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# **Elite Father and Son Relationships in Republican Rome**

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## Signed declaration

**This thesis has been composed by the candidate, the work is the candidate's own and the work has not been submitted for any other degree or professional qualification except as specified.**

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## Abstract

The focus of this study is aristocratic fathers and sons in the middle and late Roman Republic (264 – 27 B.C.). By considering legal, literary, and material evidence, it addresses the behaviour of elite families throughout this period. Although there is a great deal of important research conducted on family relations in the ancient world more generally, there is no extensive study which analyses the bonds of duty, obligation, and affection between fathers and sons in republican Rome. It is this gap in the scholarship which is addressed in my thesis.

The key aspects of this relationship are considered through several interconnected chapters. Each reflects the social nature of this analysis, and demonstrates that traditional values, dynastic considerations, and social ideals promoted a sense of common identity and unity within the household. Although the hierarchical nature of Roman family life also provided opportunities for conflict between father and son, ultimately the relationship between the two was governed by these three concerns, as well as the close correlation between public and private in the lives of the republican elite.

The discussion begins by considering the high valuation of fatherhood at Rome, evidenced by the use of terms derived from *pater*, and argues that the qualities expected of this individual were similar to those associated with the ideal statesman (Ch. I). From there, depictions of the Roman father by Greek and Roman authors are analysed to show that the former often emphasised the morality of the episode in question, while the latter stressed the conflict between the well-being of the family and the safety of the state (Ch. II).

The argument then moves on to explore social expectations. Cicero's *Pro Roscio Amerino* provides an example in which the ideals for father and son relationships are manipulated in order to persuade an audience (Ch. III). This shows that *pietas*, duty, companionship, and support towards one another were recognised as norms for these individuals. The discussion of the *paterfamilias* in the following chapter demonstrates that he was expected to act as a role model for future generations, and to provide education and protection to his dependants (Ch. IV). The reputation and continuity of the family line were also important considerations for the aristocratic head of household.

From there, traditional values, dynastic considerations, and social ideals are explored through the family life-cycle (Ch. V). This section establishes that these three areas fostered a sense of common identity and unity within the household, and exerted significant pressure upon fathers and sons to maintain relatively harmonious relationships. The final chapter considers literary portrayals of Rome's founders in



order to reiterate the close correlation between the ideal of the father and the ideal of the statesman (Ch. VI). It concludes that the use of the father-figure by Augustus and later emperors to legitimise their position in the state develops from the ideological significance of fatherhood in the Republic.

[8]

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## Abbreviations

The abbreviations of titles of ancient works are taken from the *Oxford Classical Dictionary*. The following abbreviations are used for standard reference works:

*CIL: Corpus Inscriptionum Latinarum*

*Dig: Digesta Iustiniani*, ed. Mommsen-Krueger (1922)

*GHI: Greek Historical Inscriptions*

*IC: Inscriptiones Creticae*, ed. M. Guarducci, 4 vols (1935-50)

*ILS: Inscriptiones Latinae Selectae*, ed. H. Dessau (1892—1916)

*MRR: The Magistrates of the Roman Republic*, ed. T.R.S. Broughton, 3 vols (1951-86)

*RE: Pauly-Wissowa-Kroll, Real-Encyclopaedie der classischen Altertumswissenschaft* (1894-)

*RRC: Roman Republican Coinage*, ed. M. Crawford, 2 vols (1974)

The texts of Greek and Latin sources have been reproduced from the Bibliotheca Teubneriana. The translations, except where stated, are adapted from the Loeb Classical Library.

## Introduction

Optima autem hereditas a patribus traditur liberis omnique patrimonio praestantior gloria virtutis rerumque gestarum, cui dedecori esse nefas et vitium iudicandum est.

The noblest heritage, however, that is handed down from fathers to children, and one more precious than any inherited wealth, is a reputation for virtue and worthy deeds; and to dishonour this must be branded as a sin and a shame. (Cic. *Off.* 1.121)<sup>1</sup>

The focus of this study is the relationship between aristocratic fathers and sons in the middle and late Roman Republic. This thesis argues that, although opportunities for conflict existed, ultimately interactions between the two were governed by three concepts. The first of these I term traditional values and define as those principles which were taught and encouraged within the family itself. This included duty towards one's immediate relatives (*pietas*), education, the use of ancestors as models of exemplary conduct, and the passing of the way of the elders (*mos maiorum*) on to successive generations. Second, the area of dynastic considerations was another crucial element for understanding father and son relationships. Issues relating to the family cult, to the advertisement of the household, to shared ambitions, marriage, adoption, and reputation all come under this broad category. I define the third factor, social ideals, as consisting of those issues relating to the expectations of the community including the high valuation of fatherhood, the metaphorical use of parent-child bonds in republican culture more generally, and the supremacy of the state. It should be noted that there is, by nature, a certain amount of overlap between these areas. Furthermore, emotions have not been mentioned explicitly in any of the categories above, but they do have their place in each and must be addressed in any discussion of family connections.

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<sup>1</sup> Unless stated otherwise, all translations are adapted from the Loeb Classical Library.

However, the fact that there is no one pattern for the behaviour of parents and children towards one another in any period of history, including republican Rome, should be noted at the outset.<sup>2</sup> Thus, the title of this thesis is elite father and son relationships in the plural. Social expectations can, however, exert a significant influence on individuals to follow set norms and practices, while specific ‘family values’ can be institutionalised by those in power, as the marriage legislation put in place by Augustus at the beginning of the imperial period exemplifies.<sup>3</sup> Therefore, it is necessary to piece together common practice from the literary sources and from material evidence such as inscriptions, sculptures, and coins, while simultaneously evaluating the role that ideal models must have played in Roman culture more broadly. Through an evaluation of the sources in this way, I conclude that the traditional values, dynastic considerations, and social ideals discussed above exerted a significant pressure upon relationships to remain, to a large extent, mutually assistive and cooperative. Furthermore, this resulted in a sense of common identity and unity within the family as a whole, which is reflected in the careful self-representation that occurred in republican households.

Finally, the fact that this investigation concerns itself with the middle and late Republic in particular ought to be addressed. Throughout this period, the heads of aristocratic households and their sons made up the majority of the senate, and this is reflected in the fact that those qualities expected of the statesman were closely related to those characteristics associated with the father.<sup>4</sup> Likewise, the connections between private, public, and religious life may seem unusual to modern audiences, but these men often held priesthoods and were also thus responsible for the city’s

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<sup>2</sup> Parkin and Pomeroy (2007), 1.

<sup>3</sup> On the legislation put in place by Augustus, see Treggiari (1991). On the Roman family at the beginning of the imperial period, see Severy (2003).

<sup>4</sup> This is discussed at length in Ch. I. It should be pointed out that the lifelong nature of *patria potestas* did not stop Roman sons from holding office; however, the *Lex Villia annalis* from the beginning of the Second Century BC set the minimum age for election as an *aedilis* at thirty-six, as praetor from thirty-nine, and as consul from forty-two. On this, see Evans and Kleijwegt (1992), 181-195.

relationship with the gods. As this was the case, a high valuation of fatherhood existed at Rome, and an individual's status and standing in the home could be an important asset with regard to his influence within the state. For example, the hierarchical nature of Roman society more generally imitated father and son relationships; for example, the senate were known as the *Patres* (Cic. *Cat.* 6.6; Livy, 1.8.3-7; Plut. *Rom.* 13. 3-8) and they owed a duty of protection towards the rest of the community.<sup>5</sup> Likewise, patron-client connections used the idea of the father and his household of dependants as their basic framework.

This social dynamic was altered completely at the beginning of the imperial period.<sup>6</sup> Although Augustus advocated the continuation of the Republic in theory, in practice the system that had given the heads of elite households such influence and power was changed irrevocably. Instead of a number of families competing with one another for glory and renown, there was now only one family and one ultimate Roman father: the emperor himself, who used the vocabulary of family relationships that had originated in the republican period to solidify his own position in the state.

Before moving onto the discussion of scholarship on the Roman family in the following section, it is first necessary to address some of the parameters of this analysis. Information on the Roman family of the early Republic is limited to legendary accounts written much later and, arguably, this material provides more of an insight into the time in which it was written than the time it is supposedly describing. On the other side, Augustus' rise to power means that material beyond c. 27 BC is more relevant to a discussion of the family in imperial Rome, when the

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<sup>5</sup> See Ch. I for further discussion.

<sup>6</sup> See Severy (2003), 7-33.

concentration of power in the hands of the emperor had fundamentally transformed the nature and role of the aristocracy.<sup>7</sup>

Finally, this analysis of father and son relationships does not claim to be a diachronic study of the evolution of the family, or the development of affection within that body. There is relatively little evidence that would make a comparison between the Republic and the empire possible; however, what evidence there is will be discussed in the coming chapters. Instead, this thesis explores those particular features which come up time and again in portrayals of fathers and sons in the middle and late Republic.

### **Scholarship on the Roman Family**

Although a relatively recent development in the study of the ancient world, the field of family studies has attracted a great deal of attention. Traditionally, scholarship focussed on military and political history, but it has become clear that knowledge of any given period benefits from research into the domestic world. After all, the events more commonly written about did not occur in a vacuum, and the shift away from a concentration on a specific group of individuals in particular contexts encourages new methods of analysing and using a variety of sources.

Yet, the use of the term ‘family’ is problematic in itself. It is an institution loaded with meaning, and an exact definition is elusive.<sup>8</sup> For the upper classes during the republican period, it operated as a social, economic, and political entity, and the ideology associated with its role in society means that any straightforward explanation or discussion is problematic. Furthermore, the term *familia* in Latin differs from modern conceptions of the nuclear family that so cloud our own

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<sup>7</sup> However, as a comparable example, and as one of the most important sources for the theme of father and son relationship in Roman literature as a whole, the *Aeneid* is discussed in chapter VI. See Severy (2003) on the development of the imperial family as a state institution.

<sup>8</sup> Dixon (1992), 1-12.

understanding of Roman society. Depending on context, *familia* could refer to immediate family members, the family line, or the wider household including slaves. Saller argues that its primary meaning focused on agnatic descent, but admits that this was not always defined in common usage. Similarly, the Roman term *domus* could refer to relations, lineage, or to the home itself:

The conclusion to be drawn, then, is that neither *domus* nor *familia* had as a usual meaning in literary Latin ‘family’ in the primary sense in which we use the word today. When writers wished to signify that core family unit, they employed the phrase *uxor liberique*, as when Cicero referred to Sex. Roscius having *domus, uxor liberique* at Ameria.<sup>9</sup>

To illustrate the flexibility of the Latin term *familia*, the jurist Ulpian discussed various possible meanings of the term to designate the estate, patrimony, individuals including slaves (*dig. 50.16.195*), or the family lineage (*dig. 50.16.195.4*). There is also evidence from the Republic that the word *familia* could be used to refer only to those connected through agnatic descent (through the male line), and not *cognatio* (*Cic. Pro Deiotaro, 30; Pro Cluentio 16*). Such distinctions are important, as *familia* was often used to describe the legal relationships between individuals, or those under the control of the head of the family. This latter sense has led Saller to re-define the term *paterfamilias*: he argues that, rather than referring to the relationship between father and wife/children, it was more commonly used to denote the estate owner with ‘responsibility to protect his wife and children (*Cic. Cat. 4.12; Petron. Sat. 85*)’.<sup>10</sup> The responsibilities of this figure with regard to protection, education, and continuity

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<sup>9</sup> Saller (1984), 344.

<sup>10</sup> Saller (1991), 182-97 and (1999), 191. Also, refer to Lacey (1986), 133: ‘The *paterfamilias* was in a more autocratic position than the consul – not that this is surprising, since the *paterfamilias* was expected to be checked by the affection which he felt for his family.’ Compare the description of Barton (2001), 166: ‘The father, with his right to kill (*ius necis*), lifting in his hands the newborn and helpless infant (*filiam, filium tollere*), exercising his prerogative of mercy (*ius vitae*), was the very model of the Roman man of honour, the man who could do harm, but chose not to’.



are rarely stressed in discussions of his legal powers, but it was an important part of his position.<sup>11</sup> Therefore, although the term *familia* is similar to the English term ‘family’, a direct correlation in meaning between the two does not exist.

To further complicate the matter, the ideal of the family has been used throughout history as a way of judging or measuring the moral standard of a given culture.<sup>12</sup> Tales of the decline of traditional morality – always with its root in the family – can be found well beyond the Republic. At the same time, the source limitations imposed by the periods in question can result in an emphasis on the legal sources to fill the gaps. Though these are important in their own right, they can present, in the absence of comparable evidence, a skewed view of Roman social relations.<sup>13</sup>

Nevertheless, the surge of interest in domestic life has resulted in several influential studies. This began in the 1960s with the works of Lacey on the Greek family, Rawson and Hopkins on the Roman family, and Crook on Roman law and life.<sup>14</sup> From there, the study of the Roman family quickly expanded with an introduction by Dixon as well as the volumes released from the Roman family conferences which originated under the organisation of Rawson.<sup>15</sup> The ground-breaking work of Saller and Shaw used an expansive epigraphic database to analyse links between family relationships and commemorative practices which allowed an examination of ages at marriage for men and women and concluded that the core members involved in commissioning tombstones were parents and children.<sup>16</sup> These studies also made a focus on different social strata possible in a way that it had not been before.

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<sup>11</sup> This is explored more fully in Chapter IV.

<sup>12</sup> Dixon (1992), 19-24.

<sup>13</sup> Rawson (2003), 119.

<sup>14</sup> Lacey (1968); Rawson (1966), 71-83; Hopkins (1965), 124-51; and Crook (1967).

<sup>15</sup> Dixon (1992); Rawson (1986, 1991); Rawson and Weaver (1997); George (2005). On subsequent works on the Greek family, see Garland (1990), Pomeroy (1997), Cox (1998), and Patterson (1998).

<sup>16</sup> Saller and Shaw (1984), 124-156; Saller (1987), 20-35; Shaw (1987), 30-46.

The study of the family has now expanded into a variety of areas including representation in art, relationships, regional diversity, kinship, adoption, fosterage, the slave family, and the elderly.<sup>17</sup> An influential work by Cooper argues that the role of the *domus* meant that public and private lives were closely intertwined for the Roman elite.<sup>18</sup> In particular, there is also a great deal of important work done on domestic spaces.<sup>19</sup> Similarly, a number of scholars have analysed the public spectacles of the city of Rome and their socialising effect on children, which is a significant area for this thesis.<sup>20</sup> With regard to law, Evans-Grubbs, Gardner, and Saller have followed in the footsteps of Crook's influential work.<sup>21</sup> Likewise, the study of youth in the ancient world is a popular area of research with scholars such as Dasen focussing on childbirth and infancy; Dasen and Späth on family identity, Eyben on youth, Kleijwegt on adolescence, and Dixon on childhood more generally.<sup>22</sup> These provide a much needed refutation to the argument of Ariès that childhood was gradually invented in the seventeenth and eighteenth centuries.<sup>23</sup>

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<sup>17</sup> On regional differences, see Fentress (2000), Rawson and Weaver (1997), Woolf (1998). On adoption and fosterage, the key texts are those by Corbier (1991a), 127-44, (1991b), 47-78, and (1999), and Lindsay (2009). On slave and freedmen families, see Gardner (1989), 236-257, and Saller and Shaw (1984), 124-156; finally, on the elderly in Roman society, see Cockayne (2003), Harlow and Laurence (2002, 2007), and Parkin (2003).

<sup>18</sup> Cooper (2007), 3-33. She argues that this connection meant that an individual's status as the head of the household, with the authority and influence this would bring, was highly important in public life and that certain public duties such as games or funding buildings projects were controlled through the household. Although the focus of this study is on the imperial period, the ideal that what was good for the state was also good for the household is reflected in the close interactions between the two and is a theme that comes through in my discussion of the middle and late Republic also.

<sup>19</sup> Allison (2001), 181-208; Barton (1996); Ellis (2000); George (1997a), 299-319, (1997b), 15-24; Hales (2000), 44-55, (2009); Laurence and Wallace-Hadrill (1997); Wallace-Hadrill (1994); Wiseman (1987), 393-413.

<sup>20</sup> See the discussion in Ch. V, section 1.

<sup>21</sup> Evans Grubbs (1995, 2002); Gardner (1998); Saller (1984), 336-355.

<sup>22</sup> Dasen (2002a), 267-284, (2002b), 199-214, (2010), 291-314; Dasen, and Späth (2010); Dixon (2001); Eyben (1987, 1993); Kleijwegt (1991). There have also been several influential works on the concept of youth in the fields of psychology and sociology. These include Demos and Demos (1969); Hall (1904); Van Den Berg (1957), and Zwart (2002).

<sup>23</sup> Ariès (1960). However, see the assertion by Laes and Strubbe (2014), 8 that the nuances of Ariès' approach are sometimes misrepresented in modern scholarship. It should also be noted that the period of history studied by Ariès was the Middle Ages in France and England.

The field of demography is also important to mention at this point, although it will be discussed more fully below.<sup>24</sup> However, it is clear that there were various care-givers in the lives of elite Roman children, and the effects of high mortality rates, divorce, re-marriage, and political offices abroad have been discussed at great length in the modern scholarship.<sup>25</sup> Bradley argues in favour of dislocation in elite parent-children relationships as a result of changing living arrangements.<sup>26</sup> Yet, Rawson has pointed out that western conceptions of parent-child relationships (including the consequences of divorce, death, and remarriage) are not always useful for an understanding of Roman society.<sup>27</sup> Moreover, on the place of children, she argues that they were, in fact, 'welcome and valued and visible in Roman society'.<sup>28</sup>

Saller has also published an influential study based on the demographic analysis of Roman patterns of death, marriage, and birth.<sup>29</sup> His argument – that a large number of fathers would be dead by the time their sons had reached adulthood – had far-reaching consequences for the field of family relationships, and has been important in providing a contrast to scholarship which furthered the view of a severe Roman father and powerless son.<sup>30</sup> Saller explored inter-generational relationships within slave-owning households in several ways: the study re-defined the terminology used to describe the family; it evaluated the role of *pietas* and *patria potestas*; it looked at discipline and punishment in the household and, finally, explored the transfer of

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<sup>24</sup> See Introduction, p. 39-44.

<sup>25</sup> See Rawson (1986, 1991), Rawson and Weaver (1997), Weidemann (1989), Bradley (1991), Champlin (1991), Treggiari (1991), Dixon (1992, 2001), Parkin (1992), Saller (1994), Gardner (1998), and Corbier (1999). There have also been discussions concerning the structure of the family and the use of terms to describe that body (*familia* or *domus*) which denote the household and not solely the related family: Saller (1984, 1994), Bradley (1991), and Dixon (1992).

<sup>26</sup> Bradley (1987, 1991).

<sup>27</sup> Rawson (2003), 210 points out that life in Rome did mean that children 'would experience changing sets of relationships'. However, both Rawson (2003), 218-9 and Dixon (1999) have claimed that this interpretation considers the family from a modern viewpoint (especially the possible effects of divorce and re-marriage upon children) and is thus unhelpful for an understanding of Roman society.

<sup>28</sup> Rawson (2003), 1.

<sup>29</sup> Saller (1994).

<sup>30</sup> Saller (1994). This was a widely accepted work, and it has been influential for a number of scholars working on the family since.

property after death. He concluded that Roman society functioned by virtue of mutual obligation rather than fear. However, he did not deal explicitly with the father and son relationship and, although he has touched upon several relevant issues, this thesis looks in more detail at those aspects of republican culture which directly affected interactions between the two. This includes social expectations, the family lineage and reputation, the importance of *exempla* in the socialisation of children, the correlation between public and private embodied in the ideal of the exemplary father-statesman, and the valuation of fatherhood at Rome more generally.

The field of relationships especially, within studies of social relations, has become a dynamic area for research beginning with the volumes edited by Rawson and Weaver.<sup>31</sup> Treggiari has also explored the character of marriage in Roman society, while Champlin investigated the bonds of duty and affection in his analysis of wills.<sup>32</sup> An important work by Hallett addressed the bonds between fathers and daughters, and Bannon explored the significance of duty and obligation in the fraternal relationship.<sup>33</sup> Furthermore, Lindsay and Corbier have both made a number of important contributions to the study of adoption and fosterage in the ancient world.<sup>34</sup> Likewise, Harris has published an influential article on the practice of child exposure at Rome.<sup>35</sup> Anthropology, too, has played an important role in the study of the Roman family: the evolutionist writings of Stone on 18<sup>th</sup> century England were influential for previous interpretations of parent-child relations, but these were challenged by Golden in his work on grief and high early mortality societies.<sup>36</sup>

So, the field of family studies in the Roman world has become more popular in recent years. Although a great deal of work has been done on relationships between

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<sup>31</sup> Rawson (1986, 1991), Rawson and Weaver (1997).

<sup>32</sup> Champlin (1991), Treggiari (1991).

<sup>33</sup> Hallett (1984), Bannon (1998).

<sup>34</sup> Hallett (1984), Lindsay (2009), Corbier (1999).

<sup>35</sup> Harris (1994); cf. Scheidel (1997), 156-169.

<sup>36</sup> Stone (1977), Golden (1988, 1990).

individuals, there is no study which analyses the bonds of duty, obligation, and affection between fathers and sons. As mentioned previously, Saller points out that many fathers would not live to see their sons become young men and uses this as an argument against the pervasive images of the father's legal powers (*patria potestas*), but he does not give his readers any in-depth idea of what typical relationships would have been like for those who did have fathers still alive in their adult lives.<sup>37</sup> It is this gap in the scholarship that will be addressed in the following discussion.

### **Themes in father and son relationships**

This thesis shows that the sources present a range of models for father and son interactions throughout the middle and late Republic. However, as this examination of aristocratic relationships progresses, it will become clear that there are certain overarching themes which come up time and again. Although such themes will be pointed out and articulated more fully in their relevant chapters, it is important to emphasise the nature of these in the introduction.

First of all, there seem to be certain discrepancies between legal and literary texts in the picture they present of Roman social relations. Theoretically, the *paterfamilias* held extensive rights over his dependants, to the point that a number of ancient authors emphasised the singularity of these in comparison with other cultures.<sup>38</sup> However, legal sources deal in absolutes and it is thus problematic to base our conception of republican relationships on these alone. Nevertheless, what they do emphasise is not the absolute power of the father over his children, but the authority of the head of a family over all of the individuals in his household. Saller argued that the term *paterfamilias* itself was predominantly used to refer to the owner of property

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<sup>37</sup> Saller (1994), 188: 'The table suggests that just over one-third of Roman children lost their father before puberty, and another third then lost their fathers before age twenty-five. In other words, it was usual, rather than exceptional, for children to be left with their patrimonies before they were regarded as mature enough to manage them'.

<sup>38</sup> See p. 33-39 of the Introduction for an outline of *patria potestas*.

and slaves, rather than with reference to his relationship with family members.<sup>39</sup> Yet, although the *Digesta Iustiniani* and Gaius' *Institutes* contain the rulings of earlier jurists, the texts themselves are from centuries after our period.<sup>40</sup> They must, therefore, be used with caution as a reflection of republican practices.<sup>41</sup>

The legal power of the father can be viewed, however, as a marker of status that was important in ideology, but not used frequently in practice. As certain scholars have argued, these powers showed the range of fatherly authority.<sup>42</sup> Furthermore, as the aristocratic head of household often held the highest magistracies, the extent of his power reflected the authority of the Roman state itself; even the annexation of foreign lands to Roman power could be articulated in terms of patron and client (Cic. *Off.* 1.35).<sup>43</sup> The extant legal texts, then, present an idealised list of powers which reinforce and reflect the power of a *paterfamilias* in society as a whole. I argue that the identity of this aristocratic head of the family was closely intertwined with the notion of the ideal statesman who was at once citizen, son, and protector of the state and its members. This ideology goes back to the very earliest of Roman foundation legends.<sup>44</sup> It also highlights the importance of hierarchy as well as traditional institutions such as patronage and the senate, which served to reinforce the father-child relationship as the ultimate model for Roman social relations.

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<sup>39</sup> Saller (1991), 182-97 also argues that the term *paterfamilias* was more commonly used to refer to the father as estate owner rather than with reference to his relationship with children.

