script long out of vogue. In chapter two of this second part Hochart deals with the error-clogged pages, which Tacitus, if a second century writer, simply could not have written. Events at Rome are badly confused, cases of mistaken identity, erroneous names and titles, laws misunderstood, geographical and maritime miscalculations, and contradictions in the Annals themselves and between the Annals and Histories.

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9 Hochart, De L'Authenticité, 18.
10 Ibid., 22-25
11 Ibid., 58.
12 Ibid., 77-78.
13 Ibid., 85-88.
14 Ibid., 88-89.
15 Ibid., 89-90.
16 Ibid., 90-94.
17 Ibid., 94-96.
A distinctly Renaissance spirit is evidenced in the Annals.\(^\text{16}\) The mistake of thinking the *ludicrum quinquennale* was every fifth year indicates a writer who did not count as the Romans.\(^\text{16}\) The writer of the Annals erred again\(^\text{19}\) when he described London as a thriving metropolis, or Ninive as the ancient capital of Assyria.\(^\text{20}\) Circumcision he confines to the Jews as one of their peculiarities, whereas many peoples practiced it in ancient times,\(^\text{21}\) (though the Jews only in Poggio's era). Ignorance of the geography of Germanicus' expedition against the Cheruscans\(^\text{22}\) again indicate, over and above an erroneous knowledge of the times, lapses into which a Renaissance fraud would be peculiarly apt to fall.

Writing his *Les Sources de Tacite*, in 1891, M. Philippe Fabia relegates the work of M. Hochart to a footnote on the last page.\(^\text{23}\) According to the footnote, if we accept the thesis of M. Hochart the only conclusion which follows necessarily is that we ought to study the sources of Bracciolini and that if Tacitus actually did write the work we have, he merely is not the irreprehensible author we have always considered him.\(^\text{24}\)

M. Hochart is at one with M. Fabia in that even if forgeries, the works

\(^{18}\) Ibid., 119.
\(^{19}\) Ibid., 120.
\(^{20}\) Ibid., 121.
\(^{21}\) Ibid., 122.
\(^{22}\) Ibid., 123.
\(^{23}\) Fabia, *Les Sources de Tacite*. Since Fabia wrote the year following the appearance of *De L'Authenticite* he was able to criticize it.
\(^{24}\) Ibid., 455, n.1. Fabia points out, "Nous venons d'étudier la question des sources de Tacite. Ce serait la question de sources de Poggio Bracciolini dans ses *Annales* et ses *Histoires*, faussement attribuées à Tacite, qu'il faudrait étudier, si l'on adoptait l'opinion de M. F. Hochart..."
are not therefore to be discarded:

Mais s'il est reconnu que ces fragments d'histoire restent ont été écrits par un humaniste du xve siècle, faudrait-il pour cela les jeter au feu? Tel n'est pas notre sentiment, telle n'est pas la conclusion de cette étude.25

The question then arises, what use did Poggio make of his sources?26 Hochart remarks:

D'autre part, si Poggio a voulu tromper ses contemporains et la postérité sur la véritable auteur de l'ouvrage, il s'est maînti propose d'être aussi exact qu'il le pouvait dans ses recits et, à cet effet il a utilisé avec soin tous les documents qui on avait de son temps; il s'est fait ainsi l'écho de Dion Cassius, de Joseph de, de Suetone, des auteurs chrétiens.

Quand il quitte ses guides pour amplifier son sujet, il s'efforce de faire parler et agir les personnages qu'il met en scène comme il supposait qu'ils l'eussent fait eux-mêmes. En maints endroits il a failli; souvent il a réussi. Les digressions sont généralement fort intéressantes.

Pour n'être pas d'un écrivain de l'antique Rome, les Annales et les Histoires ne sont donc point sans valeur historique; en les consultant avec prudence, elles demeureront encore utiles pour la connaissance de l'Empire romain au premier siècle de notre ère.27

With regard to the authenticity of the Annals, then, three opinions are held.

(1) Furneaux maintains we have the original works of an ancient historian.

(2) Fabia is of the same opinion, though willing to admit that if we have

lequel a repris et élargi la thèse de M. Ross, Tacitus and Bracciolini; the Annales forged in the fifteenth century, London, 1878. Mais les arguments qu'ils invoquent pour démontrer que Tacite n'est pas l'auteur des deux ouvrages prouvent seulement que Tacite n'est pas un historien irreprochable; et les arguments qu'ils invoquent pour attribuer les deux ouvrages à Bracciolini ne sont que des conjectures plus ou moins ingénieuses."

