

## "Re-Presenting Roman Marriage"

### 1. Gaius, *Institutiones* I.108-113

(108) Now let us see about these persons who are in our *manus*. As to which even the very law is specific to Roman citizens.

(109) But indeed both males and females are accustomed to be in *potestas*; however, only females enter into *manus*.

(110) Once, accordingly, women used to enter into *manus* in three ways: by *usus*, by *farreum*, by *coemptio*.

(111) She entered *manus* by *usus* who retained her position as a married woman for an uninterrupted year; for since, as if she was obtained by possession for a year (*usucapio*), she transferred into the household of her husband and took the place of a daughter. Accordingly, it was decreed by the Law of the Twelve Tables that if a woman was unwilling to come into the *manus* of her husband in this way, she should be absent every year for three successive nights, and in this manner she would interrupt the *usus* of each year. But this whole law has been partly abolished by statutes, and partly cancelled by its very disuse.

(112) Women come into *manus* by *farreum*, through some kind of sacrifice which is made to Jupiter Farreus, in which emmer wheat bread is employed, whence also it is called *confarreatio*; in addition, for the purpose of regulating this law, many other things are done and happen, with fixed solemn words, with ten witnesses present. This law is still in use in our time, for the principal *flamines*, that is priests of Jupiter, Mars, Quirinus, likewise kings of the sacred rites, are not chosen unless they are born of those married by *confarreatio*. And not even they themselves indeed can hold the priesthood without *confarreatio*.

(113) In truth, women come into *manus* by *coemptio* through *mancipatio* (ceremony of transference of property), that is, through a certain fictitious sale. For the husband buys his wife whose *manus* she enters in the presence of not less than five witnesses, adult Roman citizens, likewise of a *libripens* (one who holds the scales in a ceremony of *mancipium*).

### 2. Titus Livius, *AUC* (see [Pudicitia Plebeia](#), World of Class, [Companion to the Worlds of Roman Women](#)).

**10.23.3-9.** insignem supplicationem fecit certamen in sacello Pudicitiae Patriciae, quae in foro bovario est ad aedem rotundam Herculis, inter matronas ortum. Verginiam Auli filiam, patriciam plebeio nuptam, L. Volumnio consuli, matronae quod e patribus enupsisset sacris arcuerant. brevis altercatio inde ex iracundia muliebri in contentionem animorum exarsit, cum se Verginia et patriciam et pudicam in Patriciae Pudicitiae templum ingressam, ut uni nuptam adquem virgo deducta sit, nec se viri honorumve eius ac rerum gestarum paenitere <ex> vero gloriaretur. facto deinde egregio magna verba adauxit. in vico Longo ubi habitabat, ex parte aedium quod satis esset loci modico sacello exclusit aramque ibi posuit et convocatis plebeis matronis conquesta iniuriam patriciarum, 'hanc ego aram' inquit 'Pudicitiae Plebeiae dedico; vosque hortor ut, quod certamen virtutis viros in hac civitate tenet, hoc pudicitiae inter matronas sit detisque operam ut haec ara quam illa, si quid potest, sanctius et a castioribus coli dicatur.'

A rivalry made this supplication remarkable. It arose among the *matronae* in the shrine of *Pudicitia Patriciae*, which is in the Forum Boarium beside the round temple of Hercules. The *matronae* kept Verginia, the daughter of Aulus Verginius, a patrician woman married to a plebeian, the consul, L. Volumnius, away from their worship rites because she had married out of the patrician order. This small dispute then was inflamed by female resentment into a conflict of feelings, when Verginia boasted in truth that she entered the temple of *Pudicitia* both as a patrician and chaste, seeing that she put on the wedding veil for one husband to whom she had been escorted as a virgin, and that she did not repent of her husband or of his offices and his accomplishments. Then she greatly enlarged her splendid words with an outstanding act. In the Vicus Longus, where she lived, she closed off a part of her house which was enough space for a modest shrine and there she placed an altar and, having complained bitterly to the plebeian *matronae* she had called together about the insult of the patrician *matronae*, she said "I am dedicating this altar to *Pudicitia Plebeia*, and I urge you to compete with the *matronae* over modesty as your husbands compete in the state over manliness, and that you do your best to bring it about that this altar, if at all possible, be said to be more sacred and to be worshiped by more chaste women."