<sup>40</sup> The *Digesta Iustiniani* dates from the sixth century AD, while the *Institutiones* of Gaius was written in the Second Century AD.

<sup>41</sup> For a discussion of the historical development of Roman law up to and including the codification of Justinian in the sixth century AD, see Mousourakis (2003).

<sup>42</sup> Lacey (1986), 133; Thomas (1984), 545; Barton (2001), 166.

<sup>43</sup> On the power of the Roman father, refer to Thomas (1984), 545; Frier and McGinn (2004), 191; Shaw (2001), 76. See Gruen (1986), 162-3 on the annexation of foreign lands to Roman rule being described with reference to the patron-client relationship.

<sup>44</sup> In particular, the legends surrounding Aeneas, Romulus, and Brutus who are all regarded as founders and saviours of the Roman state. Brutus is discussed in Ch. II, section 2; Aeneas and Romulus are both discussed in Ch. VI.

Furthermore, this discussion of ideology and the father ties in closely with the analysis of social ideals. Terms derived from the Latin term *pater* were used to denote a number of official and archaic institutions in Roman society, as well as in situations which involved protection, defence, or education. Fatherhood was so highly valued in Roman culture that individuals could be honoured by being hailed as *parens* or *pater*.<sup>45</sup> Those qualities associated with the father were the central characteristics in Roman ideas of themselves and their identity. It could be argued, moreover, that it is not only the authority of the father, but his identification as a wise elder that is laid claim to.<sup>46</sup> The virtues expected of this individual were the same as those commonly identified with the early, idealised Romans whose deeds were passed on through legend. This, of course, meant that such status and its influence could be manipulated in public life. Thus, Augustus and a number of subsequent emperors solidified their own status and position by association with these qualities.

These issues of status and authority lead directly onto the theme of lineage in republican culture. As the elite Roman family was at once a social, economic, and political body in its own right, its reputation and presentation in the wider community was important in terms of esteem. To be was to be seen throughout this period, and the elite ensured that they promoted themselves to the highest degree. Coming from a renowned family line was an important boost in political life, while the *domus* itself continually endorsed the prominence of its members.<sup>47</sup> This included the physical house itself where ancestor masks would be displayed alongside various

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<sup>45</sup> It is clear from the etymology of various terms with reference to the word *pater* that Rome was very much a patriarchal society. As Hallett (1984), 25 points out, the term father is applied to some of the key Roman gods such as Jupiter and Mars in religious ceremonies; the term *mater* is not used to the same extent for goddesses (though there is the *magna mater* introduced in the later stages of the Punic Wars). This suggests, 'that the idea of fatherhood was invested with more religious awe by the early Romans than was motherhood'. On individuals hailed as *pater*, refer to Ch. I.

<sup>46</sup> The motif of the older and more experienced statesman guiding the impetuous youth is one that comes up several times in this discussion. For example, see Ch. 1, Ch. II, section 2, and Ch. IV, section 1.

<sup>47</sup> See Watson (1971), 29 on the financial implications of standing for office.

spoils from war or the evidence of triumphs (Plin. *HN* 35.7). Indeed, the morning *salutatio* at which the *paterfamilias* greeted his clients was held in the *tablinum* which looked out onto the *atrium* where the *imagines* of the family ancestors were displayed.<sup>48</sup>

There was also the belief that family members would behave like one another, while sons were expected to emulate their fathers and the glorious deeds of their ancestors.<sup>49</sup> This brings up the important issue of exemplary conduct in the middle and late Republic. The role of *exempla* becomes apparent in a consideration of father and son relationships as a method for both the socialisation and education of children.<sup>50</sup> The quotation by M. Tullius Cicero given at the opening to this introduction serves well to begin the analysis of how elite fathers and sons at Rome interacted with one another, and with the wider community. In a text dedicated to his own son, he identifies this notion of bequeathing reputation and glory to the next generation – as well as the impetus to strive for the same glory themselves rather than handing only wealth on to descendants.<sup>51</sup>

Likewise, shared motivations and goals were important influencing factors in father and son relationships, and the impact of emotional bonds such as affection and

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<sup>48</sup> As Harlow and Laurence (2002), 23 argue, the house was where children would first encounter the political and business worlds.

<sup>49</sup> Van der Blom (2010), 98: ‘A fundamental aspect of the way in which family exempla functioned was the claim to certain character traits being passed down in families, and therefore that descendants could be expected to live up to a family reputation and a family name.’

<sup>50</sup> On education: Ch. V, section 1. On *exempla* in Roman culture, see the discussion in Van der Blom (2010), 12-25; on the socialisation of children, see McWilliam (2013), 264-286.

<sup>51</sup> Compare the account in which Marius states that the ancestors of illustrious families would prefer descendants like Marius himself, who would bring his own glory to a lineage, rather than being born into the role (Plut. *Mar.* 9.3).



companionship should not be underestimated.<sup>52</sup> These key themes are prominent in the ancient sources, and they serve to provide a number of themes to the thesis as a whole.

### **Literary and Historical Sources**

A systematic study of family behaviour at Rome must grapple with the issue of limited source material. Those individuals who wrote histories during the Republic were less interested in the relationships between individuals so much as the political turmoil that marks so much of this period. Where there are mentions of interactions between sons and their fathers, it is often in passing, or in uncommon cases; thus, it can prove difficult to gain an accurate picture of social practice. Moreover, with the exception of Cicero, Polybius, Terence, and Plautus, almost all of our literary figures are writing at a later date. It is therefore important for our understanding of the middle and late Roman Republic to carefully and critically evaluate the way in which earlier, now lost or fragmentary, historical works are used by later writers. The most pragmatic approach to this problem is to take those authors used in this thesis one by one in order to discuss their individual aims and use of sources.

To begin, the works of M. Tullius Cicero (106 – 43 BC) are indispensable for any study of Roman society in the late Republic. Born at Arpinum, Cicero had a remarkable political career at Rome despite the fact that he was a *novus homo* – a member of an equestrian family without any senatorial ancestors. His surviving works comprise several important law-court speeches, philosophical works, and letters to family and friends. On his use of earlier sources, Cornell et al. write that

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<sup>52</sup> I share the view of Rawson (2003), 220 on this point: ‘The historical record (...) is shot through with expressions of affection and close interest and concern between parents and children. Can we speak of ‘love’? The word ‘love’ is so loaded, so culturally dependent, that it is difficult to use it of another society, especially one so remote in time, without fear of misrepresentation. Yet there is a range of expressions in Latin which, to my mind, equate to ‘love’ as an ideal for parents and children in Roman society, and there is a record of behaviour which indicates frequent translation of ideal into action.’

Cicero only intermittently cites Roman historians; however, they do note that the exception to this general tendency is in the case of Cato the Elder, who is mentioned more frequently.<sup>53</sup> Cicero's practice of using earlier historians would have ultimately depended upon the genre and aims of the text in question. In the law-court speeches, it would have been unnecessary to provide historical sources for well-known episodes and Cornell et al. point out that the orator would have been careful not to appear as if he were showing off his knowledge and education.<sup>54</sup> In his rhetorical and philosophical works, Cicero does appear to have acknowledged his sources more frequently, but again this practice may have depended upon the topic in question. In the *De divinatione*, there are a several references provided in order to lend authority to the matter at hand.<sup>55</sup> Furthermore, it should be noted that only one of the sources cited by Cicero is directly quoted, and none of his references included book numbers.<sup>56</sup> As Cornell et al. state, this inconsistent approach in Cicero's works means that it is difficult to produce an overall picture of his use of sources.

For a discussion of fathers and sons in the middle and late republic, then, Cicero is a particularly useful source. As one of our only surviving contemporary authors, his variety of work lends a direct insight into social practice in the period; in particular, this comes through in the wealth of letters between friends and family members. Although sometimes erratic, it is clear that Cicero did consult earlier works when writing about Roman history, although his most valuable contribution to a study of relationships is the frequent use of exemplary figures in the extant speeches. These

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<sup>53</sup> Cornell et al. (2013), 53. Overall, Cicero uses the work of 13 different writers in 44 separate citations. On M. Porcius Cato, see Cornell et al. (2013), 191-218. On further sources named by Cicero, see Cornell et al. (2013): *Annales Maximi*, 141-159; Q. Fabius Pictor, 160-178; C. Acilius, 224-226; L. Calpurnius Piso Frugi, 230-239; C. Sempronius Gracchus, 243; C. Fannius, 244-249; Cn. Gellius, 252-255; L. Coelius Antipater, 256-263; L. Cornelius Sulla, 282-286; L. Cornelius Sisenna, 305-319; L. Lucceius, 335-337; T Pomponius Atticus, 344-353; L. Scribonius Libo, 256-257.

<sup>54</sup> Cornell et al. (2013), 53.

<sup>55</sup> Cornell et al. (2013), 55. The matter at hand is a dispute between Cicero and his brother Quintus on the validity of divination; during this debate, Quintus cites several Roman and Greek historians as evidence.

<sup>56</sup> This is Coelius 15 F 47 (= *De orat.* 3.153). See Cornell et al. (2013), 56 for discussion.

are significant because they provide an idea of how the Roman community created and renewed its social identity and norms, as well as direct evidence of how these ideals could be manipulated by a skilled orator. On the question of sources, Cicero is also known to have utilised several primary sources such as speeches, the Twelve Tables, laws, and *senatus consulta*. As a consequence, the works of Cicero are the most detailed and varied account of life in the late Republic available and they present numerous personal relationships between the orator and his brother (in which there was often turmoil), his son (discussed in Chapter II), his wife, and his daughter.

Dionysius of Halicarnassus was a Greek author who wrote history, literary criticism, and rhetorical theory, and lived in Rome during the late-first century BC. Several essays survive, but the *Antiquitates Romanae* – a history chronicling the rise of Rome from before its foundation up to the Punic Wars – is the most relevant to a discussion of family relationships. In the opening book, Dionysius of Halicarnassus relies heavily upon Greek sources; however, unusually, he also included a preface listing those Roman sources used (1.7.2-3).<sup>57</sup> Northwood comments that, on the whole, DH refers to a wider range of historians than Livy, who is writing at around the same time; however, as was common, DH rarely provides direct quotations or book numbers for his sources.<sup>58</sup> He also notes that citations tend to be on chronology, genealogy, Roman institutions and festivals, and alternative narratives for well-known cases in Roman history.<sup>59</sup> Overall, it seems that DH's sources had little influence on the work's central thesis: that is, the Greek origins of the Roman race.<sup>60</sup> This central theme determines the approach to Rome's history throughout the text;

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<sup>57</sup> On these sources, see Cornell et al. (2013): M. Porcius Cato, 191-218.; C. Sempronius Tuditanus, 240-242; Q. Fabius Pictor, 160-178; L. Cincius Alimentus, 179-183; C. Acilius, 224-226; L. Calpurnius Piso Frugi, 230-239; Q. Aelius Tubero, 361-367; Vennonius, 250-251; Cn. Gellius, 252-255; Valerius Antias, 293-304; C. Licinius Macer, 320-331; M. Terentius Varro, 412-423.

<sup>58</sup> Cornell et al. (2013), 62

<sup>59</sup> Cornell et al. (2013), 62.

<sup>60</sup> Cornell et al. (2013), 63.

for example, the first book describes the migration of the Trojans, the Pelasgians, the Arcadians, and the Peloponnesians to Italy.

Although this text provides a great deal of important information on the sources available to historians writing during this period, its primary thesis presents some problems for the reader interested in social practice. The desire to prove the Greek origin of the Roman race means that information on the early Roman family cannot be taken at face value. Furthermore, there is an emphasis upon the legal structure of the family which, I would argue, describes the relationship between father and son in a way that does not take into account its complexities or the possibility for variation between individuals.

Titus Livius was a historian who lived in the late first century BC and early first century AD. His major work was the *Ab urbe condita* which covered the period from the end of the Trojan War up to the beginning of the first century AD; originally, there were 142 books, but only books 1-10 (up to 293 BC) and books 21-45 (218-167 BC) survive, the latter in fragmentary form. For the rest of the text, the *periochae* – summaries of each book – survive, as well as accounts by later authors.<sup>61</sup> The narrative begins with the foundation of Rome and the period of the kings in the first book; after, events are organised annalistically. In those books that have survived, it does seem that Livy used earlier historians as important sources, although they are rarely named.<sup>62</sup> Nevertheless, he often makes reference to discrepancies between accounts, and comments upon his evaluation of their reliability. However, in

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<sup>61</sup> These include Eutropius, Obsequens, and Orosius. See Cornell et al. (2013), 83 for discussion.

<sup>62</sup> On those named sources, see Cornell et al. (2013): Q. Fabius Pictor, 160-178; L. Cincius Alimentus, 179-183; M. Porcius Cato, 191-218; C. Acilius, 224-226; L. Calpurnius Piso Frugi, 230-239; L. Coelius Antipater, 256-263; P. Rutilius Rufus, 274-277; Q. Claudius Quadrigarius, 288-292; Valerius Antias, 293-304; C. Licinius Macer, 320-331; and L. and Q. Aelius Tubero, 361-367. The sources used in individual books also vary according to which historian was available to consult on a particular period: thus, Q. Claudius Quadrigarius only from book 5 onwards; L. Coelius Antipater solely for the Hannibalic War; and Q. Fabius Pictor and L. Cincius Alimentus' accounts up to the Punic Wars only. See Cornell et al. (2013), 85.

opposition to a once commonly held belief, Briscoe and Rich argue that there is no evidence that Livy used only the first-century historians and did not consult earlier works himself.<sup>63</sup> It is also important to mention Livy's use of Polybius as a source for the middle Republic. Briscoe and Rich point out that, although Cicero referred to the worth of Polybius, he was generally not used before Livy.<sup>64</sup> The narrative follows Polybius for books 31-45, and the two accounts can be closely compared with one another.<sup>65</sup>

As an author who was alive during the late republic, Livy's text provides a valuable insight into Roman culture and customs at the time when the city was becoming an empire. Furthermore, he is known to have utilised a wide range of sources when writing his history, and can therefore provide access to stories and evidence from earlier periods.<sup>66</sup> This was a necessity, as much of the narrative occurs well before his lifetime. It also goes without saying that his focus is not on family in the *Ab urbe condita*; nevertheless, there is a particular moral aim to Livy's writing which results in more of a focus on individuals and especially exemplary conduct than might be expected in historiography more generally. As this is the case, the extant books are invaluable when considering the relationship between fathers and sons. What is particularly interesting is that Livy's *Ab urbe condita* was regarded, even in his own time, as the standard history of the Republic. Often accounts of the early Republic provide more of an insight into the time in which they were written than they do earlier period. Therefore, the fact that this text became the authority on the origins of the Roman state can give modern historians an interesting insight into Roman ideals. The presentation of the Roman people in this text must have appealed to, and reinforced, notions of Roman identity and social values for those reading it. As a

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<sup>63</sup> Cornell et al. (2013), 84.

<sup>64</sup> Cornell et al. (2013), 85: 'Livy's incorporation of substantial Polybian material into his account was thus a major innovation in the Roman historiographical tradition.'

<sup>65</sup> This was done by Nissen (1863).

<sup>66</sup> These sources included antiquarian writers, speeches, and records. See Cornell et al. (2013), 84 for discussion.

consequence, even if not directly portraying social practice, the depiction of family relationships within such a source illustrates those social expectations which existed for the late republican and early imperial community.

Plutarch, born in the mid-first century AD in Boeotia, was an influential philosopher and author. He wrote several essays and dialogues, but the *Parallel Lives* is his most famous work. He rarely provides the names of his sources, but it is generally assumed that these included extant Greek authors such as Dionysius of Halicarnassus and Polybius, as well as Roman authors including Sallust and Livy. Naturally, the sources used depended heavily on the life in question, but Cicero's various works are referenced more than any other material in Plutarch's *Lives* as a whole. More than anything else, Plutarch also appears to have wanted to use first-hand accounts in his works.<sup>67</sup> Nevertheless, the nature of the *Lives* means that Plutarch's use of material is often uneven: for the late republic, documents, accounts, letters, and histories were more readily available; for the earlier lives, there are fewer named sources.

With regard to father and son interactions in the middle and late republic, then, Plutarch is a valuable source which nevertheless requires comparison with other materials. For example, Chapter II discusses the depiction of Brutus and his sons in the accounts of Livy and Plutarch, which differ quite markedly, even though the latter seems to have elsewhere used Livy as his own source for various events. One must therefore ask why these descriptions are different. Of course, the episode is from the legendary period of Roman history, so it may not be helpful to ask which was more accurate. Instead, the contrasting accounts raise questions regarding the aims of each text, and how such aims interact with the portrayal of Roman ideals. However, Plutarch was also writing at a time when the Roman Empire was well-established and its customs would have been familiar to those territories under its

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<sup>67</sup> For a discussion of Plutarch's testimonia, see Cornell et al. (2013): Q. Lutatius Catulus, 271-273; P. Rutilius Rufus, 274-277; C. Fannius, 244-249; Munatius Rufus, 358-360; Calpurnius Bibulus, 407-409; M. Valerius Messalla Corvinus, 463-471; P. Volumnius, 404-405; Q. Dellius, 424-425.

control; furthermore, Plutarch was able to read Latin well enough to use these sources, and so it must be assumed that he was aware of Roman *mores* and customs.

Polybius of Megalopolis, born in the early second-century BC, was among the thousand Achaeans held in Rome and the Italian towns from 167 BC. There he became close to Scipio Aemilianus and began work on the *Histories*, a text which covered the Punic Wars from 264-146 BC and centred on the rise of Rome. Polybius frequently mentions earlier historians in critical terms, yet it is clear that the early books of the *Histories* relied heavily on other sources.<sup>68</sup> As an individual living in Rome during the middle republic, Polybius is an indispensable resource. Furthermore, his friendship with some of the leading families of the day provides important information about the relationship between elite fathers and their sons, the adoption of the sons of Aemilius Paullus, and Roman actions in the Greek East.

C. Sallustius Crispus, born in the early first-century BC, was a Roman historian who wrote monographs on the Catilinarian Conspiracy of 63 BC and the Jugurthine War of 111-105 BC. There is limited information on Sallust's use of sources in his works; however, Sempronius Asellio, Valerius Antias and Q. Claudius Quadrigarius are known to have covered the Jugurthine War at least in part.<sup>69</sup> It also seems likely that Sallust utilised the memoirs of influential politicians such as Aemilius Scaurus, Rutilius Rufus, and Sulla.<sup>70</sup> Similarly, there are quotations from speeches given by Metellus and so it seems reasonable to assume that extant political speeches were used by Sallust where possible. With regard to the Catilinarian Conspiracy, Sallust's

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<sup>68</sup> For the first Punic War, Polybius refers to Q. Fabius Pictor and Philinus of Acragas, although it is difficult to determine which account he is following at various points. For the Second Punic War, he also used Q. Fabius Pictor and Philinus, although he commented that each were biased towards the opposite side (1.14.1-3, 15.12). See Cornell et al. (2013), 113-114. Polybius might also have utilised the accounts of Roman authors who wrote in Greek such as L. Cincius Alimentus and Scipio, the son of Africanus. On these sources, see Cornell et al. (2013): L. Cincius Alimentus, 179-183; P. Cornelius Scipio Africani f., 184.

<sup>69</sup> On these authors, See Cornell et al. (2013): Sempronius Asellio, 274-277; Valerius Antias, 293-304; Q. Claudius Quadrigarius, 288-292.

<sup>70</sup> See Syme (1964), 154-155.

main source must have been the writings of Cicero, but he probably had access also to copies of the speeches given by Caesar and Cato in the Senate, and may have sought first-hand accounts from individuals involved.<sup>71</sup>

As evidence for the relationship between family members during the late republic, Sallust's works are important as he lived during the events of the Catilinarian Conspiracy, and was likely to have consulted first-hand accounts of the Jugurthine War. As this was the case, his monographs can provide a great deal of information about family behaviour during this period; though, of course, much of this data is incidental to the primary purpose of the texts. This key aim was to show the moral corruption of the Roman state that had begun with the defeat of Carthage in 146 BC. In particular, the depiction of the Catilinarian Conspiracy explores this degeneration of social *mores*, linking it to a loss in domestic values. However, the constraints of Sallust's central theme means that it is unlikely to co-exist with a balanced depiction of family interactions and, as this is the case, Sallust's works should be compared with a wider range of republican sources.

Finally, Valerius Maximus completed *Facta et dicta memorabilia* between AD 29 and 31, a collection of *exempla* concerning famous events and sayings. It originally consisted of ten books, although the manuscripts divide it into nine; overall, there is a strong moralistic theme to the content. In terms of works on which his compilation is based, Valerius Maximus rarely names his sources. However, it is clear that he used the works of Cicero and Livy repeatedly, to the extent that Briscoe and Rich comment that his practice bordered on plagiarism.<sup>72</sup> As a compendium of specific incidents, Valerius Maximus presents a number of situations involving fathers and sons, and it is true that most of these examples explore the nuances of this relationship and eventually advocate mutually assistive behaviour. Nevertheless, the

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<sup>71</sup> For discussion, see Syme (1964), 73-74.

<sup>72</sup> See Cornell et al. (2013), 134.



events discussed are often no more than snapshots of a specific, generally dramatic event and thus give the reader little overall indication of how family members were expected to interact with one another on an everyday basis. When considered alongside comparable sources, however, these examples can provide an insight into social expectations.

At this point, having looked at the way in which the extant literary sources used earlier historians, it is necessary to say more about the identity of those authors. The *Annales Maximi* was an annual record of events which was kept by the Pontifex Maximus; this must have been used by earlier historians when conducting their research, but there are few references to its existence after the time of Cicero.<sup>73</sup> Our earliest source referenced is Q. Fabius Pictor, who lived in the late third century BC, and wrote the first history of Rome in Greek.<sup>74</sup> His contemporary, L. Cincius Alimentus, was taken prisoner by Hannibal and later wrote an autobiography, also in Greek, about the events.<sup>75</sup>

The second-century BC author, A. Postumius Albinus, wrote a history of the city in Greek, as did C. Acilius, but this was soon followed by innovations in the art of historiography: M. Porcius Cato was regarded as the father of Latin prose literature for speeches, sayings, works on law and farming, and a history of the city all written in his own language.<sup>76</sup> He was followed by L. Calpurnius Piso Frugi, an influential statesman who may have been the first historian to use a fully annalistic framework; C. Sempronius Tuditanus, who wrote on the magistrates; Cn. Gellius on events of his own lifetime; L. Coelius Antipater on the Hannibalic War; and M. Aemilius Scarus, a *novus homo* like Cato, and a dominant figure in the politics of the day who wrote

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<sup>73</sup> See Cornell et al. (2013), 141-159.

<sup>74</sup> See Cornell et al. (2013), 160-178.

<sup>75</sup> See Cornell et al. (2013), 1779-183.

<sup>76</sup> See Cornell et al. (2013), 185-190; 224-226; and 191-224.

autobiography.<sup>77</sup> Further historians writing in the Second Century BC mentioned in our later sources include Q. Lutatius Catulus, a colleague of Marius before disagreements turned the two against one another; Sempronius Asellio, who wrote contemporary history; P. Rutilius Rufus, who focused on autobiography; the dictator L. Cornelius Sulla, whose memoirs are cited in several later works; L. Licinius Lucullus, who wrote on the Social War; and Q. Claudius Quadrigarius, who began his history with the Gallic invasion rather than the traditional origins of Rome.<sup>78</sup>

In the First Century BC, there were also several important works produced that are now fragmentary or wholly lost. Valerius Antias wrote an in-depth work on Roman history; C. Licinius Macer, the praetor of 68, wrote a history of the city; and both L. Cornelius Sisenna, the praetor of 78 BC, and L. Luceius, focussed on the Social Wars.<sup>79</sup> T. Pomponius Atticus, born in 110 BC, composed a Greek memoir on Cicero's consulship, while Munatius Rufus wrote a biography of his close friend, Cato the Younger.<sup>80</sup> Finally, L. or Q. Aelius Tubero began his work with the escape from Troy; M. Terentius Varro penned biography, history, autobiography, and essays; C. Asinius Pollio was renowned for his tragedy, oratory, and historiographical works; and M. Valerius Messalla Corvinus was famed for his verse and oratory.<sup>81</sup>

### **Legal Sources and *Patria Potestas***

The first Roman system of law was set out in the Twelve Tables of the mid-fifth century BC, and remained a point of reference throughout the Republic and into the empire. However, these archaic tables were increasingly obscure to the jurists who would later debate legal points. Earlier laws and rulings are preserved in both the *Institutiones* of Gaius and in the *Digesta Iustiniani*; unfortunately, the latter is from

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<sup>77</sup> See Cornell et al. (2013), 230-239; 240-242; 252-255; 256-263; and 267-270.