26 Of course Furneaux proved the Annals could not have been written by Poggio
27 Hochart, De L'Authenticité, 235.
forgeries, we merely have the additional question of the intrinsic worth of the forgeries. (3) M. Hochart, for his part, contends the Annals are definitely the work of Poggio, an excellent scholar of the fifteenth century, a writer faithful to his sources, and thus the author of an historical source book for the first century of our era. Since the thesis deals with what was said objectively about the family, we may with complete freedom by-pass the entire question of who said it.

However, is the author of the Annals veracious? Does he give us true knowledge of the Rome of the period? Assuredly one thing is abundantly clear, that whoever he is, the author of the Annals wishes his readers to consider him veracious. We are told at the outset that the Annals are not to be composed at the dictates of anger or a partisan spirit of resentment, characteristic of other Roman historians. Later he says that he himself witnessed what he reports. To corroborate his story of the Claudian alphabet, he cites the many still extant bronze tablets which could be seen anywhere. Another primary source is public documents as he tells us that a detailed account of the limits of the pomerium need not detain his narrative since it could be found in the public records.

Nor is the author at all hesitant to tell us of his secondary sources, even if just to add plausibility to the tale. He talks of Pliny, the histor-

28 Tacitus, 1.1.
29 Ibid., 11.11.
31 Ibid., 12.24.
ian of the German Wars. Later he admits frankly to us that he is unable to find some particular point in question noted in any historian of the times. His elders, he informs us, had often spoken of a document purporting to exonerate Piso which they had seen more than once in the doomed man's hands. Tacitus confesses that he hesitates to indorse either of the two theories about Piso's death, though he feels obliged not to suppress a theory which had some credibility. Tacitus admits using the memoirs of the younger Agrippina. Again, phrases such as 'it is recorded by the authors of the time' and 'the assertion is made by many contemporary authors' are definitely indicative of a man aware of source materials and desirous to obtain the objective truth.

In another reference Tacitus mentions Fabius Rusticus as contradicting Cluvius. We are told the "other authorities," however, side with Cluvius, with whose version tradition, too, agreed. Then again, Tacitus summarily rejects the stories of others that Nero desired Poppea's death. Nero too ardently desired a wife and family for such a statement to have plausibility in the eyes of Tacitus. He follows the most trustworthy authors regarding the death of Drusus, though he is unable to resist adding a rumor which was so strong that it had persisted almost a century to the time of Tacitus. However

32 Ibid., 1.69.
33 Ibid., 3.3.
34 Ibid., 3.16.
35 Ibid., 4.53.
36 Ibid., 6.8.
37 Ibid., 13.17.
38 Ibid., 4.9.
even he easily refutes the rumor. His plea, made after the refutation of Mihi tradendi arguendique rumoris causa fuit, ut claro sub exemplo falsas auditiones depellerem peteremque ab lis quorum in manus cura nostra venerit, ne divulga atque incredibilia avide accepta veris neque in mincu-lum corruptis antehabeant.

Thus he exposes the inadequacies of oral tradition and cautions his readers against the fallacy that a rumor gained veracity by widespread circulation. His complete frankness in admitting he used rumor as a secondary source would lead us to believe that he probably never retells a rumor unless clearly labeling it.

Some selectivity is in evidence in Tacitus for it is his non crediderim which first leads us to suspect the innocent intent of Tiberius when Drusus showed a vicious strain of cruelty. Later, he cautions us that though it seems incredible, he is forced by the unanimity of his sources to report that Messalina and Silius actually dared perform their public marriage. "Sed nihil compositum miraculi causa, verum audita scriptaque senioribus tradam." The heinous marriage is no fabrication of his.

Lest we think him enamoured of trivia, he tells us he would not have recorded any such run-of-the-mill decree as the one he had mentioned unless special circumstances had warranted it. Again he readily admits that he is

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39 Ibid., 4.11.
40 Ibid., 4.11.
41 Tacitus openly acknowledges his sources as rumor in: 2.54, 6.30, 11.18, 12.26, 15.65.
42 Ibid., 1.76.
43 Ibid., 11.27.
44 Ibid., 13.49.
aware of the minutiae he reports as history are passed over by the other writers. For his part, however, Tacitus considers them important enough, and in a sense, the only history the period produced. Thus he indicates no selectivity and grouping of ideas.

Tacitus leaves the origin of the Neronian fire at Rome an open question for he frankly admits that he lacks the evidence necessary for an objective judgment. So conflicting is the evidence about the consular elections that he will not hazard a single definitive assertion. On another occasion Tacitus openly admits he would not spread a falsehood and that he is ashamed to investigate the truth. Whatever we might say of such an historical method, assuredly at least, the honesty of the man stands in prominent relief. Many times obviously elaborated words put in the mouth of a patriot are far from their originals, yet no-one is deceived. The observant reader is warned in sufficient time.