### 3. Funerary Inscription for Aurelia Philematium (ILS 1221a-b, *The Worlds of Roman Women*, pp.46-7)

<p>[L. Au]relius L.L. [H]ermia [lan]ius de colle Viminale. [H]aec quae me fa&lt;a&gt;to praecessit corpore casto [c]oniunx&lt;s&gt; una meo praedita amans animo, [fi&gt;do fida viro v[e]ixi[t] studio parili, &lt;Q&gt;[c]um 5 [n]ulla in avariti&lt;e&gt;a cessit ab officio.  <b>Aurelia L. L.</b></p>	<p><b>Aurelia L.L. Philematio</b> Viva Philematium sum Aurelia nomini&lt;ta&gt;ta, casta, pudens, vulg[e]i nescia, f&lt;e&gt;ida viro. Vir conl&lt;e&gt;ibertus fuit eidem, quo careo eheu! 5 re&lt;e&gt; fuit e&lt;e&gt;[t] vero plus superaque parens. Septem me na&lt;a&gt;tam annorum gremio ipse recepit; XXXX annos nata necis pot[ita] Ille meo officio &lt;S?&gt; adsiduo florebat ad o[m]nia]</p>
<p><b>Lucius Aurelius Hermia, freedman of Lucius, butcher from the Viminal Hill.</b> This woman who went before me by fate, chaste of body my only wife, loving, possessed of my heart, lived faithful to her faithful husband with equal fondness since she did not fail in her duty out of any selfishness Aurelia, freedwoman of Lucius</p>	<p><b>Aurelia Philematio, freedwoman of Lucius</b> Alive I was named Aurelia Philematium, chaste, modest, ignorant of the populace, faithful to my husband My husband was a fellow freedman to the same man I am without him, alas! He was in fact and in truth more than and above a parent He took me at seven years of age to his breast At the age of forty years I have been possessed by death He flourished under my continual attention to [all things].</p>

## Bibliography

#### Internet:

*Companion to the Worlds of Roman Women* (<http://www2.cnr.edu/home/araia/companion.html>) A. R. Raia, J.L. Sebesta

*Rome: Republic to Empire* (<http://www.vroma.org/~bmcmanus/romanpages.html>) B. F. McManus

The VRoma Project (<http://www.vroma.org>)

#### Print:

G. Davies, "The Significance of the Handshake Motif in Classical Funerary Art" in *AJA* 89 (1985) 627-640

G. Davies, "Viewer I Married Him: Marriage and the Freedwoman in Rome." In *Ancient Marriage in Myth and Reality*. Edited by L.L.Loven, A. Stromberg, pp. 184-204 (Cambridge Scholars, 2010)

J.F. Gardner. *Family and Familia in Roman Law and Life* (Oxford, 1998)

M. George, "Family Imagery and Family Values in Roman Italy." In *The Roman Family in the Empire*. Edited by M. George, pp. 37-66 (Oxford, 2005)

J.E. Grubbs. *Women and the Law in the Roman Empire* (Routledge, 2002)

D.E.E. Kleiner. *Roman Group Portraiture*. (Garland, 1977)

J. Linderski. "Religious Aspects of the Conflict of the Orders: The Case of *confarreatio*." In *Social Struggles in Archaic Rome – New Perspectives on the Struggle of the Orders*, 2<sup>nd</sup> edition. Edited by K.A. Raafaub, pp.223-238 (Blackwell, 2005)

L.L.Loven, "*Coniugal Concordia: Marriage and Marital Ideals on Roman Funerary Monuments*." In *Ancient Marriage in Myth and Reality*. Edited by L.L.Loven, A. Stromberg, pp. 204-220 (Cambridge Scholars, 2010)

Maehle, Ingvar. "[\*Female Cult in the Struggle of the Orders\*](#)." University of Bergen (N.D.)

L.H. Peterson. *The Freedman in Roman Art and Art History* (Cambridge, 2006)

A. Raia, C. Lushnig, J.L. Sebesta, *The Worlds of Roman Women* (Focus, 2005)

S. Treggiari. *Roman Freedmen During the Late Republic* (Clarendon, 1969)

S. Treggiari. *Roman Marriage* (Oxford 1991)

**I wish to express my thanks to Barbara McManus for her advice on how to clarify *manus*.**