<sup>78</sup> See Cornell et al. (2013), 271-273; 274-277; 282-286; 287; 288-292.

<sup>79</sup> See Cornell et al. (2013), 293-304; 320-331; 305-319; and 335-337.

<sup>80</sup> See Cornell et al. (2013), 344-353; 358-360.

<sup>81</sup> See Cornell et al. (2013), 361-367; 412-423; 430-445; and 463-471.

as late as the sixth century AD, while the former second-century AD text, although closer to the time in question, was still composed over two hundred years later. Both have to be considered with their dates of composition in mind, and as products of different social and political times. Likewise, they tend to emphasise the concern over transmission of property prevalent in Roman society.<sup>82</sup> Therefore, there is a danger that a view of family life taken from these sources might emphasise the legal ties between individuals as opposed to relationships as they existed in practice.<sup>83</sup> However, as one of the key concepts in Roman social relations, the legal evidence for *patria potestas* is important for a discussion of father and son interactions.

Gaius, in his mid-second century AD legal textbook, discusses the powers a Roman father had over his children:

Item in potestate nostra sunt liberi nostri, quos iustis nuptiis procreauimus. quod ius proprium ciuium Romanorum est (fere enim nulli alii sunt homines, qui talem in filios suos habent potestatem, qualem nos habemus).

Again, we have in our power our children, the offspring of a Roman law marriage. This right is one which only Roman citizens have; there are virtually no other peoples who have such power over their sons as we have over ours. (*Inst.* 1.55, trans. Gordon and Robinson)

This is one of the most widely-quoted passages describing the rights of the father; however, the late date of the text should be kept in mind. The fact that Gaius stresses the uniqueness of Roman society in having such authority over their sons is notable. In a comparison with other ancient cultures, the superiority of the Romans is emphasised.

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<sup>82</sup> Although useful in understanding the concerns of the Roman *paterfamilias*, this does not give a great deal of information on relationships more generally.

<sup>83</sup> See Nielsen (1999), for a discussion of relationships within the Roman family not identified by law.

These legal powers – *patria potestas* – were extensive.<sup>84</sup> Watson, in his study of Roman private law, describes them as ‘theoretically complete and perpetual’.<sup>85</sup> There were amendments to specific laws in later periods and various possibilities for mitigating the status quo, but the basic framework during the middle and late Republic is as follows.<sup>86</sup> Included was the right to expose infants (Plaut. *Cas.* 41 and Ter. *Haut.* 627) and the power of life and death over adult children; however, there is some dispute over the latter of these.<sup>87</sup> The father could sell his children into slavery (Cic. *De Or.* 1.40.181, 182, *Caecin.* 34.98) and his consent was also required for marriage; equally, he could have his sons or daughters divorced without their consent. Particularly problematic for a young Roman male of the aristocracy was the ruling that only those *sui iuris* – that is, those who were not subject to the power of the head of the household – could own their own property.<sup>88</sup> This has led Watson to comment that:

Roman *patria potestas*, the power of a father over his children and grandchildren, meant above all that persons in paternal power could own no property. This was true no matter the age of the son, even if he were consul, the highest state official. *Patria potestas* could have little meaning for the poor, the bulk of the free Roman population, but would bear heavily on grown-up sons from the wealthy classes.<sup>89</sup>

The *filius familias* could enter into contracts, but any action regarding this contract was the right of the *paterfamilias*; at the same time, the other individual entering the

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<sup>84</sup> On the elements of *patria potestas*, see Crook (1967), 113-22; Néraudau (1984), 168-70; Rabello (1979), 246; Saller (1994), 74-102; and Watson (1977), 23-30.

<sup>85</sup> Watson (1971), 28.

<sup>86</sup> On amendments to *patria potestas*, see Watson (1977), 23.

<sup>87</sup> On the power of life and death (*ius vitae necisque*), see Ch. II, section 2.

<sup>88</sup> For a discussion of the economic possibilities of the Roman son, refer to Kirschenbaum (1987).

<sup>89</sup> Watson (1977), 15.

contract had no rights against either the *paterfamilias* or the *peculium* of the son.<sup>90</sup> This *peculium*, a fund made available to sons by their fathers, served to moderate the economic dependency of the son to some extent.<sup>91</sup> Nevertheless, theoretically, a Roman father had a great deal of say in the behaviour and future of any sons or daughters.<sup>92</sup>

If one took this legal situation as directly representative of the social reality of father and son interactions, a stark image of the Roman family would emerge. However, there are a number of influential studies which take a different view of the connection between law and life in Roman society.<sup>93</sup> Crook has argued that:

The Romans in law not only (like the Greeks in cosmology) pushed things to the limits of logic, so that, given that *paterfamilias* had certain roles, their implications were rigorously drawn; they also kept law sharply apart from religion and morals, so that the legal character of *patria potestas* stands out in sociologically misleading clarity.<sup>94</sup>

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<sup>90</sup> Watson (1971), 29. See also Watson (1991), 19: 'But if this third party had a grievance, he had no right of action against the father or master because it was felt to be wrong that the head of a family should suffer loss through the fault of his dependants. This rule, which was intended for the benefit of the head of a family, began to have the opposite effect because no-one in his right senses would make a contract with a son or slave when he could be sued by the father but would have no right of action against the father.' Several edicts amended this situation to make the father liable for contracts of a dependant for which he had granted permission.

<sup>91</sup> For the role of the *peculium* in Roman law and life, see Crook (1967), 188-9, 241; Johnston (2002), 5-13; Kirschenbaum (1987), 31-88, and Watson (1987), 31-88. On factors which limited the use of *patria potestas*, see Laes and Strubbe (2014), 153-4.

<sup>92</sup> For alternative interpretations of the nature of *patria potestas*, see the argument of Saller (1994), 104: '*Patria potestas* came to encompass a father's duty to protect those in his power'; however, Harlow and Laurence (2002), 118 contend that the role of this institution was to protect elderly fathers from unscrupulous sons in so far as the *paterfamilias* still retained legal authority over any children, while the prospect of inheritance or disinheritance would have ensured care in old age for those who had wealth or property to bequeath. Cf. Saller (1994), 110 and 126 in which he argues that poor Romans must have relied on their sons to look after them in their old age.

<sup>93</sup> Like Crook, a number of more recent studies have rejected too firm a correlation between legal theory and practice in order to focus on the information the sources can provide on normal life. Dixon (1997), 152 argues that: 'too many discussions in the past accepted the legal provision and literary stereotypes of the tyrannical *paterfamilias* with lifelong powers over his children as a realistic reflection of practice.'; cf. Gardner (1998), 2 and 5 in which she argues that accepting these legal powers as directly representative of Roman family life would create a skewed impression.

<sup>94</sup> Crook (1967), 114.

This phrase, ‘sociologically misleading clarity’, is important in understanding the connection between law and life in republican Rome. Roman legal theory was not a direct reflection of that society as a whole and should not be taken as one, although it can give modern scholars an insight into the concerns of that culture. However, the relationship between father and son went well beyond the legal and the Roman father’s influence over his sons (and vice versa) stemmed more from traditional values, dynastic considerations, and social ideals.<sup>95</sup> *Pietas*, obligation, social expectations, political and financial support, and the resources of contacts an elder male could provide to a young man beginning his political career were important motivations in guaranteeing a stable relationship between *pater* and *filius*.

It is also clear from depictions of fathers and sons in literature, art, and inscriptions that *patria potestas* was rarely used beyond questions of property.<sup>96</sup> As Watson has commented:

The legal disabilities of a *filius familias* were confined to private law, and no distinction existed in public law between those *sui iuris* and those *alieni iuris*. Nonetheless, as Daube has recently made clear, a *filius familias* was unlikely to be successful in public life if he did not have his father’s support. He would not otherwise have the financial resources needed to meet the expenses of office—such as the games organized by the aediles and the praetors—and to secure further election.<sup>97</sup>

*Patria potestas* does seem to have played an important role in monitoring the behaviour of the community in the republican and imperial periods. First of all, in a culture without a police force or any centralised method of control, social

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<sup>95</sup> For a discussion of what is included in these three categories, see the explanation in the Introduction, p. 11.

<sup>96</sup> Saller (1999), 191: ‘Only very occasionally is the dimension of the father’s authority over family members rather than property dominant in the use of *paterfamilias*.’ See the discussion of the *ius vitae necisque* in Ch. II, section 2. On the emotional bond between the two, see Ch. V.

<sup>97</sup> Watson (1971), 29.

expectations and ideology played an important role in stabilising society.<sup>98</sup> Nippel has argued that ‘paternal authority and domestic punishment were generally considered auxiliary measures for enforcing public authority.’<sup>99</sup> Likewise, Krause has discussed the existence of a domestic court at which the *paterfamilias* could cast judgement over members of the family; he argues that ‘crimes committed within a family were mostly not brought before public courts, but instead were handled in this more private realm’.<sup>100</sup> However, the private nature of this process means that there is very little evidence directly relating to the existence and organisation of such courts.<sup>101</sup> Furthermore, the father was not all-powerful, even within this domestic court: the censors could intervene in situations in which the father was seen to be abusing his power and there are a number of instances in which the people reacted badly against a father who was regarded as having judged his son too harshly.<sup>102</sup> This clearly shows that the expectation for father and son relationships was based upon reciprocal duty and not despotism.

### Physical Evidence

Finally, physical evidence is also important in understanding how people lived, and it has been crucial in relating domestic space with domestic activities. Furthermore, the

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<sup>98</sup> Harries (2007), 87: ‘Like the Romans later, the Spartans were bound by unwritten custom, even more than by written law.’ Punishment could also be dealt with within the family itself in such a society: see Ch. III, section 1. See Nippel (1984), 20-29 and (1995) on public order in ancient Rome.

<sup>99</sup> Nippel (1995), 31.

<sup>100</sup> Krause (2011), 632.

<sup>101</sup> In fact, the very existence of the *iudicium domesticum* has been debated at great length by two scholars in particular: Kunkel (1966) has argued that a Roman family court existed throughout the Roman republic, while Volterra (1948), 117 contends that no such legal institution was in place. In favour of its existence, Dionysius of Halicarnassus mentions the presence of relatives - συγγενείς, Livius describes *cognati* being summoned to judge their female relatives (39.18.6), and Seneca talks of a *consilium* for a father who requested that Augustus take part in a meeting regarding the judgement of his son (*Clem.* 1.15.3). See the Appendix (p. 280) on fathers killing sons for a list of those cases which may have involved a family court.

<sup>102</sup> In the Augustan age, citizens attacked a father who had whipped his son to death (*Sen. Clem.* 1.15.1); Q. Fabius Maximus was exiled from Rome after having his son killed for a sexual misdeed (*Val. Max.* 6.1.5; *Livy*, 2.41.10). On the role of the censors in acting against harsh punishments, see Watson (1971), 12.

representation of families in art can be essential in identifying cultural values.<sup>103</sup> However, difficulties of interpretation mean it cannot do more than supplement a discussion which focuses on familial bonds and how those operated in Roman society. The issues that have been discussed concerning the literary sources above are also pertinent to this type of evidence. It can be used to persuade and convince, or to promote a particular ideal or image. For example, the depiction of the imperial family on the Ara Pacis emphasises and reiterates the status of those individuals involved, as well as presenting an ideal of the family which closely fits into the moral agenda of Augustus' regime.<sup>104</sup> In a similar way, coins could refer to the lineage of the individual who had them minted, or promote a particular characteristic of that person. For example, a coin minted by supporters of Brutus draws on his connection to the saviour of the republic, the consul Brutus, with the head of Libertas on the obverse (*RRC* 433/1). Such material evidence is, therefore, valuable in a discussion which considers the way in which the social expectations of family relationships are depicted. As this is the case, art has been used to compare and contrast with other available sources wherever possible, although it is not the primary focus of this thesis.

### **Demography**

From the 1980s on, scholars working on ancient Greece and Rome have experimented with new methods of using existing data. However, many of the key sources used by historians in approaching the ancient world are unhelpful for demographical analysis. Such studies require reasonably large collections of data and even our most widely used authors rarely provide specific numbers. In many fields, papyrology or census records provide firmer information on early households and

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<sup>103</sup> On this point, see, especially, the work of Kampen (2009), on the Roman family in art. Although her analysis of the depiction of families focuses on the Augustan age to late antiquity, she makes a number of important overall points regarding the portrayal of elite individuals and family structure.

<sup>104</sup> See Severy (2003), 104-112.



their members, which allows researchers to build up a picture of the period in question.<sup>105</sup> Greco-Roman Egypt, in particular, provides such crucial documents for analysis and the only ancient source material of this kind; this includes tax lists, birth and death certificates, and census documents.<sup>106</sup>

However, the area of Greek and Roman inscriptions is an important resource for demography. As the majority of these are epitaphs, they can be used to analyse the life course; yet, as Scheidel argues, there are also the elements of custom and tradition to be considered alongside such evidence in a way that is not necessary when dealing with census data. Furthermore, patterns of commemoration can vary widely from one area to another, and the more focussed one becomes on a particular geographical location, the smaller the sample data must be. In consequence, the ability to draw generalisations from such data would suffer. Nevertheless, as Saller and Shaw used tombstones in their analysis of Roman marriage patterns, and as Saller is discussed at several points throughout this thesis with regard to the adult relationship between father and son, it is important to consider the advantages and disadvantages involved in demographical analysis more fully.

In 1984, Saller and Shaw produced a study which drew on evidence from 25,000 epitaphs from the Western provinces of the Roman Empire with the view to studying patterns of commemoration.<sup>107</sup> This study concluded that commemorative practices more frequently involved members of the ‘nuclear’ family – parents, spouses, and children – than members of the extended family, friends, or dependants. As a result, they argued that the ‘nuclear’ family was, for Romans, the nucleus of social

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<sup>105</sup> Examples are the Florentine *catasto* of 1427, and English parish registers: see Herlihy and Klapisch-Zuber (1978 and 1985); Wrigley and Schofield (1981).

<sup>106</sup> Roger Bagnall and Bruce Frier (1994) used documents such as these from the first three centuries AD in order to study patterns of mortality, marriage, and fertility in Greco-Roman Egypt. Such an analysis is impossible for any other population prior to the Middle Ages except those of the Far East.

<sup>107</sup> Saller and Shaw (1984).

connections, especially in terms of duty, affections, and inheritance patterns.<sup>108</sup> Furthermore, Shaw's analysis of early Christian epitaphs showed that this trend continued into the later period; this evidence went against the assumption that the conjugal family was not the central social body until Late Antiquity.

However, it is important to be clear about the limitations or problems with such an approach: Martin (1996) and Hope (1997) both argue that the evidence from epitaphs actually shows a larger network of relationships than Saller and Shaw suggest in their examination. Holleran and Pudsey write that:

There are a number of problems with Saller and Shaw's analysis which highlight the problematic nature of the surviving demographic data from the ancient world. The epitaphs record the nature of the family at a particular point in its life cycle, and so do not reflect any change or developmental aspect of the life cycle; furthermore, commemorative practice, not family structure, would have determined which family member was to set up the epitaph.<sup>109</sup>

Martin also pointed out that this method does not include extended family relationships, even where there is evidence of them in the inscription.<sup>110</sup> His paper criticises the principles of Saller and Shaw's methodology and their organisation of the data; the central issue, as Martin sees it, is the question of how an inscription should be characterised when more than one commentator is listed.

Similarly, Corbier argues that epigraphic sources present an uneven picture of Roman society, and also comments that the work of Saller and Shaw does not take prosopography sufficiently into account.<sup>111</sup> Furthermore, Hübner, who works on Greco-Roman Egypt, has pointed out that epigraphic evidence and the census returns there differ significantly regarding the information they provide about family and

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<sup>108</sup> Saller and Shaw (1984), 127.

<sup>109</sup> Holleran and Pudsey (2011), 67.

<sup>110</sup> Martin (1996), 42-47.

<sup>111</sup> Corbier (1998), 101-152.

household structure.<sup>112</sup> While commemorative practices suggest family structures similar to the Roman West, census data actually shows that many households consisted of several married couples and their children.<sup>113</sup> She also emphasises the differences possible from region to region.<sup>114</sup>

Regardless of these methodological issues, however, a recent study applied both methods to samples from Lusitania and produced similar results.<sup>115</sup> Therefore, such an analysis of the epigraphical evidence suggests that the immediate family was the core focus of Roman social values and expectations. Nevertheless, one should emphasise that this does not provide a direct picture of family structure or household organisation.<sup>116</sup>

For the Roman world, epigraphic sources have also made it possible to draw some conclusions on marriage practices. Although there are only a small number of inscriptions which record the length of marriage and the age of the deceased – which allows one to calculate an age which does not appear to deviate greatly from presentations in literature – Saller and Shaw have argued that the age at which the commemorator changes from parent to spouse indicates the general age at first marriage. Their results suggest that women tended to marry in their late teens, while men married in their early 20s; this data fits with the ‘Mediterranean’ marriage pattern.<sup>117</sup> This is important as literary sources, commonly referring to aristocratic customs, suggest that Roman women married in their mid-teens, and men married in their late teens. Saller and Shaw based their study on 2,886 epitaphs, and thus allowed for the use of a much larger body of data. However, the most striking

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<sup>112</sup> Hübner (2010), 36.

<sup>113</sup> Hübner (2010), 36.

<sup>114</sup> Hübner (2010), 37.

<sup>115</sup> Edmondson (2005), 215-217.

<sup>116</sup> There is little evidence of household structure for Rome, but we do have some information for Greco-Roman Egypt. On this, see Bagnall and Frier (1994), 57-74.

<sup>117</sup> Saller and Shaw (1994), 28-31.

problem with this analysis is that the change in who commemorates the deceased does not directly give the age at first marriage for men and women. It is a reasonable assumption, but it is still an assumption. There is, of course, the possibility that fathers commemorated their children up until their own deaths and only then would spouses take over. Scheidel has considered and dismissed this alternative as incompatible with the evidence at hand.<sup>118</sup> In particular, such an explanation would require a larger percentage of commemorations by spouses for men aged 20-29 than is shown by the evidence.

However, another issue is the fact that these inscriptions may only represent marriage patterns for those in specific, urban environments. The cautionary tale of the Tuscan census of 1427 is evidence of the possibilities for very different patterns. In the city of Florence, average marriage rates for men were 34.4 and between 17 and 19 for women. Women's ages at first marriage remained roughly the same in the small villages at the edges of Florentine territory, but the age at first marriage for men in these regions was roughly 23.4, more than ten years younger than their urban counterparts.<sup>119</sup> Although it seems that such drastic variations are rare, it is nevertheless a leap to assume that Roman practices were the same across the board.<sup>120</sup> Furthermore, commemoration practices differ again for soldiers, who are commemorated by their wives in only about one-third of cases, even into their thirties and forties.

In 1994, Saller published *Patriarchy, Property and Death*, a text which had an important impact on Roman family studies. It uses the Coale-Demeny Model Life Table Level 3 West in order to produce a demographic microsimulation of Roman patterns of life and death. This table is a general, all-purpose set used for cases in

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<sup>118</sup> See Scheidel (2007), 389-402.

<sup>119</sup> See Scheidel (2007), 400.

<sup>120</sup> Scheidel (2007), 402 writes that: 'The demographic parameters of 'Roman' marriage, in the broadest sense of the term, remain exceedingly poorly known'.

which there is insufficient data to be specific. At this point, the work done with Shaw on age at marriage was used alongside this Coale-Demeny Model in order to generate the likelihood of having various relatives alive at different ages for men and women.<sup>121</sup> His data suggests that around one-third of children had lost their father by the time they had reached puberty, and another third again had no surviving father by the age of twenty-five.<sup>122</sup> However, when using this data, one must always bear in mind the fact that it is a generalisation, and that it deals with data from the imperial period. Nevertheless, it is likely that a high percentage of men during the Republic had also lost their fathers by the time they had come to hold political offices. Saller's data provides an idea of the numbers for a population of this kind, and should be borne in mind when considering father and son interactions in this period.

## **Social Ideals and Social Reality**

### ***Exempla***

The use of virtuous *exempla* to portray how one ought to act is a recurrent theme throughout this thesis, and should thus be explored in greater depth in the Introduction.<sup>123</sup> It was important in the creation and maintenance of Roman identity as a whole.<sup>124</sup> It was also central to the process of socialisation in republican culture.<sup>125</sup> Writers such as Cicero, Livy, Sallust, and Valerius Maximus all used role models to illustrate idealised republican morality, glory, and achievement.<sup>126</sup> As a way of articulating the cultural values of their society, this was essential. The use of

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<sup>121</sup> Saller (1994), 47.

<sup>122</sup> Saller (1994), 188.

<sup>123</sup> A good general discussion of *exempla* in Roman culture can be found in Van der Blom (2010), 12-25.

<sup>124</sup> For its importance as an educational tool in the republican period, see Ch. V, section 1.

<sup>125</sup> Chaplin (2000); Flower (1996); McWilliam (2013), 264-286; Osgood (2011), 69-83; and Van der Blom (2007), 157-162 and (2010).

<sup>126</sup> On *exempla* and aristocratic self-representation, see Chaplin (2000); Eck (1984), 129-67; Flower (1996) and (2011), 271-85; Hölkeskamp (1996), 301-338; Hölcher (1978), 315-57; Linke and Stemmler (2000); and Späth (1998), 35-56.

exemplary conduct in both republican and imperial oratory illustrates this point.<sup>127</sup> The presentation of individuals such as Cincinnatus from the early history of the city, or L. Aemilius Paullus from the middle Republic, educated the following generations in what it meant to be Roman.<sup>128</sup>

Alongside the use of *exempla*, the motif of the ideal family existed and was often juxtaposed with the belief in the corrupt morality of a writer's own times.<sup>129</sup> Traditional values were taught early within the family, and the theme of social degeneration could be associated with a weakening of these.<sup>130</sup> This topos can be identified in republican literature after the Punic Wars, and provides a crucial insight into Roman cultural memory.<sup>131</sup> The moralising of Cato the Elder on distorted values in his own lifetime displays the existence of the expectation that Romans should hold themselves to the standard of their ancestors (Plut. *Cat. Mai.* 3.6, 8.4-8).<sup>132</sup>

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<sup>127</sup> Chaplin (2000), and Smith and Covino (2010), Van der Blom (2007), 157-162 and (2010).

<sup>128</sup> For the socialising effects of such a practice, see McWilliam (2013), 264-286. This is also discussed in Ch. V, section 1. L. Quinctius Cincinnatus was Consul in 460 BC and Dictator in 458 and 459 BC. He was regarded as an early ideal of the virtuous Roman citizen because he was supposedly found working on his farm when a group of senators arrived to call him to office (Livy, 3.26). His lack of personal ambition and care for the good of the state was also exemplified by his resignation of the dictatorship as soon as the war against the Aequi and the Sabines was completed (Livy, 3.29). L. Aemilius Paullus is discussed in more depth at Ch. IV, section 3. He was regarded as an exemplary general for his victory over Perseus of Macedon in the Battle of Pydna in 168 BC which consolidated Roman authority over the Near East.

<sup>129</sup> For example, Sall. *Cat.* 7.6: in the early days of the republic, Roman citizens competed with each other only for glory; *Cat.* 8.5: they occupied their time in service to the state, and preferred action to words; *Cat.* 9.1: they learned traditional values at home. Cf. Livy, 3.26-7: Cincinnatus is held up as an ideal for those who place virtue over wealth. On Cincinnatus, also refer to Ch. V, p. 219. On Roman ideas of corruption and vice, see Feldherr (1998), 38-50 and Edwards (1993), 176.