Tacitus, we know, is somewhat critical of Greek and Roman historians. While admitting that he follows the majority of historians in attributing Tiberius' withdrawal from Rome to the intrigues of Sejanus, he adds:

Quia tamen caede eius patrata, sex postea annos pari secreto conjunxit, plerumque permoveor, num an ipsum referri verius sit, saevitiam ac libidinem cum factis

46 Ibid., 15.38.
47 Ibid., 1.81.
48 Ibid., 11.21.
49 Ibid., 2.71, where the dying Germanicus in hunc modum adloquitur clearly indicating a paraphrase of the original.
50 Ibid., 2.88.
Not even an unanimity of the authors could make him report as otherwise what he himself thought to be Tiberius' true motive.

When dealing with the Phoenix he proposes to record the story, highlighting those points on which his authorities agree. Even he himself admits the details are uncertain and heightened by the aura of fable. In another notable passage telling of the palace intrigues of Neronian Rome, Tacitus gives Fabius Rusticus as source for a statement complimentary to Seneca, Pliny and Cluvius for the opposite. Then in his critique of the three he adds that Fabius might be all too easily prejudiced in favour of Seneca because he wrote and flourished at the latter's show of friendship. Not daunted by a contradiction among his sources, Tacitus breaks the impasse with a statement of his method:

Nos secuturi consensum auctorum, quae diverse prodiderint sub nominibus ipsorum trademus.

No one should find fault with this.

Whoever this Tacitus is, then, he readily impresses his reader as cautious, judicious, and as one who subjects his sources to the test of external and internal criticism.

In his two works M. Hochart lists error upon error gleaned from the pages of the Annals and Histories in proof of his theory that 'Tacitus' was a fif-

51 Ibid., 4.57.
52 Ibid., 6.28.
53 Ibid., 13.20.
teenth century Poggio. Only one such error approaches the family-question which is our subject, at hand. It is the French savant’s contention that marriages between uncles and nieces were quite legitimate and even not uncommon in Rome of the first century. The writer of the Annals, however, tells us the marriage of Claudius and Agrippina was incest in the eyes of his contemporary Romans. Tacitus informs us expressly that Claudius asked for a decree authorizing such marriages, not just for his bride and himself but for all Romans. It would be foolish to think he did not gain his request. Tacitus goes out of his way to assure us that only one man showed any desire for such a union quem plerique Agrippinae gratia impulsum ferebant.54

However M. Hochart contends that the transaction taken as a whole as related by Tacitus is beyond belief. Would the Senate, he argues, without lengthy debate pass a decree which would go straight in the face of the (at least supposedly) long-standing Roman tradition?55 The answer, of course, should be negative. Yet such senatorial procedure is not at all out of place among men already habituated to sycophancy by their two preceding tyrants?

M. Hochart points56 to the absence of any other record of a law prohibiting such marriages. However, such a common practice might well be handed down by oral tradition alone. The rarity, just on the score of incompatibility of age, of an uncle-niece marriage might further account for the absence of any official mention.

54 Ibid., 12.7.
55 Hochart, Nouvelles, 234.
Arguing somewhat a priori Hochart57 maintains, correctly enough; that with ancient peoples in general endogamy was the rule. But it is gratuitous to argue that because of this such was the case in first century Rome. Hochart asks58 what value to a haughty Roman Senate the arguments of Vitellius would have that uncle-niece marriages since permitted by other nations should therefore be allowed to Romans. Hochart forgets that the arguments were mere formalities. Reason was dispensed with once the Caesar's wish became plain.

Since Xiphilin and Zonoras, two writers whom Hochart claims Poggio copied, do not mention the point of the incest in their tale of Claudius and Agrippina, Hochart concludes that in their minds or else in their sources the marriage was not incest.59 However we may add a third possibility to Hochart in his disjunction: or perhaps Xiphilin and Zonoras did not mention everything which appeared in their sources.

Suetonius60 also is cited as a source for Poggio. In fact there are parallel passages in Hochart between the Vita Claudii of Suetonius and the account in the Annals. It would seem that one copied the other's work. But the remarkable point is that Suetonius himself in the very passages cited, states that the marriage was incest:

\[
Dandandamque caeteri veniam talium conjugiorum quae ad id tempus incesta habebantur.61
\]

57 Ibid., 235.
58 Ibid., 242.
59 Ibid., 237.
60 Ibid., 238.
61 Suetonius, De Vita Caesarum, lib. 5, ch. 26, ad fin.
Even Hochart must be embarrassed when he admits:

C'est Suetone seul qui parle de la repugnance que la
société romaine aurait continue a éprouver pour ces
unions entre parents et qui déclare que personne ne
consentit a imiter l'exemple du Caesar.62

In conclusion, it is safe to say that it is at least as plausible as not that
to the Roman moral sense the marriage was incest.