<sup>130</sup> Although Marius' parents were poor, he was brought up in keeping with how the ancient Romans would have raised their children (Plut. *Mar.* 3.1-2). It is clear that Plutarch is alluding to the topos of the farmer-citizen popular in Roman ideas of their past. Also, see McDonnell (2006) on *virtus*, Gowing (2005) on the representation of the Republic in the Imperial period, and Harrison (2005), 287-299 on decline and nostalgia in Latin literature.

<sup>131</sup> The term 'cultural memory' was developed by A. and J. Assmann as a response to the ideas of 'collective' and 'social' memory: Assmann (1992), 34-48. It refers to the shared knowledge and identity of a group who regard themselves as a unity, and it is constantly renewed by the interpretation of past events which serve to reinforce the group identity. See Assmann (1988), 12-16, Van der Blom (2010), 16-17, and Hölkeskamp (1996), 169-98.

<sup>132</sup> Examples of these virtuous ancestors included figures such as Cincinnatus (Livy, 3.26-7); Horatius Cocles (Livy, 2.10-11); Brutus (Livy, 1.56-2.7), C. Mucius (Livy, 2.12-14) and Cloelia (Livy, 2.13).

Likewise, Sallust describes how good morals were once taught both at home and in war before social values became corrupted:

Igitur domi militiaeque boni mores colebantur; concordia maxuma, minuma avaritia erat; ius bonumque apud eos non legibus magis quam natura valebat. Iurgia, discordias, simultates cum hostibus exercebant, cives cum civibus de virtute certabant. in suppliciis deorum magnifici, domi parci, in amicos fideles erant.

Accordingly, good morals were cultivated at home and on campaign; there was the greatest harmony, the least avarice; right and decency prevailed among them, thanks not so much to laws as to nature. Quarrels, discord, and feuds were carried out against their enemies; citizen vied with citizen only for the prize of merit. They were lavish in acts of worshipping the gods, frugal in their homes, loyal to their friends. (*Cat.* 9.1)

The historian here portrays a time when the community worked together: more than law, the *mos maiorum* governed the behaviour of society, and citizens were said to have competed with one another only for virtue.<sup>133</sup> This view contrasts markedly with Sallust's criticisms of contemporary Republican life and politics which, he argues, had steadily degraded since the destruction of Carthage in 146 BC (*Cat.* 10; cf. *Iug.* 85).<sup>134</sup>

So, writers often portrayed the family of the past in an idealised context and as the core foundation of the values and integrity of the Roman state itself. Unfortunately, as far as the virtuous individuals of the early Republic concerned, the only evidence available to modern readers regarding this period takes the form of nostalgic accounts bemoaning the loss of traditional values in the middle and late Republic. As a consequence, one learns a great deal about the social concerns of

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<sup>133</sup> For a discussion of the *mos maiorum* and historical *exempla* in Roman culture, see Van der Blom (2010), 12-25.

<sup>134</sup> Sallust (*Iug.* 85): Marius asks the senators who they would rather have as sons, someone who would add to the reputation of the family or someone who would only benefit from it. See also Sallust (*Cat.* 17): the sons of the elite, in particular, favoured the plot of Catiline although they had wealth and prospects. Finally, Sallust (*Iug.* 40-43) discusses Jugurtha bribing the senators of Rome.

these later periods from the stories of the legendary Roman past. Crucially, the identity of such a community was strongly intertwined with the past, and it was important to gain an understanding of the present, and a model to emulate, from past behaviour.

However, certain writers also stress a change in social behaviour from the middle to the late Republic. In the *Pro Caelio*, Cicero comments on the discontent of the general community at the conduct of the young and the loss of traditional morality (*Cael.* 30, 33, 39). In a dramatic passage, he introduces Appius Claudius Caecus, the ancestor of Clodia, to rebuke her for her vices and asks whether she knew that her ancestors were consuls (*Cael.* 33).

From this, one might argue that it is difficult to generalise about social ideals throughout this period. However, although it is clear that the attitudes of a community can change a great deal over time, republican Rome is a particularly traditionalist example in which power remained with the older – and thus the, presumably, more conservative – citizens. Likewise, one must be careful not to consider the pace of change in Roman social behaviour or attitudes from the point of view of the modern world with our faster methods of communication. The pace of inter-generational change with which we are familiar today is not necessarily an historical constant, but rather a function of changes in technology; such changes occurred at a much slower pace in ancient Rome.

On the issue of generalising with regard to the habits of a community over a large time period, the qualities which have been identified as characteristic of father and son relationships in this study are those that can be found in several sources from different points within both the middle and late Republic. For this reason, these elements have been regarded as generally indicative of the attitudes towards fathers and sons in Roman culture throughout this period, and suggest continuity throughout the period.

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Furthermore, the same basic rhetoric concerning the decline of the *mos maiorum* seems to have existed at Rome since the city's earliest days.<sup>135</sup> In alluding to this, Cicero is using an argument that may have been as old as Rome herself. At the same time, the depiction of a city full of vice is given in a speech designed to persuade an audience. In his defence of Caelius, Cicero contrasts his client's behaviour with the situation more generally: in essence, what Caelius is doing is nothing compared to what others have been up to. Moreover, he argues in favour of the belief in the impetuosity of youth versus the wisdom of the elderly.<sup>136</sup> He argues that even the most illustrious citizens displayed the folly of youth when they were young men themselves (*Cael.* 43; cf. 76).<sup>137</sup>

### **Social Reality and Literary Texts**

It is clear, then, that there are various levels of social norms present in any given source; the issue is further complicated when one considers our limited knowledge of those earlier texts used by our extant authors. Additionally, literary sources focus almost entirely on the male elite; as a consequence of this, it is necessary for scholars to collate incidental information about other members of society from texts which are not primarily interested in their experiences. This is an important method for a study of father and son relationships also, as the way in which family members interact with one another is rarely a point of interest for Roman authors and one must read, critically, between the lines of a given source in order to gather relevant data.

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<sup>135</sup> The apparent decline in traditional values from the late Republic to the early principate is discussed by Horace (*Carm.* 3.24.54-8). He states that young men no longer know how to hunt or ride; instead, they spend their time playing games: *nescit equo rudis/haerere ingenuus puer/venarique timet, ludere doctior./seu Graeco iubeas trocho./seu malis vetita legibus alea.* Cf. Diod. Sic. 31.26.2.

<sup>136</sup> The incident concerning Q. Fabius Maximus Rullianus discussed in Ch. II, p. 113-116 is perhaps one of the best examples of this issue of youth versus experience.

<sup>137</sup> The argument based on the folly of youth presents one of the most common attitudes of parents towards children in our extant sources. Where conflict is present, there are numerous examples of parents showing leniency or indulgence towards their children rather than severity: for example, Plin. *Ep.* 9.12; Ter. *Ad.* 51-52, 72-73; Val. Max. 5.7.1-5.8.1.

Genre and purpose must equally be taken into account when using literary sources. Each author had his own target audience and aims; consequently, the text which presents social reality absolutely does not exist. For example, legal sources provide, by far, the most detailed and extensive discussion of *patria potestas*; however, their late date, and their focus on family connections in so far as they can be identified by legal terminology, results in a limited picture of the period in question. In terms of lineage, property, inheritance, and status, these sources do reflect cultural expectations to some extent, but, primarily, they tell society how it should behave in specific situations. Moreover, the texts that can be used for republican Rome date from centuries after the period in question. Therefore, they provide a great deal of information about the structure and hierarchy of society, as well as the ways in which individuals were expected to behave under the formality of law, but they can only go so far in telling modern readers about the way in which family members behaved towards one another outside of the boundaries of legal intervention. Instead, a more accurate understanding of the norms for family interactions can only be gained by comparing a wider selection of sources. These illustrate the importance of other key issues which were perhaps not always necessarily defined by law: for example, the continuity of the gens and the preservation of the family *sacra*, duty, obligation, education, and affection.

However, alternative literary sources have their own difficulties. The forensic speeches of Cicero which are discussed at length in Chapter III and IV were designed to persuade and, as this was the case, their narrative thrust presents a specific version of social reality. One can argue that, in order to be successful, the arguments contained in such speeches must have appealed to their audience in some way; nevertheless, they function by carefully revealing or concealing information in accordance with their author's aims. Accordingly, the persuasive nature of these has been kept in mind, and balanced with comparable materials wherever possible.

Historiography is another genre which can be used to gain an understanding of social practice during the middle and late republic, so long as the reader is prepared to deconstruct the various levels of reality existing within the text. Again, the aims or background of the author can be a significant consideration when using evidence of this kind, and, as mentioned above, these are works written almost exclusively by elite Roman males which often focus on political and military events. In sources of this kind, the relationships existing between family members must be collated from various small mentions throughout the narrative. Nevertheless, such texts are indispensable when read critically and considered alongside a variety of sources.

Some of the problems inherent in using historiography are shared by biography as a genre, and both often consult similar sources; however, writers of biography more often give information on conflicting accounts or on the family background of the topic of their work. This can be particularly useful in gaining information about social expectations and practice; however, the vast extent of our biographical writing is the work of Plutarch, a Greek who was born in the mid-first century BC. As was typical of writing during this period, Plutarch often does not name his sources or describe his research processes. Similarly, there can be a moralistic message present in biographical works, a tendency which can also be found in works like that of Valerius Maximus. Although his compilation of memorable deeds and sayings is useful in identifying cultural norms, stories are often told to emphasise the moralistic nature of an incident rather than the facts.

Finally, the letters of Cicero are an invaluable resource for gaining information about personal relationships during the Roman Republic. Unlike other genres, literary correspondence can provide an insight into the daily life of individuals. However, there are several points that must be borne in mind when using this evidence as a reflection of social practice. First of all, those letters available to modern scholars consist almost entirely of the work of male members of the Roman elite. To add to that, correspondence of this kind could be a method for self-representation: while

they present a more private depiction of life at Rome, there can equally be a number of different motivations at play when one considers them critically. In sum, there were aims and traditions associated with the practice of letter-writing just as there were aims and traditions for forensic oratory, historiography, or biography.

This thesis, then, studies those social expectations and norms which are present in a variety of sources, while bearing in mind the various levels of social reality existing in such literary texts. The genre and purpose of the material in question is hugely significant, and any historian must accept the fact that all written sources contain particular difficulties in that they present a version of social reality which should not be taken at face value. This is something that I have borne in mind throughout this thesis, and I have analysed my sources critically in order to address these issues. Furthermore, the approach has been to compare and contrast material wherever possible, in order to lessen the effect of the specific aims of any particular text. For those authors writing later than my period, I have qualified their presentation of Roman individuals with evidence from Plautus, Terence, Cicero, Sallust and Livy. For Greeks writing about Rome, the approach has been to find similar evidence from Latin authors to compare and contrast.

### **Structure**

The discussion to follow addresses the material in the following way. The first chapter acts as a framing device to the thesis as a whole: it considers the ideology of the *pater-filius* relationship at Rome and concludes that the use of terms derived from *pater* for a number of central institutions in republican society reflects the high valuation of fatherhood at Rome. After taking this status into account, I argue that, as a result of the social position of the heads of aristocratic families in the republic, there was a correlation between the characteristics expected of the father and those of the statesman. Therefore, the discussion takes a broader look at the significance of the father and son relationship in the wider political framework.

The second chapter considers examples of fathers killing sons in order to show that there is an emphasis on duty to the state in Latin texts in contrast with a focus on questions of morality in Greek sources. It places the majority of these examples firmly within the legendary, and thus historically questionable, period of Roman history. As a result, these instances are examined as products that reflect the concerns of their authors' times rather than as indicators of early Roman family behaviour. Furthermore, I point out that those examples of fathers killing sons do not once mention the former's legal powers, and argue that these cases present a conflict between the demands of the family and the demands of the state. This sets the scene for the subsequent discussion of social ideals in the following chapter.

Chapter III concentrates on the identity of the Roman son as represented by the social ideals present in the *Pro Sex. Roscio Amerino*, and finds that duty, *pietas*, companionship, support, and upholding the family name exerted significant pressure upon sons to meet certain standards of behaviour in their family relationships. I also argue that ideals of Roman father and son interactions could be used to manipulate and persuade. In his defence speech, Cicero influences the jury's expectations of father and son relationships in order to identify the younger Roscius with the traditional *mores* of the virtuous early Romans.

Moving on from the focus on Roman sons, Chapter IV centres on the father, with an emphasis on the duty of this figure with regard to family status and continuity. I argue that, though scholarship generally focuses on the rights of the *paterfamilias*, the responsibilities of the father in both the private and public spheres were notable – these duties included education, public business, family lineage, and reputation. I contend that both these chapters show that harmonious and mutually assistive father and son relationships were expected, and this is reflected in their presentation in the literary sources. Furthermore, this chapter shows that the Roman father was expected to provide education, to be a role model for future generations, to safeguard the reputation of the family, and to provide protection to his dependants.

The fifth chapter introduces a comparison to the focus on societal ideals presented in Chapters III and IV by looking at the life-cycle of aristocratic fathers and sons. It builds upon the overall argument that there is no sole model for father-son relationships in republican Rome, as well as considering the emotional relationship between family members throughout this period. I conclude that duty within the family was reciprocal and father-son interactions were largely characterised by *pietas* and cooperation for the benefit of all.

The last chapter frames the discussion by bringing together the public and private identity of the Roman *paterfamilias* as father, role model, and statesman. The focus on depictions of the *pater* from the Republic through to the Empire shows that one of the key ways in which Roman citizens understood their own social identity and connection to other citizens was through the framework of family relationships.

# I

## **Roman State, Roman Statesman, Roman Father**

Throughout the Republic, terms derived from *pater* were used for some of the most central institutions in public and private life, and the notion of duty owed to the parent and family remained a cornerstone of Roman ideology into the imperial period. The continued existence of *patria potestas* itself fully supports this point. However, in the Introduction, it was pointed out that *patria potestas* is rarely mentioned in connection with family interactions outside of the legal material. Instead, a wider range of sources highlight the existence of factors such as traditional values, dynastic considerations, and shared ideals which promoted a sense of common identity and unity within the household.

The purpose of this chapter is to propose that the terminology which derives from the Latin *pater* reflects the high valuation placed on fatherhood in Roman culture more generally. This discussion serves to frame the investigation into father and son relationships in the middle and late Republic which is the focus of this thesis as a whole. By looking at the ways in which this cultural idiom reflected the patriarchal nature of Roman society – where the ultimate power in the state was concentrated in the hands of the aristocratic heads of households – and why this was the case, it will become possible to further understand the role of the institution of *patria potestas* in Roman society more generally.

In order to understand the ideals surrounding the way in which an aristocratic father and son were expected to behave towards one another, it is also necessary to understand how the framework of the family influenced the hierarchical structure of Roman society more widely. In such an ideological system, the model of the elite

*paterfamilias* became the ideal for the Roman statesman who was prepared to act both as parent to the citizen body, and *pius* child to the city itself.

The first section, then, establishes that the family was regarded as a microcosm of the state. This discussion will be built upon in the section on family history as city history in Chapter IV. From there follows an examination of the prevalence of idiomatic terms relating to fatherhood and in which situations such references can be found. Leading on from this, the discussion will then address the role of the *Patres* themselves, and the culture of elders who acted as role models for the younger generations.<sup>1</sup> I will argue that this, alongside minimum age brackets for magistracies, safeguarded the predominance of the older generations in Roman public life and supported the status quo.

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<sup>1</sup> For the origins of the term *Patres*, see the discussion in Ch. I.



## The Ideology of Fatherhood

When Augustus received the title of *pater patriae* from the senate in 2 BC, he was the first of numerous subsequent emperors to be hailed as the father of his country.<sup>2</sup> He was, reportedly, only the fifth individual since the foundation of Rome to be granted such an honour.<sup>3</sup> The legendary founder of the city itself, Romulus, was the first (Livy, 1.16.3, 16.6; Cic. *Div.* 1.3). Then, after the sack of Rome by the Gauls in 390 BC, M. Furius Camillus was hailed as a father and second founder of the city (Livy, 5.49.7; 7.1.10; Plut. *Cam.* 1.1; 10.5-6).<sup>4</sup> In 63 BC, the senate voted for the honour to be conferred on M. Tullius Cicero for his actions during the Catilinarian conspiracy (Plin. *HN* 7.117; Cic. *Sest.* 121, *Phil.* 2.12, 2.51, 2.60; Juv. 8.243-244; Plut. *Cic.* 23.3).<sup>5</sup> The final individual to hold this title in Republican Rome was C. Julius Caesar in 45 BC in recognition of his restoring the *pax Romana* after the civil wars.<sup>6</sup> Thus, on the surface, it appears that this was a phenomenon of more relevance to the imperial period. However, the two earlier examples of the use of *pater patriae* – Romulus, especially, and M. Furius Camillus – might well be later inventions which raises the question of why the concept emerges in the mid-first century BC. If

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<sup>2</sup> Others include Caligula, Caludius, Nero, Vespasian, Titus, Domitianus, Nerva, Trajan, Hadrian, Antoninus Pius, Marcus Aurelius, Lucius Verus, Commodus, Septimius Severus, Caracalla, Macrinus, Elagabalus, Gordian III, Probus, Diocletian, Maximian, and Constantine. On the title being conferred on Augustus, see *Res. Gest.* 35 (listed as the final honour). The title was earlier offered after the Battle of Actium, but Augustus refused it due to his young age: Aug. *Res. Gest.* 3.5.1; Suet. *Aug.* 58.1; Cass. Dio 55.10.10. It was, however, used on inscriptions and coins before he had fully assumed the title. For its use in poetry before 2 BC: Hor. *Carm.* 3.24.25, 1.2.50. See Stevenson (2009), 97-108.

<sup>3</sup> The key text on the practice of naming an individual *pater patriae* is Alföldi (1971). See Severy (2003), 5, 123, 137, 160-5 on the awarding of the title to Augustus.

<sup>4</sup> Camillus was recalled from banishment to be voted the position of dictator (Livy, 5.46). The legend goes that he arrived with an army just in time to stop the Roman citizens paying their ransom in gold, and is said to have told the Gauls that the Romans would buy their city with steel instead (Livy, 5.49.3).

<sup>5</sup> Lucius Gellius also argued that Cicero should be given the civic crown (Cic. *Phil.* 2.12, *Pis.* 6, *Sest.* 121; Gell. 5.6.15).

<sup>6</sup> Caesar as *parens patriae*: App. *B Civ.* 2.106, 144; Cass. Dio 44.4.4; Livy, *Per.* 116; Suet. *Iul.* 76, 85; Cic. *Fam.* 12.3.1 Cult to Caesar as *pater patriae*: Suet. *Iul.* 85; cf. *ILS* 72; Lyc. 9.601. Cicero (*Off.* 3.83) plays on the ideas of *pater patriae* and *parricidium*: *Potest enim, di immortales, cuiquam esse utile foedissimum et taeterrimum parricidium patriae, quamvis is qui se eo obstrinxerit ab oppressis civibus parens nominetur?*

a later addition to the story, one might argue that this demonstrates a particular valuation of fatherhood, and an identification of the role of the statesman with qualities normally associated with the *pater*, during the middle and late Republic. Therefore, it can be argued that the use of fatherhood motifs during the Empire actually originates from the status and influence of the father in the Republican period.<sup>7</sup>

### The Patres

The Latin terms for many key Roman institutions are derived from the term for father: *patria*, *patronus*, *patres*, *patrius*, *paternus*, *patrimonium*, *patricius*, *patria potestas*, *paterfamilias*, *pater patriae*, *patrocinium*.<sup>8</sup> This is only a selection in order to show the apparent importance or value of fatherhood in Republican culture.<sup>9</sup> Hallett points out that ‘no analogy for such linguistic formations, which associate the word *pater* with power, ownership, and achievement, may be adduced among the Latin words built from *Mater*, mother’.<sup>10</sup> This is true; the weight of power in Republican Rome was situated to a great extent in the hands of these aristocratic *patres*. However, Hallett’s assertion that these terms symbolised ‘power, ownership, and achievement’ presents a potentially one-sided view of their usage.<sup>11</sup> It should be pointed out that many of these derivatives have meanings which relate to, and pick up on, the father’s responsibility to protect, defend, shelter, and educate his dependants.

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<sup>7</sup> Severy (2003), 1-33.

<sup>8</sup> These Latin terms have the following as their basic definitions in the Oxford Latin Dictionary: *patria*: country/fatherland; *patronus*: protector/patron; *patres*: fathers/senate *patrius*: paternal/of a native country; *paternus*: paternal *patrimonium*: inheritance; *patricius*: of senatorial rank/of fatherly dignity; *patria potestas*: power of the father; *paterfamilias*: head of the family; *pater patriae*: father of the fatherland; *patrocinium*: protection/defence/patronage.

<sup>9</sup> Also see Hallett (1984), 26-7 for a discussion of Latin terms derived from *pater*.

<sup>10</sup> Hallett (1984), 28. See Introduction, p. 22, n. 45.

<sup>11</sup> For contrasting views, see Saller (1997), 7-34 and Eyben (1991), 114-43.

Terms derived from the Latin term *pater*, then, are used to denote some of the most important and archaic institutions in republican society. The most basic title derived from *pater* will be used to illustrate its use in identifying both those who hold power, and also those who are tasked with protecting the individuals over whom they hold this power. The reference is, of course, to the *Patres* themselves. It is necessary only to think of the term for the senate and the story of its beginnings in order to glimpse its significance in republican society. Sallust's first-century BC account of the Catilinarian conspiracy relates how Romulus called the Senate *Patres* as a reference either to their old age or because their duties resembled those of the *paterfamilias* (*Cat.* 6.6; cf. Livy, 1.8.3-7). These references emphasise the importance of the idea of the father in Roman culture and conceptions of their own history. Although later, and a Greek account, Plutarch's description of the origins of the senate also clearly stresses the comparison between senate and fathers:

ὁ μὲν οὖν σενᾶτος ἀτρεκῶς γερουσίαν σημαίνει· πατρικίους δὲ τοὺς βουλευτὰς κληθῆναι λέγουσιν οἱ μὲν ὅτι παίδων γνησίων πατέρες ἦσαν, οἱ δὲ μᾶλλον ὡς αὐτοὺς ἔχοντας ἑαυτῶν ἀποδείξει πατέρας, ὅπερ οὐ πολλοῖς ὑπῆρξε τῶν πρώτων εἰς τὴν πόλιν συρρεόντων· οἱ δ' ἀπὸ τῆς πατρωνείας· οὕτω γὰρ ἐκάλουν τὴν προστασίαν καὶ καλοῦσιν ἄχρι νῦν, οἰόμενοι Πάτρωνά τινα τῶν σὺν Εὐάνδρῳ παραγενομένων, κηδεμονικὸν τῶν ὑποδεεστέρων ὄντα καὶ βοηθητικόν, ἀφ' αὐτοῦ τῷ πράγματι ταύτην τὴν προσηγορίαν ἀπολιπεῖν. μάλιστα δ' ἂν τις τυγχάνοι τοῦ εἰκότος, εἰ νομίζοι τὸν Ῥωμύλον ἀξιοῦντα τοὺς πρώτους καὶ δυνατωτάτους πατρικῆς κηδεμονίας καὶ φροντίδι προσήκειν ἐπιμελεῖσθαι τῶν ταπεινοτέρων, ἅμα δὲ τοὺς ἄλλους διδάσκοντα μὴ δεδιέναι μηδ' ἄχθεσθαι ταῖς τῶν κρειπτόνων τιμαῖς, ἀλλὰ χρῆσθαι μετ' εὐνοίας καὶ νομίζοντας καὶ προσαγορεύοντας πατέρας, οὕτως ὀνομάσαι.

Now the word 'senate' means literally a Council of elders, and the councilors were called 'patricians,' as some say, because they were *fathers* of lawful children; or rather, according to others, because they could tell who their own *fathers* were, which not many could do of those who first streamed into the city; according to others still, from 'patronage,' which was their word for the protection of inferiors, and is so to this day; and they suppose that a certain Patron, one of those who came to Italy with Evander, was a

protector and defender of the poor and needy, and left his own name in the word which designates such activity. But the most reasonable opinion for anyone to hold is that Romulus thought it the duty of the foremost and most influential citizens to watch over the more lowly for fatherly care and concern, while he taught the multitude not to fear their superiors nor be vexed at their honours, but to exercise goodwill towards them, considering them and addressing them as *fathers*, whence their name of *Patricii*. (Plut. *Rom.* 13.3-8)

Therefore, it seems likely that the parental dynamic of the *Patres* was a widespread notion in both the Republic and the empire. However, in the latter period, it is the emperor himself who takes on this fatherly characteristic in relation to his citizens. By drawing on such a comparison, the individual gains the natural authority associated with fatherhood and the hierarchy of his position with regard to other citizens is legitimised. Furthermore, protection is an element of the father-son relationship which is too often neglected, but it is here a central element in the dynamic said to have been created by Romulus between the senate and the people. Bernstein comments that:

The idiom of paternity is normally used to describe forms of official authority in Roman culture. Senior officials all enjoy either the title of *pater* itself or comparison to a father without the implications of lifelong relatedness found in a patronage or mentoring relationship.<sup>12</sup>

But, in fact, it is expected that some kind of mentoring relationship would exist between young members of the aristocracy just beginning their public career, and experienced statesmen.<sup>13</sup> As the main speaker, Cato the Elder is presented as role model and educator in Cicero's *De Senectute* (28-29):

Sed tamen est decorus seni sermo quietus et remissus, facitque persaepe ipsa sibi audientiam disertis senis composita et mitis oratio, quam si ipse exsequi nequeas, possis tamen Scipioni praecipere et

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<sup>12</sup> Bernstein (2008), 227.

<sup>13</sup> See Ch. I.

Laelio. Quid enim est iucundius senectute stipata studiis iuventutis? An ne tales quidem vires senectuti relinquimus, ut adulescentes doceat, instituat, ad omne officii munus instruat? Quo quidem opere quid potest esse praeclarius?

The style of speech that graces the old man is subdued and gentle, and very often the sedate and mild speaking of an eloquent old man wins itself a hearing. And although one cannot himself engage in oratory, still, he may be able to give instruction to a Scipio or a Laelius! For what is more agreeable than an old age surrounded by the enthusiasm of youth? Or do we not concede to old age even strength enough to instruct and train young men and equip them for every function and duty? And what more exalted service can there be than this?<sup>14</sup>

Thus, there was an expectation that elder politicians would act as teachers to the young; this is clear from the emphasis on depicting *exempla* of the proper Roman virtues in literature.<sup>15</sup> What highlights the existence of this desire for idealised role models in republican culture is the presence of figures that are clearly marked out as immoral by the authors who depict them. Catiline was very much the contrast of the idealised statesman of Roman legend. First of all, it was expected that the young would be under some obligation to their fathers, real or mentors, just as every citizen was under obligation to the state itself.<sup>16</sup> The *familia*, and society more generally, functioned through the existence of these obligations owed and received from member to member.<sup>17</sup> However, Catiline puts the young men of his group under the wrong kind of obligation and proves himself an immoral mentor for the young, one

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<sup>14</sup> This motif of the elder statesman acting as a mentor to the young man just beginning his political career is also addressed in Ch. IV, section 1.

<sup>15</sup> On *exempla*, see the Introduction, p. 44-48.

<sup>16</sup> Saller (1994), 105-114.

<sup>17</sup> The discussion of *pietas* in Ch. III, section 1 illustrates some of the issues inherent in family relationships based on obligation and duty. There is also an interesting discussion in Sall. *Iug.* 10 in which Micipsa believes that the obligations under which he placed Jugurtha by adopting him will make the latter love him as much as any of his sons, and remain loyal to him. It is significant to my greater argument that Micipsa talks of the duties owed to the father as what will guide Jugurtha in his conduct, not the authority held by the father. Obviously, this is an example from Numidia rather than Rome, but it is both an account written from the point of view of a Roman writer and audience, and it must be remembered that, as king, Micipsa had authority even beyond the powers of a father.

who bought their loyalty rather than earned it (Sall. *Cat.* 14.4-6, 16.4).<sup>18</sup> The sense of wrongness pervading the accounts of Catiline's conduct reaches its climax in the rumour that he killed his own step-son (Sall. *Cat.* 15).

Another issue raised by the conspiracy of Catiline is a motif that can also be found throughout Livy's history. The Roman youth are said to have joined Catiline not because of poverty but as a result of a lust for power; this illustrates the consequences of the young not listening to their elders and, in this episode, not following the accepted and traditional methods for gaining power within the state (Sall. *Cat.* 16-18). The idea of conflict between the generations will be discussed more fully in Chapter V.<sup>19</sup> Suffice to say at this point that it is true that the make up of Roman society very much kept political power in the hands of the older groups in society, just as it kept this power in the hands of the aristocratic classes.<sup>20</sup> Access to the highest positions of power in Roman society was restricted by age limits and it was generally expected that individuals would progress hierarchically through the *cursus honorum*.<sup>21</sup> *Patria potestas*, too, could be regarded as an institution which kept both private and political authority in the hands of the older generation.<sup>22</sup>

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<sup>18</sup> See Laes and Strubbe (2014), 48. Harlow and Laurence (2002) 70-71 convincingly point to the characterisation of young men in classical texts: they are compliant, easily led astray, and vulnerable to corruption by elder men who rather ought to be educating them in the *mos maiorum*.

<sup>19</sup> See Ch. V, section 2.

<sup>20</sup> There were, of course, *novi homines* in the Roman senate. However, the fact that so much was made of their status does suggest that this was a relatively unusual phenomenon, or at least that prejudices did exist between different backgrounds. One factor that would act against these men is the very practice of mentoring that we have discussed above. Seeing as aristocratic men came from families where they would be exposed to a greater number of potential mentors from an earlier age, they had both these experiences and the political connections of the *domus* as advantages.

<sup>21</sup> Of course, the events of the late Republic saw individuals such as Pompey who progressed rapidly through the ranks without holding certain expected offices. The fact that this is notable, however, shows its apparent rarity in Roman life. See McDonnell (2006), 204.

<sup>22</sup> In so far as economic freedom was something only experienced by the *paterfamilias*; if a son wanted to stand for office, he needed to rely on his father to fund the venture: Watson (1971), 29. Similarly, it is likely that he would have had to rely upon his father's political connections.

Chaplin argues persuasively that Livy presents a continuing contrast between the wisdom of the old who know best, and the impetuosity of the young in his narrative. This was a popular idea in Roman literature and is also implied in the Cicero passage from the *De Senectute* quoted above. By instructing the young, Cato and other Roman statesmen retained some influence, even when very old men, over those men in the highest offices.<sup>23</sup> Moreover, Livy's characters present themselves as aware of their exemplary role in Roman society.<sup>24</sup> As Bettini argues, Roman culture and society favoured experience and tradition over youth both in terms of those who held power in the state, and also with regard to lineage.<sup>25</sup> The Senate was an aristocratic and largely traditionalist body, reflected by the emphasis on the *mos maiorum* as a model for the conduct and behaviour suitable for the Roman people.

### City as Father

The idiom of the father also permeates the discourse of the Roman community in terms of the city itself. The idea of the city as father created an important and strict hierarchy in Roman society. This hierarchy reflected the relationship at play in the Roman family; the city echoing the structure of the *domus* itself, and vice versa.<sup>26</sup> Thus, the way in which a *paterfamilias* ran his household could say a lot about his suitability for important magistracies.<sup>27</sup> For example, Livy uses Aemilius Paulus as a way of conveying some of the key themes in his narrative: the nobility of the Roman lineage, the importance of traditional morality and the *mos maiorum*, and the role these played in the achievements of the virtuous citizens of old. Cicero mentions the

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<sup>23</sup> See the discussion of this in Ch. IV, section 1.

<sup>24</sup> Titus Manlius Torquatus talks of the sad example that will be set for subsequent generations when he orders the execution of his son (Livy, 8.14-19). See Chaplin (2000), 109.

<sup>25</sup> Bettini (1991), 191.

<sup>26</sup> This motif, which continues through a number of works on the civil wars, illustrates the idea of family by relating Romans fighting against one another to a brother fighting against a brother. See, for example, Sall. *Cat.* 61.9.

<sup>27</sup> Of course, this idea exists today and there is always great interest in the personal lives of politicians.

organisation of the household directly at *De Officiis* 1.54, and, at *De Senectute* 37-38, he depicts Appius Claudius ruling over an extended household into his old age.

The state, then, was the father to all of its citizens, and the level of *pietas* expected, and assumed in a number of examples, reflected the relationship between state and citizen as the ultimate familial bond, to be preserved at all costs. The Roman city itself is sometimes referred to in Latin literature in terms which situate it as guardian and nurturer. Livy describes the words of Veturia, mother of Coriolanus, to her son as she begs him not to attack the city. She argues that the land had begot and raised him (Livy, 2.40.7) in the same way that a parent would bring up a child. Cicero (*Off.* 1.57) illustrates this notion that a citizen was under obligation to the state as a result of the benefits it had bestowed upon him (education, society, and culture) and puts *patria* and *parentes* in the same category in a list of duties owed by Roman citizens:

Sed cum omnia ratione animoque lustraris, omnium societatum nulla est gravior, nulla carior quam ea quae cum republica est uni cuique nostrum. cari sunt parentes, cari liberi propinqui familiares; sed omnes omnium caritates patria una complexa est, pro qua quis bonus dubitet mortem oppetere si ei sit profuturus? Quo est detestabilior istorum immanitas, qui lacerarunt omni scelere patriam et in ea funditus delenda occupati et sunt et fuerunt.

But when with a rational spirit you have surveyed the whole field, there is no social relation among them all more close, none more dear than that which links each one of us with our country. Parents are dear; dear are children, relatives, friends; but one native land embraces all our loves; and who that is true would hesitate to give his life for her, if by his death he could render her a service? So much the more execrable are those monsters who have torn their fatherland to pieces with every form of outrage and who are and have been engaged in compassing her utter destruction. (1.57)<sup>28</sup>

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<sup>28</sup> At *Off.* (1.161), Cicero reiterates this hierarchy of duty owed first to the gods, then country, then parents.



Cicero's work on obligations stresses the importance of service to the country in a discussion that dismisses the Epicurean philosophy on freedom from the stresses of public life. Instead he advocates that an individual who has the skills for conducting public business should enter political life in order to administer the state. This is because there was no other way in which the city could be adequately governed or for the virtue of the individual to be made public (*Off.* 1.72). In this way, the ideal Roman statesman was simultaneously father to the citizens, and the son of the city itself.

As a patron to his city, this individual was also expected to contribute to public building works which benefited the state. Cicero praises the construction of walls, dockyards, harbours, and aqueducts; however, he is less certain on the worth of building theatres, colonnades, and new temples (*Off.* 2.60).<sup>29</sup> Likewise, Roman magistrates often held religious positions in the state and, as this was the case, were expected to preserve the city's relationship with the gods. This is why, among the *exempla* told by Livy, there are stories like that of C. Fabius Dorsuo during the aforementioned siege of Rome by the Gauls (5.46.1-4). As the Fabian house conducted an annual sacrifice on the Quirinal hill, he gained the admiration of his own people and the enemy by coming down from the Capitol and passing through the enemy pickets in order to conduct the ceremony, and thus demonstrating to all watching that not even fear of death would make him neglect his duty to the gods.

In Veturia's speech to Coriolanus she is similarly presented as behaving in the way that a Roman ought to behave: as an exemplary Roman matron she laments the fact

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<sup>29</sup> There were also the public games funded by Roman magistrates. This has caused Beacham (1999), 1-45 to argue that the rise of public spectacle in the late Republic was connected with personal ambition. I would also amend this slightly to argue that it can be related to both personal and family ambition.

that no attack on Rome would take place if she had never had a son.<sup>30</sup> Livy's presentation of a mother appealing to her son emphasises the duty owed to one's state. There are numerous examples going back to mythological times in Latin literature of individuals who are prepared to sacrifice their own lives for the Roman state and who are revered as *exempla* afterwards.<sup>31</sup> In particular, the first two books of Livy's history are full of tales from early Rome that are presented as a means of inspiring the Roman people to emulate the glory and virtue of their ancestors.<sup>32</sup> Horatius Cocles fought the enemy alone in the early Latin wars while his comrades destroyed the bridge that would allow them access to Rome (Livy, 2.10). Mucius Scaevola was awarded a statue after being caught breaking into the enemy camp. He was taken to an audience with Porsena, king of Clusium, where he plunged his hand into the fire in order to show how little he feared pain in contrast to the glory and well-being of his city. As a result of seeing the lengths that Roman citizens were prepared to go to protect their homeland, it is said that Porsena preferred to accept peace with Rome rather than war (Livy, 2.12-2.13). Similarly, it was not just the men who could be held up as role models of exemplary conduct and for exhibiting bravery to the enemy. Cloelia is described by Livy as one of a number of hostages who were taken in 508 BC by Porsena as part of a peace treaty between Rome and Clusium (Livy, 2.13). She is said to have led the escape of a group of women by swimming across the Tiber (Val. Max. 3.2.2); however, when Rome consented to Porsena's demand that she be returned, the king allowed her to free half the remaining hostages as a result of her bravery. She freed the young Roman men who were present so that they could continue to fight on behalf of their city. As a reward for her bravery, she was awarded a statue on the Via Sacra, a right usually awarded

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<sup>30</sup> This episode is particularly interesting as it contrasts the natural aim of the Roman wife and mother (to beget sons who would protect the city and enhance the family name) against the duty owed to the state by all citizens.

<sup>31</sup> These included Brutus, Publicola, Horatius, Mucius Scaevola, Cincinnatus, and Camillus; cf. Sall. *Cat.* 6 in which Roman citizens are called on to fight in defence of their fatherland, children, household, and gods.

<sup>32</sup> See the work on *exempla* by Chaplin (2000).

only to men. Livy's passage states, as a precursor to this story, that everyone in this period was incited to undertake glorious tasks for the city.

These are all names that would have been familiar to ancient audiences, and there was an expectation that individuals would try to live up to this characteristic of the Roman people. Moreover, there was the expectation that children would serve the state as another father figure, even when this meant that their duty to the state might override their obligation to their own family. And these examples do not come solely from mythical or legendary periods. Although Pompey had Brutus' father put to death, and Brutus regarded it as an abomination to speak to the man who had killed him, he eventually chose the side of Pompey for the good of the state (Plut. *Brut.* 4.1-3). Similarly, the messages sent to Brutus urging him to conspire against Caesar show an expectation that the young man should pay the debt owed to his lineage and country, and take part in the assassination of Caesar (Plut. *Brut.* 9.5-10.6; Cic. *Phil.* 2.26-27). On that day, Plutarch also describes how Brutus was misinformed that his wife had died, though she had only fainted, yet did not allow himself to be diverted from his purpose by the news (*Brut.* 15.5-9).<sup>33</sup>

The final point with regard to duty to the state concerns the education of subsequent generations. This will be discussed more fully in Chapter V, but its relevance to the current point should be noted. An example from Plutarch illustrates the issues involved in this point: he relates that Cato the Elder wanted to marry again in order to produce more sons for the state like his first born, Cato Licinianus. Thus, the worth of sons is not only in upholding the family name and ensuring continuity, but in serving and protecting the state in the future. A further example of this is when Aulus Fulvius is described as running away to join Catiline (Sall. *Cat.* 39.5).<sup>34</sup> After the young man had been charged and executed, his father is supposed to have said

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<sup>33</sup> This is even more significant as Plutarch describes the great affection Brutus had for his wife throughout his biography (*Brut.* 13-14).

<sup>34</sup> See Ch. II, p. 90.

that he had sons in order that they might serve the Roman state, not that they might destroy it.<sup>35</sup>

### Ultimate Sacrifice

As mentioned above, Cicero discusses the tensions that could arise between familial obligations and duty to the state (*Off.* 1.57).<sup>36</sup> His resolve is that country and parents must come first where there is conflict. Chapter II will show that the infamous examples of fathers killing sons almost always occurs with regard to this tension between the state and the family.<sup>37</sup> Roman citizens were commended not only for being prepared to make the ultimate sacrifice on behalf of the city, but also for being prepared to sacrifice their own family in the name of the greater good. This idea goes back to the legends surrounding the beginning of the Republic itself, and was engrained in Roman ideas of their history and identity.

The second chapter discusses the execution of the Bruti in great detail and stresses the theme coming through in those first two books of Livy of the necessity of preserving the new Republic against those that wanted to reinstate the monarchy (Livy, 2.3.2-2.5.8; Plut. *Publ.* 2.2-6.4).<sup>38</sup> It was expected that any Roman citizen would put their country first, but Brutus' consular office imposed the duty on the father of having his children executed (Livy, 2.5.5; Plut. *Publ.* 2.2-6.4). Moreover, Livy's account stresses the betrayal by the sons not only of father, but of the state itself (2.5.7). There are many questions that are raised and impossible to answer when presented with this tale. On the one hand, duty to the state was paramount, and Brutus was

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<sup>35</sup> This is similar to the idea encapsulated in the words of Veturia (Livy, 2.40.7). See another similar example given by Valerius Maximus, 5.6.3: When the praetor Cippus was leaving the city, horns grew on his head and an oracle was given that if he came back to the city he would be king. He exhibited the *pietas* due to his state by undertaking voluntary exile and thus avoiding the prophecy coming true.

<sup>36</sup> See Ogilvie (1965), 241.

<sup>37</sup> See Val. Max. 5.8 on the severity of fathers towards their children; cf. Chaplin (2000), 234.

<sup>38</sup> See Ogilvie (1965), 233.

praised as the founder and protector of the new form of government.<sup>39</sup> Plutarch states that even the work of Romulus in founding the city was not as great as Brutus in expelling the kings and establishing the Republic (Plut. *Publ.* 6.4). He was mourned for an entire year by the Roman matrons (Livy, 2.7) and honoured as the father of Roman liberty.<sup>40</sup> This is reflected in the fact that the younger Brutus was reminded of this ancestor in order to convince him to take part in the conspiracy against Caesar.<sup>41</sup>

There could be no clearer – or more severe – role model for Roman citizens of the duty owed to the state than Brutus, but this theme of fatherland over all else was an *exemplum* which continued to be held up as a model of Roman virtue. It is a theme that is repeated throughout the history of Livy and ties into one of the author's main aims of presenting role models for emulation. The historian makes it clear which characters in history that young men should follow. Before the battle of Cannae in 216 BC, the praetor Aelius had to make the ultimate choice between country and family. A woodpecker settled on his head while he was involved in his public duties and, after consulting the haruspices, it was confirmed that if the bird were allowed to live the fate of his household would be bright, but the state would be doomed. However, if the bird were to be killed, his household would suffer, but the fate of the state would be safeguarded. The praetor killed the bird, and the Aelian family lost seventeen of their bravest men in the subsequent battle (Livy, 5.6.4; Val. Max. 5.6.4).

A speech of Aemilius Paullus related by Plutarch perfectly epitomises these Roman ideals of the obligations due to country as father of all its citizens. As the head of an illustrious family, he was the personification of the ideal Roman statesman.<sup>42</sup> The

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<sup>39</sup> He was regarded almost as a second Romulus for his foundation of the Republican government (Plut. *Publ.*, 6.4) and mourned for a year by the Roman women (Plut. *Publ.* 23.3; Livy, 2.16).

<sup>40</sup> Brutus was killed on the battlefield when fighting against Arruns, the son of Tarquin the Proud, and was therefore also held up as an example of an individual who was prepared to die for his country (Livy, 2.6; Plut. *Publ.* 16.1).

<sup>41</sup> Refer, especially, to the description in Plutarch: *Brut.* 9.5-10.6.

<sup>42</sup> See De Blois, Bons, Kessels, and Schenkeveld (2004) on the personification of the statesman in Plutarch's work.

contemporary history of Polybius, who was closely acquainted with Scipio Aemilianus, the son of Aemilius Paullus, makes this clear: he was well-learned, a renowned military leader, pious to the gods and to country, and showed great restraint in the face of sudden changes of fortune. Most importantly, Aemilius Paullus is also presented in later literature as a man who held the welfare of the state above all things.<sup>43</sup> Having given up both of his elder children to adoption, he was left legally childless when his two younger sons died within days of his celebrating a triumph for his victory at the Battle of Pydna in 168 BC (Plut. *Aem.* 5.5; Livy, 45.41.12).<sup>44</sup> Nevertheless, Aemilius Paullus is depicted as always being prepared to contribute to the state in political or military duties after their loss. Although the people grieved at the death of his sons, he gathered them together and gave a speech to show his acceptance of the tragedy which had befallen him, and to offer consolation to the people. In particular, he stated that it was fitting to emphasise the fact that the safety of the state was now secure:

‘Quamquam, et qua felicitate rem publicam administraverim, et quae duo fulmina domum meam per hos dies perculerint, non ignorare vos, Quirites, arbitror, cum spectaculo vobis nunc triumphus meus, nunc funera liberorum meorum fuerint, tamen paucis, quaeso, sinatis me cum publica felicitate comparare eo, quo debeo, animo privatam meam fortunam.’

‘Although you, my fellow-citizens, are not unaware, I believe, of the good fortune with which I have conducted the affairs of the state, and of the two thunderbolts which have recently struck my house—for you were eyewitnesses first of my triumph, and then of the funerals of my sons—yet I beg you to permit me in a few words to compare, in

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<sup>43</sup> Cicero (*Amic.* 101) describes the *virtus* of Aemilius Paullus: *quae cum se extulit et ostendit suum lumen, et idem aspexit agnovitque in alio, ad id se admovet vicissimque accipit illud quod in altero est.*

<sup>44</sup> For a discussion of Roman practices of adoption, see Lindsay (2009). This is also addressed in Ch. IV, section 3. The issue of grief in the Roman Republic is also explored in Ch. V, section 3.

the proper spirit, my personal fortune with the good fortune of the state.' (Livy, 45.41.1-2; cf. Plut. *Aem.* 45.41.1-12)<sup>45</sup>

The general begins by situating himself firmly in the father-statesman role. He reassures the citizens of Rome in a time of national distress, much as Fabius Maximus had done after the battle of Cannae.<sup>46</sup> Moreover, Plutarch particularly focuses on this aspect of Aemilius Paullus' character. First of all, a version of the speech given is related in the life, and the comparison between the victorious general without his heirs, and the defeated king followed by his sons in the triumph, is stressed. This reinforces the virtuous behaviour of Aemilius Paullus, and his restraint in the face of grief presents him as an exemplary figure for generations of Romans to emulate. To take this point further, the commander does not just console the people for his loss; he tells them that he had prayed for any calamity that might befall the state to befall his household instead:

postquam omnia secundo navium cursu in Italiam pervenerunt neque erat, quod ultra precarer, illud optavi, ut, cum ex summo retro volvi fortuna consuesset, mutationem eius domus mea potius quam res publica sentiret. itaque defunctam esse fortunam publicam mea tam insigni calamitate spero, quod triumphus meus, velut ad ludibrium casuum humanorum, duobus funeribus liberorum meorum est interpositus.

After everything had been brought to Italy in a successful voyage, and I had nothing left to pray for, my hope was that, since fortune is wont to plunge downward from its high point, the brunt of this change should fall not upon the state, but upon my household. And so I hope that the fortune of Rome has completed its course in so extraordinary a disaster as mine, since my triumph, as if in mockery of human vicissitudes, was interposed between the two funerals of my sons. (Livy, 45.41.8-10)

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<sup>45</sup> Briscoe (2012), 750 comments that there are close similarities between the account of this speech in Livy and those accounts in Diodorus (31.11), Plutarch (*Aem.* 36.2-9), and Appian (*Mac.* 19). This suggests that all four originate from the description in Polybius.

<sup>46</sup> Plut. *Fab.* 17.4-19.1.

This motif on the swift changes of fortune is one that is echoed by his son, Scipio Aemilianus at the destruction of Carthage.<sup>47</sup> Furthermore, this speech is a perfect example of the expectations for displays of grief from male members of the Roman elite.<sup>48</sup> Yet it is significant that a republican statesman fulfils the dual role of father to the Roman citizens (by consoling and protecting) and as son who owed his duty and allegiance to the state, the ultimate father of all.