If the Annales are the work of a second century Roman historian, we
ought to accept his word as to the incest, especially since corroborated by
Suetonius (whose authenticity or veracity is not questioned here). If Foggio
Bracciolini wrote the Annales, perhaps he did project the canon law of the
fifteenth century Italy back into first century Rome. However the proof that
he perpetrated the projection is still the burden of M. Hochart. It is an
obvious fallacy to argue: since Bracciolini wrote the Annals, the incest
error is a projection of his morality into a former age. Therefore since the
error is due to such an unhistorical projection, the work is certainly not
that of a second century aristocrat in intimate touch with the Rome of his
day.

To argue thus is to proceed in a patently vicious circle.

62 Hochart, Nouvelles, 239.
CHAPTER VI
THE FAMILY IN THE ANNALS

Clearly Tacitus did not intend to write the story of Rome's family. For what details he affords us of Roman family life are woven in as integral parts of another story, that of the political intrigue of two generations. Yet the broad outline of the family which he leaves us is more than sufficient to enable us to catch an over-all glimpse of the family's status quo.

Tacitus never allows us to forget that the family in Rome was one whose ancestry lay deep in the mythology of the seven hills. Power and prestige went hand and hand with a great family name. Men, women, law, the whole of Rome could be changed profoundly by a member of one of the historic clan-families. Nobles were preoccupied with considerations of heritage, ancestry, and progeny.

Then, too, a family's place in Roman mentality is evidenced by the tradition, at least, of patria potestas, absolute, life and death authority of a father over his children, his slaves, or his property. Manus was the same authority exercised over the husband's wife. Manus was but patria potestas modified in use principally by the family council. Thus the foundation stones of Rome were laid on the patriarchal clan-family.

However, "free marriages"—marriages without manus—had become customary.
Family councils no longer had any reason to be. *Confarreatio*, too, was not much more than a memory. With the passing of *confarreatio* emphasis on hearth worship lagged. Where a family failed, the State assumed responsibility with its official religion. *Patria potestas*, it is true, could be invoked forcibly in betrothing one's child, but in general even this use of the power was mitigated. Betrothal, of itself, did not entail grave liabilities and could be broken off by *patria potestas* at will.

Although all a family's power and authority was found to focus itself on the father and *patria potestas*, the wife, by the time of the Annals, had learned to ignore the father's authority and to assume her powerful role. Mothers and wives played leading roles in the drama of the Roman politics of their day. Their name, their fame, and their political power were potent factors in Rome's social life. A wife traveled where she would, conversed with whom she would, and dined at home and in public as the social equal of her husband. At Rome feminine political power was not openly displayed. But in the provinces wives assumed the active role of Administrator.

Since girls married between thirteen and fifteen and since divorce was mere paper work, many first marriages proved failures. Divorcees diverted their time and energy into political channels. But young or old, a wife or divorcee could not afford to lose her grip on her pocketbook. For locked in her purse was the secret of her success. A wife not *in manu*, and most wives were not, could amass a huge personal fortune. Her wealth and her dowry enslaved a destitute husband and opened new vistas to her maternal political ambition.
But a wife so influential could and did incur the hatred of emperors. She could and did pay the extreme penalty inflicted by the State. And yet, these are the very women who enjoyed an unique place in the State-run religion, which replaced the dying embers of a hearth-cult. But rich or poor, preestess or not, she lost everything if she sullied a family name to live with a slave.

Both she and her husband had the monumental tasks of home and family life amid the impossible morality of Rome. Theirs it was to overcome generations of ease, wealth, luxury, idleness, and sloth to which they had become habituated. They had to discover some working substitute for patria potestas and an all but unheard of manus. But most of all they had to cope with every threat of rabble, slaves, and treacherous informers. These latter had emptied every last vestige of privacy or honor from the home of Rome. In the course of years accusers exhausted husbands and wives mentally, emotionally, physically.

Infidelity had become a social pattern and childlessness a necessity for these parents. Yet Rome's was a family which had produced the giants of tradition, a family which even under most adverse conditions was producing heroes, who light up the dark pages of the Annals. For with men and women of this type, all is not lost, hope still remains.
BIBLIOGRAPHY

Primary Sources

Tacitus, Cornelius, *Annales ab Excessu Augusti*.

Suetonius, Gaius, *De Vita Caesarum*.

Editions


Secondary Sources


BIBLIOGRAPHY (2)


The thesis submitted by Walter Hayes has been read and approved by three members of the Department of Classical Languages.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

May 9, 1949

Signature of Adviser