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<sup>47</sup> For the speech of Scipio on fortune: Polyb. 38.20.1; Diod. Sic. 32.23. For Paullus on fortune: Polyb. 29.20; Diod. Sic. 30.23.1; Plut. *Aem.* 27.2; Livy, 45.8.6. On echoes between the two during Paullus' triumphal speech and on the destruction of Carthage, see App. *Pun.* 133; Livy, *Ep.* 51; Diod. Sic. 32.24; Cic. *Verr.* 2.1.2, 2.2.3, 85; 2.4.73, 84, 93, 97; 2.5.124, 185. Astin (1967), 76 discusses these similarities.

<sup>48</sup> See Ch. V, section 3.



## Conclusion

In conclusion, in *Growing Up and Growing Old in Ancient Rome*, Harlow and Laurence write that a Roman male of the Republican period:

(...) passed from a period where he lacked power to one in which he gained authority, status and the right to legitimate action within the public and private sphere. In his youth and early adulthood he was deemed to be at the height of his physical and sexual power; in middle age he reached the heights of political authority. Old age represented a loss of all these forms of empowerment, it was characterised by the decline of physical and mental faculties and a loss of authority in the public arena accompanied by an increasing dependence on others and general sense of vulnerability. While the potential for social marginalisation was great, the Roman institution of *patria potestas* protected old men from the demands of unscrupulous sons.<sup>49</sup>

This chapter as a whole has put forward the idea that, because of the status afforded to the heads of families in Republican Rome, *patria potestas* says more about an individual's place in society than his relationship with his sons or daughters. After all, he had this power over all dependants in the household: wife (if married *in manu*), slaves, and even over daughters married into other households (if their marriage was not *in manu*, as tended to be the case in the late Republic). Thus, I would argue that the Roman father's possession of *patria potestas* is more about an individual's standing within the state and keeping this influence than necessarily about family relationships.

In the first section, the discussion focussed on the identification of fathers and fatherhood with various official or traditional roles in Roman society. This practice says a great deal about the cultural ideology of the period. In the course of this investigation, it became clear that parallels existed between the organisation of the *domus* and the hierarchical organisation of the state.

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<sup>49</sup> Harlow and Laurence (2002), 118; cf. Saller (1994), 102-32.

With this in mind, I think it is possible to further advance this re-interpretation of *patria potestas* once more in order to think of its place in connections with all of these things. Harlow and Laurence have argued that this institution was designed to protect elderly men who could no longer participate in public life from unscrupulous sons who, if the law had not been on their father's side, would take advantage of their age. I accept that this is a possibility, but I would also point out the fact that, even without *patria potestas*, the weight of power during the Roman Republic was very much in the hands of traditional, wise elders, and it was highly irregular for a man under the minimum age to gain access to offices such as the consulship.<sup>50</sup> Certainly, this does not refer to the private sphere, but the prejudice, or perhaps we should say reverence, in favour of age and tradition in Roman society in general should be emphasised at this point. I think that another, connected, way of looking at the issue would be to think of the status and legal rights held by the heads of families as a part of their tremendous status over not only children, but all dependants within their household. Its existence as an archaic principle in a traditionalist society ensured its survival throughout republican and imperial Rome; to take powers away from the aristocratic father (because these powers were, of course, most relevant to the Roman elite) would be to weaken in some way the status of those individuals who were, had, or would, run the state.<sup>51</sup> This would be a danger as the essential Roman concept was duty to the state and parents above all else; the family hierarchy was an unique and key aspect of the way in which this culture voiced and understood relationships between sections of society and relationships within the *familia* itself.

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<sup>50</sup> The *Lex Villia annalis* from the beginning of the Second Century BC set the minimum age for election as an *aedilis* at thirty-six, as praetor from thirty-nine, and as a consul from forty-two. On this law, see Evans and Kleijwegt (1992), 181-195.

<sup>51</sup> Also note Saller's (1991), 182-97 argument that the term *paterfamilias* was more commonly used to refer to the father as estate owner; see also Arjava (1998), 147-65.

Hallett points out, in a comparison to Greek systems, that all dependants in the Roman family shared a similar status.<sup>52</sup> There are various ways to interpret this, but I think the focus of this chapter emphasises the fact that there was an ingrained reverence for fatherhood and all that implied in the Roman consciousness. Therefore, the powers of the father were not about oppressing anyone, least of all the very individuals who would one day take on the role of the *paterfamilias* themselves. Rather, the ideology of the father at Rome involved the status and *auctoritas* of the very people who were acting as the highest magistrates of the city. This idea is proven by the fact that these were simultaneously the very people who were responsible for maintaining the relationship between Rome and its gods.

The way in which the ideal of the father was valued in Roman society was later important in paving the way for the hierarchical relationship between the emperor and his citizens, as is discussed in Chapter VI. However, the ideological significance of fatherhood in this period also influences any examination of the way in which elite fathers and sons interacted with one another. The legends and expectations connected with the figure of the father made up the background against which all family members played their parts. It was an inescapable part of life, especially for males of the upper classes, and it has served as the focus of this chapter because it provides the crucial foundation from which an analysis of *pater-filius* bonds can progress. After all, the *filius familias* himself would one day take on the qualities and world of his father and, in turn, become the *paterfamilias*.

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<sup>52</sup> Hallett (1984), 179.

## II

### Images of the Aristocratic Father

Before moving on to an analysis of the variety of presentations of parent-child connections in material and literary evidence, this chapter will consider Greek and Latin interpretations of *patria potestas* at greater length.<sup>1</sup> In doing so, it will become evident that those examples which are cited as evidence of this power being put into practice stand out because they are shocking to their audience, not because they are symptomatic of a common trend in Roman culture.<sup>2</sup> Furthermore, several of these examples are taken from the legendary period of republican history. Such sources depict the exemplary ideals of sacrifice for the greater good, as well as the importance of duty, from the point of view of later periods. They reveal the notion of a golden age of Roman history before the Punic Wars, and the belief in the corruption of the middle and late Republic. These anecdotes ought to be used to reflect the concerns of their authors' time rather than as indicators of early family behaviour.

There is a gap in the scholarship on the Roman family for a study that discusses the relationship between fathers and sons extensively, and in a way that takes into account the variety of depictions existing in the legal, material, and literary sources.<sup>3</sup>

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<sup>1</sup> Alternative presentations will be considered specifically in Ch. III and Ch. IV which examine social expectations for the role of father and son in Roman culture, while Ch. V takes a life-cycle view of this relationship from birth to death.

<sup>2</sup> That this power is symptomatic of a common trend in Roman culture was a view, now discredited, whose proponents included: DeMause (1974), 1, 51; Morgan (1877), 466; Segal (1987), 18; and Veyne (1987), 16-18, 29.

<sup>3</sup> Saller's (1994) demographic study of the Roman family is, of course, an important exception to the lack of material on the *pater* and *filius*. However, the focus of this text is less on the relationship between fathers and sons so much as the limitations placed on *patria potestas* by high early mortality rates. Those chapters which do address issues such as *pietas* and punishment in the family, however, remain highly influential. Saller's approach is explained in more detail on p. 18-19 of the introduction.

This evidence shows that these bonds were able to be both mutually affectionate and supportive, or equally fraught with tension and resentment.<sup>4</sup> The reality of life at Rome, especially in a period of continual civil wars, makes it hard to accept any presentation of family bonds without some form of conflict.

The first section, then, focuses on Dionysius of Halicarnassus' description of the power of the Roman father. It is clear that these legal rights were striking to individuals unfamiliar with them. However, the fact that these are unusual has resulted in an assumption that they characterise the very nature of father-son relations.<sup>5</sup> Instead, I argue that legal rules are too closely and narrowly associated with normal practice, and a better understanding of family relationships throughout this period can be gained by exploring what other factors had an impact on their behaviour.

The analysis then moves on to consider the issue of fathers killing sons in greater depth. I argue that one actually finds an emphasis upon duty towards the state in the Latin examples – even where this may be unpopular with the people afterwards – and Greek accounts where the necessity or morality of the action may be more in doubt. At no point in either are the legal powers of the *paterfamilias* mentioned. An explanation for this can be found when one re-examines the stories of individuals such as L. Junius Brutus and T. Manlius Torquatus in connection with one of the cornerstones of Republican ideology: the importance of safeguarding the state above all else.<sup>6</sup> In each of the anecdotes which follow, a tension arises between duty

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<sup>4</sup> The analysis in Ch. V takes into account the fact that the behaviour of fathers and sons towards one another in republican Rome could be varied and did not necessarily follow any one set model.

<sup>5</sup> Saller (1994), 130: 'A survey of the non-legal evidence reveals that day-to-day behaviour did not correspond to the abstract characterization of the Roman family as a paternal despotism'. For the Greek roots of this interpretation, see Saller (1994), 102.

<sup>6</sup> This is a theme which comes up time and again in a study of this kind; however, for a more in depth discussion, see Ch. VI.

towards the city itself, and duty towards the family.<sup>7</sup> In Livy's narrative, both men are described as fathers who overcome their natural feelings in order to do what is necessary for the future safety of the Republic.<sup>8</sup> These examples are not meant to emphasise the brutal power of the *paterfamilias* over his dependants or the coldness of Roman fathers; rather, they stress the lengths to which noble Romans went to protect the state. Their poignancy lies in the supposition that the fathers did not make the sacrifice of their sons nonchalantly, but subordinated their feelings of paternal affection to those of duty. The extent of their devotion to the state is made more emphatic by the difficulty, not the ease, of killing their loved ones.

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<sup>7</sup> On *pietas*, the Roman concept of duty towards one's gods, state, and family members, see Cic. *Fin.* 3.22.73, 23.65, *Nat. D.* 1.2.3, 1.41.116, *Off.* 2.11, 46, *Rep.* 6.16; Plin. *HN* 7.121; Val. Max. 5.4.7, 2.5.1; Livy, 40.34.4. In modern scholarship: Saller (1988), 393-410; Evans Grubbs (2010), 377-392; Bannon (1997); Bradley (2000), 297-8, and Wagenvoort (1980), 1-20. See Ch. III, section 1 for a more in-depth discussion of its role in father-son relationships; on *pius* Aeneas, see Ch. VI.

<sup>8</sup> On the presence of 'natural feeling' in family relationships: Cic. *Rosc. Am.* 46. See the discussion in Ch. III, section 2.

## Section 1: The Greek Interpretation

The image of the Roman father prepared to use his extensive legal powers against his children is an understanding of family relationships which was particularly popular at the beginning and middle of the twentieth century. Proponents included Morgan, who argued that, in ‘the patriarchal family of the Roman type, paternal authority passed beyond the bounds of reason into an excess of domination’. The social anthropologist, Radcliffe-Brown, commented that, ‘father right is represented by the system of *patria potestas* of ancient Rome’. More recently, Grant argued that the Roman taste for blood sports had its roots in the authority of fathers over sons. Both Grant and Morgan, particularly, draw a connection between the severity of the father and the legal powers afforded to him as head of the family.

This is a view that has been largely discredited in recent scholarship, but it is possible to trace its roots back to certain ancient sources. Specifically, it is in the works of Greek writers that this view of the Roman *paterfamilias* frequently appears.<sup>9</sup> For example, Sextus Empiricus, writing in the Second Century AD, describes the powers of the father in the following way:

οἱ τε Ῥωμαίων νομοθέται τοὺς παῖδας ὑποχειρίους καὶ δούλους τῶν πατέρων κελεύουσιν εἶναι, καὶ τῆς οὐσίας τῶν παιδῶν μὴ κυριεύειν τοὺς παῖδας ἀλλὰ τοὺς πατέρας, ἕως ἂν ἐλευθερίας οἱ παῖδες τύχῳσι κατὰ τοὺς ἀργυρωνήτους· παρ’ ἑτέροις δὲ ὡς τυραννικὸν τοῦτο ἐκβέβληται

The Roman lawgivers also ordain that children are subjects and slaves of their fathers, and that power over the children’s property

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<sup>9</sup> Saller (1994), 102 also takes this viewpoint: ‘The image of the Roman father endowed with nearly unlimited power over his household goes back to antiquity, especially Greek commentators. Dionysius of Halicarnassus (*Ant. Rom.* 2.26.4) enumerated the powers that Romulus granted to fathers for life over their children: the power to imprison, to beat, to hold in the country, even to kill their sons’. Although the severe interpretation can be traced back to specific Greek authors, however, it does not necessarily appear in the works of all Greek writers. Plutarch’s description of the legendary execution of the sons of Brutus is deeply ambiguous (see Ch. II, section 2), but the majority of the *Lives* present fathers and sons in, more often than not, mutually cooperative relationships. See Ch. V.

belongs to the fathers and not the children, until the children have obtained their freedom like bought slaves; but this custom is rejected by others as being despotic. (*Pyr.* 3.211)<sup>10</sup>

Like those scholars of the twentieth century, the Greek philosopher defines the relationship between fathers and sons solely in terms of law. Such a description results in an understanding of the family in terms of power: the children are neither treated nor regarded as in a position above that of slave. The use of the term *τυραννικός* suggests its severe nature and is an interesting rationale for its uniqueness among ancient cultures; more frequently, the fact that fathers held such powers over their sons and daughters is depicted as one of the reasons behind the superiority of the Roman people as a whole.<sup>11</sup>

Similarly, Plutarch's description of Brutus and his sons in the *Publicola* (6.1-7.1) supports the argument that the traditional view of a severe Roman *paterfamilias* was strongly influenced by Greek authors.<sup>12</sup> That account, and the mention of T. Manlius Torquatus in the life of Fabius Maximus (*Fab.* 9), presents the Roman father as prepared to inflict the harshest punishments upon his children. It is perhaps important that Greek accounts which correspond to the traditional view of the Roman father are all of distinct genres: philosophy in the case of Sextus Empiricus, biography in that of Plutarch, and history in the writings of Dionysius of Halicarnassus that will next be discussed.<sup>13</sup> This suggests that such an approach is not specific to any one genre.

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<sup>10</sup> This work has been greatly influential in the area of philosophy; the text outlines the tenets of Pyrrhonism – the form of scepticism propounded by Sextus Empiricus. The powers of the Roman father are discussed in connection with mythology beginning with the story of Cronos and progressing onto the historical figure of Solon and the laws that he gave to the Athenians. With regard to this passage, Saller (1994), 103 points out that the traditional image of the *paterfamilias* is often connected with the legendary past. On the comparison between slaves and sons, see Veyne (1987), 29 and Krause (2011), 630.

<sup>11</sup> The uniqueness of the Roman institution of *patria potestas* is also stressed in the account of Gaius (*Inst.* 1.55) discussed in the Introduction and that of Dionysius of Halicarnassus (2.26.1).

<sup>12</sup> Refer to section 2 of this chapter for a discussion of Brutus and his sons.

<sup>13</sup> However, note that it is in Plutarch's description of legendary Rome that the ambiguous account of Brutus and his son arises.



The main characteristics of the traditional interpretation include sons being killed, sold, treated as slaves, and beaten by their fathers, and bear the closest resemblance to the account of the laws introduced by Romulus in the *Roman Antiquities* of Dionysius of Halicarnassus (late-first century BC).<sup>14</sup> As mentioned in the Introduction, he spent much of his life at Rome where he wrote a history of the city from mythical times through to the first Punic war, and he attempts to explain Roman rule and culture to a Greek audience in order to demonstrate that the Romans were directly descended from the Greeks themselves.<sup>15</sup> Consequently, it was not a foreign people who had gained supreme power in the Greek world, but a society descended from their own. Therefore, there are instances in which Dionysius of Halicarnassus attempts to compare and integrate the customs of these two cultures with one another. In doing so, he includes an important discussion on the origins of the power that the Roman *paterfamilias* held over his dependants. In fact, this is the only extended account which explains the creation of *patria potestas*, and it has thus received a great deal of attention from scholars interested in the evolution of the family.

The historian begins by contrasting the nature of the relationships between the father and his children, thus stressing the advantages of a Roman system in which youngsters were kept under control in a way that they were not in Greek communities. Romulus is here credited with putting in place laws which required Roman sons to show duty towards their parents:<sup>16</sup>

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<sup>14</sup> Those scholars who directly reference Dionysius of Halicarnassus in a description of the *patria potestas* include Grant (1967), 114-15 in his description of the ‘absolute mastery of the early Roman *paterfamilias* over his children’; DeMause (1974), 1, 51 in his portrayal of early Rome as ‘infanticidal’; Plescia (1993), 146, and Cantarella (2003), 282.

<sup>15</sup> See Gabba (1991), 1-23 on this point.

<sup>16</sup> Watson (1972), 100 points out that, in particular, authors such as Dionysius of Halicarnassus and Plutarch attribute a ‘considerable volume of legislation’ to the legendary kings of Rome. See Gabba (1991), 152-190 on the social and political structures of early Rome.

Ἄ μὲν οὖν εἰς γυναῖκας εὖ ἔχοντα ὁ Ῥωμύλος ἐνομοθέτησεν, ἐξ ὧν κοσμιωτέρας περὶ τοὺς ἄνδρας αὐτὰς ἀπειργάσατο, ταῦτ' ἐστίν, ἃ δ' εἰς αἰδῶ καὶ δικαιοσύνην παίδων, ἵνα σέβωσι τοὺς πατέρας ἅπαντα πράττοντές τε καὶ λέγοντες ὅσα ἂν ἐκεῖνοι κελεύωσιν, ἔτι τούτων ἦν σεμνότερα καὶ μεγαλοπρεπέστερα καὶ πολλὴν ἔχοντα παρὰ τοὺς ἡμετέρους νόμους διαφορὰν.

These, then, are the excellent laws which Romulus enacted concerning women, by which he rendered them more observant of propriety in relation to their husbands. But those he established with respect to reverence and dutifulness of children toward their parents, to the end that they should honour and obey them in all things, both in their words and actions, were still more august and of greater dignity and vastly superior to our laws. (Dion. Hal. *Ant. Rom.* 2.26.1-2)

He then goes on to create a comparison with the Greek method:

τιμωρίας τε κατὰ τῶν παίδων ἔταξαν, εἰάν ἀπειθῶσι τοῖς πατράσιν, οὐ βαρείας ἐξέλασαι τῆς οἰκίας ἐπιτρέψαντες αὐτοὺς καὶ χρήματα μὴ καταλιπεῖν, περαιτέρω δὲ οὐδέν. εἰσὶ δ' οὐχ ἰκαναὶ κατασχεῖν ἄνοιαν νεότητος καὶ αὐθάδειαν τρόπων οὐδ' εἰς τὸ σῶφρον ἀγαγεῖν τοὺς ἡμεληκότας τῶν καλῶν αἰ μαλακαὶ τιμωρίαι· τοιγάρτοι πολλὰ ἐν Ἑλλήσιν ὑπὸ τέκνων εἰς πατέρας ἀσημονεῖται.

The punishments, also, which they ordered for disobedience in children toward their parents were not grievous: for they permitted fathers to turn their sons out of doors and to disinherit them, but nothing further. But mild punishments are not sufficient to restrain the folly of youth and its stubborn ways or to give self-control to those who have been heedless of all that is honourable; and accordingly among the Greeks many unseemly deeds are committed by children against their parents. (2.26.3-4)<sup>17</sup>

Although the topos of a severe Roman father stemmed from Greek sources such as Dionysius of Halicarnassus and Sextus Empiricus, it is interesting to note that Dionysius of Halicarnassus here suggests that the Roman institution of *patria potestas* curbed the possibility of violence on the part of children towards their

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<sup>17</sup> See Gabba (1991), 88 on the development of Greek practices in the Roman world.

parents.<sup>18</sup> He praises the superiority of Roman laws in keeping children under the control of their fathers, while contrasting this with a Greek system which allowed them freedom at too early an age.<sup>19</sup> Dionysius of Halicarnassus, in arguing that the Romans descended from Greeks, continually compares these cultures throughout and explains the Roman system to an audience who would, for the most part, be unfamiliar with it. The Romans, then, took the natural authority fathers hold over their sons and made it a lifelong power; accordingly, they avoided the tensions that could potentially arise between parents and children. This suggests the existence of conflict between the generations in Greek city states similar to that described by a number of scholars as existing at Rome, in which case an exaggerated depiction of the powers of the Roman *paterfamilias* in the narrative – in order to emphasise the contrast – may be a possible explanation.<sup>20</sup>

As the account continues, the focus moves onto the discussion of *patria potestas* – Dionysius of Halicarnassus stresses that this was unique among all peoples. He notes that the powers the *paterfamilias* had over a son were more severe and all-encompassing than those of any other culture. Of course, it is true that these laws were extensive in comparison with other ancient cultures; however, the significant

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<sup>18</sup> The anxiety over violence towards parents comes through in some late republican authors, especially Cicero and Sallust, but it has been identified as a sign of generational conflict in Roman society by a number of scholars. See the discussion of conflict in Ch. V, section 2. In this instance, however, it is identified as symptomatic of the Greek poleis; the Roman state, on the other hand, is depicted as having taken steps to solve the problem.

<sup>19</sup> This relates closely to the Roman articulation of their own supremacy over other cultures through the existence of *patria potestas* as an identifying characteristic of Roman culture (Gaius, *Inst.* 1.55).

<sup>20</sup> Gabba (1991), 88. See Bertman (1976) for a discussion of generational conflict in ancient societies. For arguments in favour of its existence at Rome, in particular during the late republic, see Segal (1987), Eyben (1993), Bertman (1976), Reinhold (1970), Dettenhofer (1992), and Bonnefond (1982). However, a number of scholars argue that generational conflict falls into two categories (conflict within the family itself, and conflict between the older and younger generations more generally) and that much of the modern discussion fails to acknowledge this fact. See Parkin (2003), 227 and Isayev (2007), 4-5 for a contrasting view.

difference between legal theory and normal practice is not discussed in this account at all.<sup>21</sup>

ὁ δὲ τῶν Ῥωμαίων νομοθέτης ἅπασαν ὡς εἰπεῖν ἔδωκεν ἐξουσίαν πατρὶ καθ' υἱοῦ καὶ παρὰ πάντα τὸν τοῦ βίου χρόνον, ἐάν τε εἴργειν, ἐάν τε μαστιγοῦν, ἐάν τε δέσμιον ἐπὶ τῶν κατ' ἀγρὸν ἔργων κατέχειν, ἐάν τε ἀποκτινῦναι προαιρῆται, κἄν τὰ πολιτικὰ πράττων ὁ παῖς ἤδη τυγχάνῃ κἄν ἐν ἀρχαῖς ταῖς μεγίσταις ἐξεταζόμενος κἄν διὰ τὴν εἰς τὰ κοινὰ φιλοτιμίαν ἐπαινούμενος. κατὰ τοῦτόν γέ τοι τὸν νόμον ἄνδρες ἐπιφανεῖς δημηγορίας διεξιόντες ἐπὶ τῶν ἐμβόλων ἐναντίας μὲν τῇ βουλῇ, κεχαρισμένας δὲ τοῖς δημοτικοῖς, καὶ σφόδρα εὐδοκιμοῦντες ἐπὶ ταύταις κατασπασθέντες ἀπὸ τοῦ βήματος ἀπήχθησαν ὑπὸ τῶν πατέρων, ἦν ἂν ἐκείνοις φανῆ τιμωρίαν ὑφέξοντες· οὓς ἀπαγομένους διὰ τῆς ἀγορᾶς οὐδεὶς τῶν παρόντων ἐξελέσθαι δυνατὸς ἦν οὔτε ὑπατος οὔτε δήμαρχος οὔτε ὁ κολακευόμενος ὑπ' αὐτῶν καὶ πᾶσαν ἐξουσίαν ἐλάττω τῆς ἰδίας εἶναι νομίζων ὄχλος.

But the lawgiver of the Romans gave virtually full power to the father over his son, even during his whole life, whether he thought proper to imprison him, to scourge him, to put him in chains and keep him at work in the fields, or to put him to death, and this even though the son were already engaged in public affairs, though he were numbered among the highest magistrates, and though he were celebrated for his zeal for the commonwealth. Indeed, in virtue of this law men of distinction, while delivering speeches from the rostra hostile to the senate and pleasing to the people, and enjoying great popularity on that account, have been dragged down from thence and carried away by their fathers to undergo such punishment as these thought fit; and while they were being led away through the Forum, none present, neither consul, tribune, nor the very populace, which was flattered by them and thought all power inferior to its own, could rescue them. (2.26.4-6)

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<sup>21</sup> However, note that Dionysius of Halicarnassus does mention, in a later book, that Roman fathers were monitored by censors who occasionally intervened, whereas Greek fathers held complete power in their houses (20.13.3). This point is not stressed in this account, but the importance of the censors in potentially regulating the behaviour of the *paterfamilias* should be noted. Watson (1971), 12 comments that: '(...) whole areas of behaviour, for instance abuse of paternal power, were left to their discretion and were scarcely touched by rules of positive law.'

There is a great deal of important information in this passage with regard to the legal powers instituted by Romulus. First of all, the powerless nature of the son is made clear: it is the prerogative of the father to do what he wants with his children. The son is completely at the mercy of the *paterfamilias*, no matter his position in the state itself: the account continues with a description of magistrates being dragged from the *rostra* while addressing the people (Dion. Hal. *Ant. Rom.* 2.26.5).<sup>22</sup> The *ius vitae necisque* is also mentioned, and Dionysius of Halicarnassus goes on to describe the sale of children:

Καὶ οὐδ' ἐνταῦθα ἔσθη τῆς ἐξουσίας ὁ τῶν Ῥωμαίων νομοθέτης, ἀλλὰ καὶ πωλεῖν ἐφῆκε τὸν υἱὸν τῷ πατρὶ, οὐδὲν ἐπιστραφεὶς εἴ τις ὠμὸν ὑπολήψεται τὸ συγχώρημα καὶ βαρύτερον ἢ κατὰ τὴν φυσικὴν συμπάθειαν. καὶ ὁ πάντων μάλιστα θαυμάσειεν ἂν τις ὑπὸ τοῖς Ἑλληνικοῖς ἦθεσι τοῖς ἐκλελυμένοις τραφεὶς ὡς πικρὸν καὶ τυραννικόν, καὶ τοῦτο συνεχώρησε τῷ πατρὶ, μέχρι τρίτης πράσεως ἀφ' υἱοῦ χρηματίσασθαι, μείζονα δούς ἐξουσίαν πατρὶ κατὰ παιδὸς ἢ δεσπότη κατὰ δούλων.

And not even at this point did the Roman lawgiver stop in giving the father power over the son, but he even allowed him to sell his son, without concerning himself whether this permission might be regarded as cruel and harsher than was compatible with natural affection. And,—a thing which anyone who has been educated in the lax manners of the Greeks may wonder at above all things and look upon as harsh and tyrannical,— he even gave leave to the father to make a profit by selling his son as often as three times, thereby giving greater power to the father over his son than to the master over his slaves. (2.27.1-2)

The existence of this law is known from the XII Tables of early Rome and, in later periods, the selling of the son three times was used in adoption and emancipation

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<sup>22</sup> The only example of this is that of the tribune C. Flaminius discussed in Ch. III, p. 131-132. However, there is debate whether the father drags the son from the rostra, or asks him to come down. See the discussion of the account in Cicero on p. 132 of this chapter.

ceremonies.<sup>23</sup> Though there are few ancient sources which fully support the extent of the powers described by Dionysius of Halicarnassus, a comparison between this passage and those characteristics discussed in earlier interpretations of Roman fathers are closely related. The sons face physical punishment, imprisonment, treatment similar to that of slaves, and death at the whim of their fathers.

As the only early author to present such a picture of the *paterfamilias*, and one who was so influential in twentieth-century portrayals, it is necessary to consider why Dionysius of Halicarnassus paints such a striking picture of the Roman family – the key to this is his Greek background. The legal powers of the *paterfamilias* would have appeared remarkable, even if they were not necessarily implemented, to such an individual because there does not appear to have been anything comparable in Greek legal systems. The issue is complicated by the fact that there were multiple *poleis*, each with its own legal system, and only one extant law of Halicarnassus from the fifth century BC.<sup>24</sup> One may question whether it is safe to conclude that no rules of the Roman sort would have been widespread among the audience of Dionysius of Halicarnassus.

Indeed, there is a great deal of debate over the unity of Greek law. Finley argued against generalising from the structure of one polis to another in order to fill in the gaps, but more recently Rhodes has opposed this tendency as being overly sceptical:<sup>25</sup>

There is enough similarity between what is attested for different states  
(...) to suggest that, in spite of justified protests against the use of

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<sup>23</sup> Tabula IV, 1. See Crawford (1996), 630-2 for a discussion of this statute: ‘We cannot know whether the Twelve Tables adopted the rule in order to *permit* the emancipation of a son (...) or in order to punish a father who persistently ‘sold’ a son’. For the use of this law in adoption ceremonies, see Gaius, *Inst.* 134; Cic. *Dom.* 77; Gell. 5.19. One of the first known examples was the adoption by the patrician L. Manlius Acidinus of a son of the plebeian Fulvius Flaccus (Vell. Pat. 2.8.2).

<sup>24</sup> Recent research has pointed to over 1,000 poleis, see Hansen and Nielsen (2004). On the extant law of Halicarnassus (*GHI* n. 32), see Fornara (1983), 69-70.

<sup>25</sup> Finley (1951), 72-91.

inference from one place at one time to fill gaps in our knowledge of another place at another time, some valid generalisations can be made about Greek law and Greek judicial procedures.<sup>26</sup>

In order to illustrate this point: the two classical Greek legal systems that are best attested in the sources, Athens and Gortyn, were very different societies. The former was a highly developed democracy, while the latter was a simpler agrarian oligarchy; however, neither show signs of the powers of the Roman *paterfamilias* (in particular the *ius vitae necisque* or the lifelong nature of *patria potestas*). In Athens, a son gained legal capacity on his majority at eighteen; in terms of inheritance of his father's property, it was normal to wait until he died. However, we do know of cases where inheritance was divided among sons while the father was still alive (Dem. 47.34-5).<sup>27</sup> Furthermore, the Athenian head of household (*kyrios*) had been unable to sell his children since the time of Solon, apart from one law which allowed a father to sell his daughter if she had lost her virginity (Plut. *Sol.* 13.5).<sup>28</sup> There is also no evidence that an Athenian father could legally kill his son.

In the case of Gortyn on Crete, we possess an extensive legal inscription from c. 450 BC which provides numerous rules relating to family law. This states that fathers had control over their children and the division of their property (so long as they were living together, there was no need to divide this property). However, if a child were fined, that amount was to be paid from the inheritance of the son or daughter in question (*IC IV 72, IV 23-31*). This indicates that children had their own legal personalities in this community and could be subject to fines. Moreover, children could own their own property - acquired or inherited from the mother – even while their father was still alive and over which the father had no authority. (*IC IV 72, VI 7-9*). This shows that the head of the family could not interfere with the property that

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<sup>26</sup> Rhodes with Lewis (1997), 529-30, n.2.

<sup>27</sup> Macdowell (1978), 92.

<sup>28</sup> Macdowell (1978), 80: 'But it seems unlikely that Athenian fathers still sold even their naughtiest daughters in the fifth and fourth centuries.' On the same note, see Harris (2002), 415-430.

belonged to his children. Like Athens, there is also no evidence to suggest that a father could legally kill his sons.

Thus, the fact that powers comparable to those of the Roman *paterfamilias* did not exist in either of these extremely different cities suggests that they did not exist in any part of the Greek world, Halicarnassus included. This is important in explaining why the powers of the father in Roman law struck Dionysius of Halicarnassus as unusual; moreover, it explains why this Greek author focussed so extensively on the fact that these legal powers existed, even although they were rarely implemented.<sup>29</sup> The response of Dionysius of Halicarnassus is similar to that noted by Malinowski with regard to the work of early anthropologists: 'It lies in the nature of scientific interest, which is but refined curiosity, that it turns more readily to the extraordinary and sensational than to the normal and matter-of-course.'<sup>30</sup> Malinowski himself discussed the institutions of tribal societies and the normal, day-to-day aspects of tribal life rather than focusing on those practices that marked life in Melanesia apart from life in the West. The issue of Dionysius of Halicarnassus's depiction of Roman family life is similar to the efforts of those early anthropologists criticised by Malinowski. The formal powers of the *paterfamilias* would have been particularly striking to a Greek and this comes through in his description. Furthermore, he neglects to discuss the normative; instead, his account centres on the legal rights. Because he only points out the abstract, formal features of this institution, it is tempting to assume that these rules pervaded father-son relations from start to finish. A better method is to accept these legal rules, but to go further and ask what other pressures and dynamics dictated normal father-son relations within the boundaries of the law.

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<sup>29</sup> See the discussion of the *ius vitae necisque* in Ch. II, section 2.

<sup>30</sup> Malinowski (1926), 71. As he pointed out, (1926), 1: 'Anthropology is still to most laymen and to many specialists mainly an object of antiquarian interest. Savagery is still synonymous with absurd, cruel, and eccentric customs, with quaint superstitions and revolting practices. Sexual licence, infanticide, head-hunting, couvade, cannibalism and what not, have made anthropology attractive reading to many, a subject of curiosity rather than of serious scholarship to others.'



## Section 2: The *ius vitae necisque*<sup>31</sup>

The *ius vitae necisque* was the legal right of the *paterfamilias* to kill his offspring (Gell. 5.19.9; Cic. *Dom.* 77; XII T. 4.1; Dion. Hal. *Ant. Rom.* 2.26-7). It is the existence of this power which led Segal to comment that ‘the history of Rome is replete with fathers killing disobedient sons.’<sup>32</sup> However, like any generalised statement of this kind, it admits a rather simplistic view both of Roman culture, and of family relationships. Furthermore, it is not without its opponents. Harris shares the view put forward in the previous section that legal possibilities do not always reflect common practice, and vice versa.<sup>33</sup> He argues that, although the *paterfamilias* had the power to kill his dependants, there is little evidence of this happening beyond cases of the exposure of infants.<sup>34</sup> In fact, the very nature of this legal power has been debated at great length in the modern scholarship.<sup>35</sup> As Rabello points out, it is not mentioned by Gaius under his description of *patria potestas*.<sup>36</sup> Thomas describes the *ius vitae necisque* as ‘de la sorte une definition abstrait du pouvoir’, and Shaw similarly rejects the view that fathers were ever legally able to kill their children.<sup>37</sup> Both scholars argue in favour of the view that the *ius vitae necisque* illustrated the

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<sup>31</sup> For a list of all known cases in which the *ius vitae necisque* may have been used, see the Appendix on p. 280.

<sup>32</sup> Segal (1987), 18; cf. DeMause (1974), 1, 51; Krause (2011), 630.

<sup>33</sup> See Crook (1967), 114; Dixon (1997), 152; Gardner (1998), 2; and Saller (1999), 191.

<sup>34</sup> Harris (1994), 3.

<sup>35</sup> See the discussion by Saller (1994), 114-119. The law itself is thought to be one of the *leges regiae* (Papinian, Coll. 4.8.1). Dionysius of Halicarnassus attributes it to Romulus: *Ant. Rom.* 2.26. It is also often argued to have existed in the XII Tables, but see Shaw (2001), 68, on the problems with this reconstruction. Frier and McGinn (2004), 191: ‘Actual instances of a *paterfamilias* using the right in order to kill a juvenile or an adult child are rare and mainly associated with early Rome, prior to the emergence of a contemporary historical record in the late third century BC.’

<sup>36</sup> Rabello (1979), 181.

<sup>37</sup> Thomas (1984), 545. Shaw (2001), 76: ‘Not only did Roman fathers not exercise any such life and death decision by recognizing or not recognizing a newborn infant by ritualistically raising it (for which there is no evidence), they also did not exercise a *potestas vitae necisque* understood as a legal right to kill their own children. Whatever was meant by the phrase in terms of pragmatic application, it seems to have been a rhetorical assertion of the ‘great powers’ of a father’. Also, Frier and McGinn (2004), 191: ‘In classical law, the power of life and death may have survived more as a symbolic indicator of the father’s general authority and control over his descendants’.

extent of the legal rights awarded to a *paterfamilias*, but never constituted a sociological reality.

In support of this view, there is evidence that restrictions existed in the form of *iusta causa* and a father is thought to have needed to consult a *consilium* consisting of family members and friends before any action was taken.<sup>38</sup> Similarly, the story of Q. Fabius Maximus Eburnus, Censor in 108 BC, demonstrates that a father's right to kill his children could not possibly have been absolute.<sup>39</sup> Having killed his son as a punishment for a sexual misdeed, he was consequently exiled from Rome for his harsh judgement (Val. Max. 6.1.5; Ps.-Quint. *Decl. mai.* 3.17; Oros. 5.16.8; Cic. *Balb.* 28). It suggests that an action of this kind, though theoretically possible as a result of *patria potestas*, was not necessarily acceptable in practice. Likewise, there is the case of Tricho, an eques who flogged his son to death and was almost lynched by the crowd in consequence (Sen. *Clem.* 1.15.1).

In Shaw's discussion of the power of life and death, he mentions the 'relative sparseness and late date' of the evidence. He goes on to point out that the earliest mention of the *ius vitae necisque*, in Cicero's *De Domo Sua* (77), is written in ritualistic language (as part of the ceremony of adoption), and that there are few other republican sources that mention this law at all.<sup>40</sup> Another important issue is the fact that few of the examples commonly cited as evidence of the *ius vitae necisque*

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<sup>38</sup> This is the view of both Frier and McGinn (2004), 191, and Lucarelli (2007), 57-110. However, Harris (1986), 81 doubts that this obligation existed under the republican period. Although there is little evidence of it being used in the republican period, the legal power of *ius vitae necisque* was limited under the empire (Ulp. *dig.* 48.5.24.2; Scaev. *dig.* 48.5.15.2). See Rabello (1979), 146-148. On the issue of the *ius occidendi* in relation to adulteress daughters, see Saller (1994), 116, and Frier and McGinn (2004), 191. See the Introduction, p. 38, n. 101.

<sup>39</sup> On this case, see Harris (1986), 84-85. Valerius Maximus gives the name of the father as Q. Fabius Maximus Servilianus in his account, but it is more likely to be Q. Fabius Maximus Eburnus; cf. Broughton 1.550 n. 3. Refer to the Appendix, p. 280

<sup>40</sup> Shaw (2001), 31-77; cf. Gellius (5.19.9) also includes the words used in the adoption ceremony: see Ch. IV, section 3.

actually mention this power.<sup>41</sup> In order to illustrate this point, a survey of those instances in which a father killed his son will be followed by two case studies addressing the most infamous cases in the ancient sources.

First of all, Sallust relates that, in the mid-first century BC, Catiline killed his own son in order to marry a woman he had become infatuated with (Sall. *Cat.* 15-16). This example is used in the text to reinforce the corrupt nature of Catiline himself during a description of the Catilinarian conspiracy, and there is no suggestion that it was done in conjunction with any fatherly right.<sup>42</sup> In fact, it is quite the opposite: there is no implication or expectation whatsoever that an audience will approve of such a deed.<sup>43</sup> Then there is the example of Aulus Fulvius, a young Roman who had set out to join Catiline. His father, having discovered exactly what his son was planning, dragged him back and had him put to death. He is reported as saying that he had sons in order to protect Rome against her enemies, not to join them against the state (Cass. Dio. 37.36; Sall. *Cat.* 39.5; Val. Max. 5.8.5).<sup>44</sup>

Similarly, Livy, Dionysus of Halicarnassus, Valerius Maximus, and Cicero all tell the story of Spurius Cassius, who was known as one of the early Republican traitors (Val. Max. 5.8.2; Livy, 2.41.10, Cic. *Phil.* 2.87).<sup>45</sup> Having been accused of seeking absolute power during his third consulship in 486 BC, there is one version in which he was publicly tried for *perduellio* and convicted, and another in which his own father had him condemned (after he had left office) through the *consilium* (Livy,

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<sup>41</sup> Instead, Shaw (2001), 64 argues that the *ius occidendi* becomes confused with the power of life and death in later imperial sources and, as a result, in modern scholarship. On the progression of the idea of the *ius vitae necisque* from the imperial period through to late antiquity, see Shaw (2001), 66-70.

<sup>42</sup> Cf. Sall. *Cat.* 43: Catiline promising to help sons kill their fathers and the argument that sons were obsessed with parricide in ancient Rome: Cantarella (2003), 298 and Veyne (1987), 29.

<sup>43</sup> Compare the examples of T. Manlius Capitolinus and L. Junius Brutus in the subsequent discussion. Although the audience does not commend their actions, there is the implication in the narrative that the deed was done for the sake of the state.

<sup>44</sup> See Ch. I, p. 60 for a discussion of this incident; cf. Sall. *Cat.* 39: Many Roman youths joined Catiline out of a hope of gaining power quickly in the state.

<sup>45</sup> On the early republican traitors, see Mustakallio (1994) and Lintott (1968), 176 and 184. On Spurius Cassius as the first person to propose agrarian laws and reform, refer to Chaplin (2000), 83-4.

2.41.10-12; Dion. Hal. *Ant. Rom.* 8.68-80; Cic. *Rep.* 2.27, 35; Cic. *Phil.* 2.44, Cic. *Dom.* 38; Val. Max. 6.3.1).<sup>46</sup> This is the only example in which the contrast between familial duty and duty to the state occurs between a son who holds office and a father who does not.

In all of these examples, except that of Catiline and his son, the theme of preserving the state is apparent. The jurist Marcellus, some of whose second-century AD writings are collected in Justinian's *Digest*, discusses this point:

Minime maiores lugendum putauerunt eum, qui ad patriam delendam et parentes et liberos interficiendos uenerit: quem si filius patrem aut pater filium occidisset, sine scelere, etiam praemio adficiendum omnes constituerunt.

Our ancestors thought there was no need to mourn a man who set out to destroy his country and to kill his parents and children. They all decided that if such a man was killed by his son or father, it was no crime, and the killer should even receive a reward. (Marcellus, *dig.* 11.7.35, trans. Watson)<sup>47</sup>

One of the most important aspects of this passage is the fact that both fathers and sons are entitled to kill the person who posed a threat to the city, no matter their relation to the individual concerned. The ideal of duty towards the state above all other things will be discussed at various points throughout this thesis, but it is particularly crucial in this chapter as a method for interpreting the cases which will be presented.<sup>48</sup>

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<sup>46</sup> On the *consilium* or *domesticum iudicium*: Lucarelli (2007), 57-110 and Frier and McGinn (2004), 191. However, Harris (1986), 81 doubts that this obligation existed under the republican period. Lintott (1968), 56: 'It seems probable that in the earliest story of Sp. Cassius his father executed him though an exercise of *patria potestas*, though later accounts introduce magisterial intervention and a trial.' However, there is no mention of *patria potestas* in any of the accounts.

<sup>47</sup> Saller (1994), 116.

<sup>48</sup> For a discussion of the duty owed to the state, see Ch. I.

The evidence so far examined, then, makes it clear that an interpretation of Roman society in which fathers killed their sons with any frequency or without censure does not take into account evidence which requires a different interpretation.<sup>49</sup> It also fails to appreciate the complexities involved in elite father and son relationships in the middle and late Republic. Rather, the vast majority of tales from Roman history or myth present illustrations of fathers and sons supporting one another; in addition, anecdotes or *exempla* aimed at encouraging certain modes of behaviour from subsequent generations often emphasised the importance of relationships between family members.<sup>50</sup> This will be discussed in greater detail in later chapters, but there are two early Roman myths in particular which illustrate the ideals expected of family members.<sup>51</sup>

During the early republic, the Sabines and Romans were on the brink of war after the abduction of the Sabine women (Cic. *Rep.* 2.12-14; Dion. Hal. *Ant. Rom.* 2.30-47; Livy, 1.9-1.13.8; Ov. *Fast.* 3.167-258; Plut. *Rom.* 14-19; Ov. *Ars am.* 1.101).<sup>52</sup> The women, who had become wives and mothers at Rome, were aware of the bonds existing both with their new families and the families they had left behind.<sup>53</sup> Realising that a war between the two societies would result in the deaths of their fathers or husbands, they appealed to each with the argument that the enemies were, in fact, relations to one another.<sup>54</sup> As Miles points out, the narrative of Livy describes the individuals using kin terminology such as fathers-in-law (*soceri*) and sons-in-law

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<sup>49</sup> The material and literary evidence pertaining to father and son relationships is discussed in Ch. V.

<sup>50</sup> In particular, see the discussion of *pietas* in Ch. III, section 1.

<sup>51</sup> See Ch. III and Ch. IV in particular.

<sup>52</sup> Feldherr (1998), 134, 211, 217; Hemker (1985); Miles (1995), 179-220; and Wiseman (1983), 445-52.

<sup>53</sup> For a discussion of this episode with regard to the first Roman marriage, see Feldherr (1998), 211 and Miles (1995), 179-220.

<sup>54</sup> Feldherr (1998), 211: 'As such, the rape of the Sabine women perfectly exemplifies the importance of 'the love of wives and children' which Livy in the preface to book 2 had claimed as one of the forces that ensured harmony within the newly liberated *res publica*.'

(*generi*).<sup>55</sup> The children that had been born to the women were legitimate Roman citizens, and they shared the blood of both (Livy, 1.13).<sup>56</sup>

Then, in a tale intended to shock Roman audiences, Livy depicted the end of what was described as all just kinship at Rome. The murder of Servius Tullius at the hands of his daughter and son-in-law was presented as a domestic crime that broke all of nature's laws and destroyed Roman ideals of *pietas* (Livy, 1.48.3-9; Ov. *Fast.* 6.594; Cic. *Rep.* 2.19; Dion. Hal. *Ant. Rom.* 3.46-4.85).<sup>57</sup> The gruesome image of Tullia driving her carriage over the body of her father is the antithesis of the Sabine women described above. Thus, as these examples clearly show, the intention for Roman family relationships was duty, *pietas*, and cooperation.<sup>58</sup> Violence between family members was something to be avoided at all costs and, in those cases where it did occur, was regarded as a breach of the natural laws.<sup>59</sup>

However, as the idea of fathers killing sons remains an enduring image of Roman society, it is necessary at this stage to consider the most notorious examples in more depth. Infamous in both classical literature and modern scholarship are the cases of L. Junius Brutus, and T. Manlius Torquatus: the first had his sons executed for betrayal of the state, the second for disobeying military commands. The Greek historian Polybius wrote that Romans held duty to the state above all things, and that

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<sup>55</sup> Miles (1995), 181.

<sup>56</sup> Furthermore, see Miles (1995), 181: 'In Ovid's narrative, moreover, the conflict between the Romans and the Sabines who seek to avenge their women's abduction is seen from the very first as one between kin; it is a prototype, in fact for civil war.'

<sup>57</sup> Feldherr (1998), 190; Hallett (1984), 24-25, 115, 138, 219-20. See Miles (1995) for the reliability of this tradition, 32-35. An analysis of the term *pietas* can be found in Ch. III, section 1.

<sup>58</sup> The murder of Servius Tullius is discussed in the oration of Brutus after the death of Lucretia (Livy, 1.59.7-2); cf. Feldherr (1998), 203.

<sup>59</sup> See the discussion of Cicero (*Rosc. Am.* 46) on 'natural feeling' in Ch. III, section 2. See Treggiari (2003), 137-164 on nature, nurture, and presentation in Cicero's oratory.

there were many instances of fathers in office killing sons (6.54.5).<sup>60</sup> Yet, as will be seen in the following section, it is significant that duty to the state is what forces the father's hand in both of these examples. Furthermore, the fact that this statement is followed by a description of Horatius Cocles risking his own life to preserve Rome reinforces the ideal of duty towards the state.<sup>61</sup> The anecdote emphasises the sacrifice the young Roman was willing to make for his homeland; equally, the stress is frequently upon sacrifice for the greater good in the stories where fathers have their sons killed.<sup>62</sup>

### **Brutus and his sons**

The execution of the Bruti is one of the most well-known episodes in early Roman history.<sup>63</sup> It is an image that has been represented in art and literature from the classical period right through to the modern day.<sup>64</sup> What makes this story so fascinating is the potency of the danger to the new republic, and the ensuing clash between freedom and oppression, duty and emotion, and *pietas* and betrayal. Brutus had fought for the expulsion of the Tarquins in a classic story of liberty against

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<sup>60</sup> The mention of fathers killing sons in Polybius (6.54) is very much a brief aside as an example of the lengths Roman statesmen were prepared to go to in order to protect the city. As this statement provides no names or details, it is impossible to use this passage as evidence in any further discussion of fathers killing sons at Rome.

<sup>61</sup> When the enemy presented a very real threat to the city itself, Horatius Cocles kept guard on one of the bridges across the Tiber, fighting off any soldiers who attempted to cross (Polyb. 6.55; Livy, 2.10.1-13). Cf. Polybius's description of the Roman funeral which inspired young men to emulate past glories: refer to Ch. V, section 3.

<sup>62</sup> See Erskine (2013), 241-2.

<sup>63</sup> Miles (1995), 120-124, 126, 128, 129.

<sup>64</sup> On iconography, see Evans (1992), 145-8.

tyranny, and he had sworn to uphold the new Republic against all of those who would restore a monarchy to Rome.<sup>65</sup>

Thus, the complete breach of natural duty shown towards their father by the Bruti was as shocking to Roman audiences as the *pater* himself watching their punishment and execution.<sup>66</sup> It was an enduring image in republican culture and one that was firmly situated within the ideology of the city itself.<sup>67</sup> Nevertheless, it is not an example that can be used as evidence for the father's power of life and death, as the sources very clearly signal the fact that he restrained his paternal instinct in order to judge the young men with the authority of a consul.<sup>68</sup> This will be shown more clearly in the following analysis.

## Livy

In the early books, Livy describes the foundation of the Roman Republic from the ashes of the monarchy which had ruled since its earliest days.<sup>69</sup> Having expelled the

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<sup>65</sup> Ogilvie (1965), 233, points out that the second book of Livy's history deals with the theme of freedom, and the protection of the vulnerable new Republic from the dangers facing it. He states that: 'A number of such threats to liberty occur from within and from without (Collatinus, the conspiracy of the Vitellii and Aquilii, Valerius Poplicola; The Tarquinienses, Porsenna, the Latins) and L. relates each one as a separate, dramatic episode exemplifying the moral that ceaseless vigilance is required to maintain liberty'. Note that it is towards the end of this second book that the threat of Spurius Cassius also appears, which resulted in a trial and execution that could be compared to that of the Bruti. See, also, Burck (1934), 51-89 and Luce (1977), 244-245.

<sup>66</sup> On *pietas* as a reciprocal obligation between family members, see Ch. III, section 1.

<sup>67</sup> Feldherr (1998), 120: 'Such *exempla* not only teach the subordination of the smaller unit in the interests of the larger state but also reinforce both the interdependency and the parallelism between family, state, and body'.

<sup>68</sup> Mommsen (1887-8), 22 was the first to point out that Brutus acts as a magistrate and that there is no implication of *patria potestas* here. However, Thomas (1984), 518 actually argues that consular *imperium* and *patria potestas* come together to authorise the execution. In fact, Mastrocinque (1988), 121 argues that the rule of Tarquinius Superbus showed the breakdown of fatherly authority over their sons and that the actions of Brutus, then, signaled a much-needed return to a proper relationship between the generations after the private gain over the public good exhibited in the final rule of the Tarquins.

<sup>69</sup> Miles (1995), 119-120 points out that Livy names several founders for Rome. These included Romulus, Servius Tullius, all of the kings except the final (Tarquinius Superbus), Appius Claudius, Augustus, Furius Camillus, and Brutus.



corrupt Tarquin dynasty from the city, the first book describes the oath given by Brutus in which he swears that another dictator will not rule at Rome:

Brutus illis luctu occupatis, cultrum ex uolnere Lucretiae extractum manante cruore prae se tenens, 'Per hunc' inquit 'castissimum ante regiam iniuriam sanguinem iuro, uosque, di, testes facio me L. Tarquinius Superbum cum scelerata coniuge et omni liberorum stirpe ferro igni quacumque dehinc ui possim exsecuturum, nec illos nec alium quemquam regnare Romae passurum.'

Brutus, while the others were absorbed in grief, drew out the knife from Lucretia's wound, and holding it up, dripping with gore, exclaimed, 'By this blood, most chaste until a prince wronged it, I swear, and I take you, gods, to witness, that I will pursue Lucius Tarquinius Superbus and his wicked wife and all his children, with sword, with fire, aye with whatsoever violence I may; and that I will suffer neither them nor any other to be king in Rome!' (Livy, 1.59.1; cf. Plut. *Publ.* 2.2)<sup>70</sup>

As his readers know, the historian is setting the scene for one of the most drastic deeds to be done in order to safeguard the early Republic.<sup>71</sup> In the early chapters of the second book, envoys from the Tarquins enter the city of Rome demanding to

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<sup>70</sup> The scene in which Brutus pulls the dagger from Lucretia's body and swears a blood oath to expel the Tarquin dynasty has been discussed as a sacrificial ritual by a number of scholars. See Feldherr (2009), 424-428 for a general description. Compare with the aspects of sacrificial spectacle present in the execution of the Bruti. See the discussion of this episode in Feldherr (2009), 423-435.

<sup>71</sup> On the theme of duty to the state in Roman literature, see Bonjour (1975). Also, compare the discussion of sacrifice on behalf of the state in Ch. II.

have the property of the former ruling family restored.<sup>72</sup> While the senate debate this proposal, the conspiracy to overthrow the new Republic steadily gains support. It is joined by the Vitellii and the Aequilii, the former a family who had kinship ties through their sister to the consul Brutus.

A slave of the Vitellii soon becomes suspicious of the plot and, having attained a letter disclosing its details, he brings this to the attention of the consuls. Without arousing alarm, Brutus and his colleague immediately arrest the conspirators and, when the day of the trial arrives, Livy describes the group of young Romans tied to the post. The majority come from the noblest families at Rome, yet the audience and narrative focus exclusively on the sons of Brutus as they are scourged and beheaded.

The historian describes the *furor* created at Rome and the terrible responsibility imposed upon Brutus of overseeing the punishment of his own family.<sup>73</sup> Yet, he argues, in his own voice, that the people grieved as much for the betrayal of father and country as for the punishment itself:

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<sup>72</sup> As Feldherr (2009), 416-19 has pointed out, the relationship of the Tarquins to the state is one in which the family is continually held above the state – they are greedy and their actions show a concern only for themselves. Furthermore, in an important parallel which echoes throughout Livy's description of the early Romans, Tarquinius Superbus shows indulgence towards his sons while Brutus is prepared to execute them for their betrayal of the state. This emphasis on sacrifice in order to preserve the state is reflected in Livy's description of the new republic: The Bruti, Coriolanus, the fight of the Fabian *gens* against Veii (2.48-50). Furthermore, Feldherr (2009), 416 comments that even the dream of Titus Latinius which warns the Romans that the *ludi* have not been properly undertaken suggests that there is a close connection between family and state. The fact that the son of Latinius falls ill because his father does not immediately report the dream is used by Feldherr to argue in favour of this notion of the state as macrocosm of the family or body. This is supported by the famous speech of Menenius Agrippa who uses the analogy of the body to stress the inter-connectedness of the state during the secession of the plebs (Livy, 2.32.8-12).

<sup>73</sup> See Ogilvie (1965), 241 on the theme of duty to the state versus duty to the family. He describes the 'simple tale of treachery punished by the father – with the familiar theme of public duty triumphing over private relationship. Rome, as Polybius observed (6.54.5), had several examples to show'. The Polybius reference here is to the episode in which he states that there were a number of examples of fathers killing sons. However, an investigation into extant sources fails to provide more than a few, mainly legendary, descriptions of this occurring. Refer to the Appendix on p. 280.

stabant deligati ad palum nobilissimi iuuenes; sed a ceteris, uelut ab ignotis capitibus, consulis liberi omnium in se auerterant oculos, miserebatque non poenae magis homines quam sceleris quo poenam meriti essent: illos eo potissimum anno patriam liberatam, patrem liberatorem, consulatum ortum ex domo Iunia, patres, plebem, quidquid deorum hominumque Romanorum esset, induxisse in animum ut superbo quondam regi, tum infesto exsuli proderent.

Bound to the stake stood youths of the highest birth. But the rest were ignored as if they had been of the rabble: the consul's sons drew all eyes upon themselves. Men pitied them for their punishment not more than for the crime by which they had deserved that punishment. To think that those young men, in that year of all others, when their country was liberated and her liberator their own father, and when the consulship had begun with the Junian family, could have brought themselves to betray all—the senate, the plebs, and all the gods and men of Rome—to one who had formerly been a tyrannical king and was then an enemy exile. (Livy, 2.5.6-7)

Here, the account emphasises the necessity of the punishment and the true severity of their betrayal. That it should be this year and in this way, when their father had already risked so much to rid Rome of its monarchy, is carefully stressed. As such the decision of the father seems an inevitable consequence of the events which have taken place.<sup>74</sup>

The description of the incident, in general, is brief and does not consider the moral complexity of the issue at hand in any depth. Brutus is portrayed as an *exemplum* of the traditional Roman ideal that the state must be protected against all things, even family.<sup>75</sup> There is no better model for this than the story of Brutus and his sons. The father, regarded by the Roman people as the founder and protector of the republic, makes the ultimate sacrifice for the good of all. It says more about the relationships

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<sup>74</sup> It is possible to argue that the execution of the Bruti in fact symbolised an adoption by the magistrate of the Roman people as sons. Feldherr (2009), 429 writes: 'The consequent unity of two levels of social authority both illustrates the civic aspect of the Roman father's power of life and death and simultaneously establishes a new relationship between the consul and the *populus* whereby the magistrate becomes the 'father' of the people.' Cf. Thomas (1984), 503.

<sup>75</sup> See the discussion of ultimate sacrifice at Ch. II, section 2.

of Roman citizens towards the state, then, than it does about fathers and sons. There is no other option for Brutus to take in such circumstances; leniency is impossible against traitors:

consules in sedem processere suam, missique lictores ad sumendum supplicium. nudatos uirgis caedunt securisque feriunt, cum inter omne tempus pater uoltusque et os eius spectaculo esset, eminente animo patrio inter publicae poenae ministerium.

The consuls advanced to their tribunal and dispatched the lictors to execute the sentence. The culprits were stripped, scourged with rods, and beheaded, while through it all men gazed at the expression on the father's face, where they might clearly read a father's feeling, as he administered the nation's punishment (Livy, 2.5.8)<sup>76</sup>

There is very little in Livy's account which describes the emotions of the father beyond this passage. It is interesting to note the way in which the historian stresses that Brutus watched as a father and that his emotions were evident, yet his role as consul and founder of the Republic made his resolutions firm.<sup>77</sup> Livy seems to be emphasising the fact that Brutus was not the severe *pater* that the incident might suggest, but a statesman and citizen whose duty was to his city.<sup>78</sup> This is a method of portraying the event that makes the episode profoundly Roman.<sup>79</sup>

Thus, in Livy's account, Brutus is not blamed by the audience for the harsh punishment: the people grieve for the betrayal of the father rather than the fate of the two sons. In this depiction, the most important theme is protection of the state; duty is everything. Furthermore, the only other mention of Brutus in Livy's *Annals* shows

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<sup>76</sup> Feldherr (1998), 201: 'Throughout the passage, brief, objective descriptions of the execution give rise to longer analyses of the responses of the spectators, which in turn seem to alternate between the anger they feel as citizens toward the traitors and the sympathy with which they regard the consul'.

<sup>77</sup> Feldherr (1998), 200-203.

<sup>78</sup> See the discussion of Roman statesmen and Roman fathers in Ch. VI.

<sup>79</sup> Feldherr (1998), 202: 'The conflicts experienced by the spectators articulate precisely the shift in loyalties required for the formation of the Republic, where the new sense of national identity that is the prerequisite for *libertas* both depends on and supersedes natural affection for the family'. See the discussion of duty to the state in Ch. I.

the affection that the Roman people continued to feel for him even after he had superintended the execution of his sons:

P. Valerius, omnium consensu princeps belli pacisque artibus, anno post Agrippa Menenio P. Postumio consulibus moritur, gloria ingenti, copiis familiaribus adeo exiguis, ut funeri sumptus deesset; de publico est datus. Luxere matronae ut Brutum.

Publius Valerius, universally regarded as the foremost citizen, both in military and in civil qualities, died in the following year, when Agrippa Menenius and Publius Postumius were consuls. He was a man of extraordinary reputation, but so poor that money was wanting for his burial, and it was furnished from the treasury of the state. He was mourned by the matrons as Brutus had been. (Livy, 2.16.7-8)

The regard with which the people had held Brutus is illustrated by the comparison with the renowned and influential Publicola.<sup>80</sup> Brutus himself had died a heroic death fighting the Tarquins, and Livy emphasises the worth of Publicola by comparing him to one who was regarded as a Roman hero.

## Plutarch

Plutarch's more detailed description of the events leading up to and including the death of the Bruti is found in the *Publicola*; however it is possible to get an idea of its presentation through the first chapters of the younger *Brutus*:

Μάρκου δὲ Βρούτου πρόγονος ἦν Ἰούνιος Βρούτος, ὃν ἀνέστησαν ἐν Καπιτωλίῳ χαλκοῦν οἱ πάλαι Ῥωμαῖοι μέσον τῶν βασιλέων ἐσπασμένον ξίφος, ὡς βεβαιοτάτα καταλύσαντα Ταρκυνίους. ἀλλ' ἐκεῖνος μὲν, ὥσπερ τὰ ψυχρήλατα τῶν ξιφῶν, σκληρὸν ἐκ φύσεως καὶ οὐ μαλακὸν ἔχων ὑπὸ λόγου τὸ ἦθος, ἄχρι παιδοφονίας ἐξώκειλε τῷ θυμῷ τῷ κατὰ τῶν τυράννων (...)

Marcus Brutus was a descendant of that Junius Brutus whose bronze statue, with a drawn sword in its hand, was erected by the

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<sup>80</sup> P. Valerius Publicola was one of those who had helped to overthrow the Tarquin monarchy, and he was consul alongside L. Junius Brutus in the first year of the Republic (509 BC).

ancient Romans on the Capitol among those of their kings, in token that he was most resolute in dethroning the Tarquins. But that Brutus, like the tempered steel of swords, had a disposition which was hard by nature and not softened by letters, so that his wrath against the tyrants drove him upon the dreadful act of slaying his sons. (Plut. *Brut.* 1.1-3)<sup>81</sup>

The biographer's estimation of Brutus is in sharp contrast with that presented in the account of Livy. The Roman historian offers a retelling of the episode in such a way that it is possible to see the shock and grief, but ultimate approval of the Roman people at the execution of the Bruti. It is the ultimate articulation of the intersection between the statesman and the father figure which will be discussed more fully in a later chapter.<sup>82</sup> Brutus, as head of the family, had the responsibility to control the actions of his descendants; as statesman and consul, he was *pater* to the entire city. It was his duty to protect the state as a whole, and to ensure duty within his own family.<sup>83</sup> The fact that these two ideals come into sharp contrast makes it one of the most important legends from early Rome. It was a story that was passed down through the ages, and it is difficult to over-emphasise its importance in Roman myths concerning the foundation of their city as they knew it.<sup>84</sup> The opening of Plutarch's *Brutus*, however, presents a completely different approach to the legend and a view that perhaps stems more from a Greek rather than a Roman point of view. The passage above presents the ancestor of the younger Brutus as uneducated and vengeful against tyrants to the point that he would execute his own sons. This approach could not be more different to that of Livy.

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<sup>81</sup> There is evidence from iconography and coinage that the Bruti consciously encouraged this association with the first consul: see Van der Blom (2010), 98.

<sup>82</sup> See Ch. VI.

<sup>83</sup> See the discussion of the responsibilities of the *paterfamilias* in Ch. IV.

<sup>84</sup> Van der Blom (2010), 108 speaks of the use of L. Junius Brutus as an *exemplum* in Cicero alone. See her discussion for a complete list of these occasions. Refer to Bücher (2006), 217, 219-20, 264 on Cicero's use of exemplary figures more generally.

The account in the *Publicola*, then, commences with the entrance of the envoys into the city, and the beginning of the conspiracy. Like Livy, Plutarch describes the conspirators gaining the alliance of two of the noblest families in the city; yet the latter also mentions the connections of the Aequili to the other consul Collatinus:

οὔτοι πάντες ἦσαν ἀπὸ μητέρων ἀδελφιδῶν Κολλατίνου τοῦ ὑπατεύοντος, ἰδίᾳ δ' Οὐτελλίοις ἑτέρα πρὸς Βροῦτον οἰκειότης ὑπῆρχεν. ἀδελφὴν γὰρ αὐτῶν ὁ Βροῦτος εἶχε καὶ παῖδας ἐξ αὐτῆς πλείονας· ὧν δύο τοὺς ἐν ἡλικίᾳ συγγενεῖς ὄντας ἅμα καὶ συνήθεις οἱ Οὐτελλιοὶ προσηγάγοντο καὶ συνέπεισαν ἐν τῇ προδοσίᾳ γενέσθαι, καὶ καταμείζαντας ἑαυτοὺς εἰς γένος μέγα τὸ Ταρκυνίων καὶ βασιλικὰς ἐλπίδας ἀπαλλαγῆναι τῆς τοῦ πατρὸς ἀβελτερίας καὶ χαλεπότητος

All these, by the mother's side, were nephews of Collatinus the consul, and besides, the Vitellii were related in another manner to Brutus, for he had married a sister of theirs, and she had borne him several sons. Two of these, who had come to manhood, and were their near kindred and close companions, the Vitellii won over and persuaded to join the plot for betraying the city, to ally themselves with the great family and the royal expectations of the Tarquins, and rid themselves of the stupidity and cruelty of their father. (Plut. *Publ.* 3)

In Plutarch's account, the slave tells all to Publicola, thinking it terrible to accuse the nephews of Collatinus and the sons of Brutus before their kinsmen without evidence. The letter detailing the plot is discovered and the conspirators are soon captured and brought before the consuls:

Ἐπεὶ δὲ τὸν θόρυβον κατέπαυσαν οἱ ὑπατοὶ, καὶ τοῦ Οὐαλερίου κελεύσαντος ἐκ τῆς οἰκίας ὁ Οὐινδίκιος προήχθη, καὶ γενομένης κατηγορίας ἀνεγνώσθη τὰ γράμματα, καὶ πρὸς οὐδὲν ἐτόλμησαν ἀντειπεῖν οἱ ἄνδρες, ἦν μὲν κατήφεια καὶ σιωπὴ τῶν ἄλλων, ὀλίγοι δὲ βουλόμενοι τῷ Βροῦτῳ χαρίζεσθαι φυγῆς ἐμέμνητο. καὶ τι καὶ Κολλατῖνος αὐτοῖς ἐλπίδος ἐπιεικοῦς ἐνεδίδου δεδακρυμένος καὶ Οὐαλλέριος σιωπῶν.

When the consuls had quieted the tumult, Valerius ordered Vindicium to be brought from his house, the denunciation was made, the letters

were read aloud, and the accused had no courage to reply. Most of the people held their peace for very sorrow, but a few spoke of exile as a penalty, wishing to do Brutus a kindness. They were also somewhat encouraged to hope by the tears of Collatinus and the silence of Valerius. (Plut. *Publ.* 6)

Here the Roman people seem to be supporting leniency in a way they do not in Livy. The former only mentions the reactions of the people enough to say that they were shocked by the betrayal of family and state. Where the punishment for treason against father and country is inevitable in Livy, there is the possibility of an alternative outcome in Plutarch's account, at least in the minds of the Roman audience witnessing the trial. In the Greek account, there is a more personal interpretation of events that is likewise not found in Livy:

ὁ δὲ Βροῦτος ὀνομαστὶ τῶν υἱῶν ἐκάτερον προσειπὼν, 'ἄγ' ὦ Τίτε' εἶπεν, 'ἄγ' ὦ Τιβέριε, τί οὐκ ἀπολογεῖσθε πρὸς τὴν κατηγορίαν;' ὡς δ' οὐδὲν ἀπεκρίναντο τρις ἐρωτηθέντες, οὕτως πρὸς τοὺς ὑπηρέτας ἀποστρέψας τὸ πρόσωπον, 'ὑμέτερον' εἶπεν 'ἤδη τὸ λοιπὸν ἔργον.'

But Brutus, calling each of his sons by name, said: 'Come, Titus, come Tiberius, why do you not defend yourselves against this denunciation?' But when they made no answer, though he put his question to them thrice, he turned to the lictors and said: 'It is yours now to do the rest.' (Plut. *Publ.* 6.1-2)

There is an added emphasis on the relationship between father and son in this account - Brutus calls on both of his sons by name, encouraging them to provide an explanation - and the entire depiction stresses familial bonds more fully than that of Livy. Unlike the previous rendition, it also presents an opportunity for the sons to defend themselves against the charges. However, no reply is forthcoming and the father watches as his sons are scourged and executed; the Roman audience, on the contrary, cannot bear to watch:

οἱ δ' εὐθὺς συλλαβόντες τοὺς νεανίσκους περιερρήγνυον τὰ ἰμάτια, τὰς χεῖρας ἀπῆγον ὀπίσω, ῥάβδοις κατέξαινον τὰ σώματα, τῶν μὲν ἄλλων οὐ δυναμένων προσορᾶν οὐδὲ καρτερούντων, ἐκεῖνον δὲ



λέγεται μήτε τὰς ὄψεις ἀπαγαγεῖν ἀλλαχόσε, μήτ' οἴκτω τι τρέψαι τῆς περὶ τὸ πρόσωπον ὀργῆς καὶ βαρύτητος, ἀλλὰ δεινὸν ἐνορᾶν κολαζομένους τοῖς παισίν, ἄχρι οὗ κατατείναντες αὐτοὺς ἐπὶ τοῦδαφος πελέκει τὰς κεφαλὰς ἀπέκοψαν.

These straightway seized the young men, tore off their togas, bound their hands behind their backs, and scourged their bodies with their rods. The rest could not endure to look upon the sight, but it is said that the father neither turned his gaze away, nor allowed any pity to soften the stern wrath that sat upon his countenance, but watched the dreadful punishment of his sons until the lictors threw them on the ground and cut off their heads with the axe. (Plut. *Publ.* 6.3)

Again the depiction contrasts with the shorter account given by Livy. In both accounts the father watches the entire punishment, but his face gives away some of his feelings in Livy's account. For this reason, the struggle between father and consul is more apparent and it is clear that Brutus is making a grave sacrifice on behalf of the new Republic. Here, on the other hand, he does not allow any emotion to show as the punishment is administered, and the theme of duty is less pronounced as a result.<sup>85</sup> Moreover, in the conclusion Plutarch offers to the episode, it is possible to see the Greek interpretation of events, rather than a strictly Roman one. This accords with the presentation of the father as found in the accounts of Dionysius of Halicarnassus and Sextus Empiricus and thus supports the argument that the Greek perspective is different from the Roman:

οὕτω δὲ τοὺς ἄλλους ἐπὶ τῷ συνάρχοντι ποιησάμενος, ὄχρετ' ἐξαναστάς, ἔργον εἰργασμένος οὐτ' ἐπαινεῖν βουλομένοις ἀξίως οὔτε ψέγειν ἐφικτόν. ἢ γὰρ ἀρετῆς ὕψος εἰς ἀπάθειαν ἐξέστησεν αὐτοῦ τὴν ψυχὴν, ἢ πάθους μέγεθος εἰς ἀναλγησίαν. οὐδέτερον δὲ μικρὸν οὐδ' ἀνθρώπινον, ἀλλ' ἢ θεῖον ἢ θηριῶδες. (Plut. *Publ.* 6)

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<sup>85</sup> See the discussion by Ogilvie (1965), 243 on the difference between the account in Livy and others: 'One further point is noteworthy. Whereas the other sources record that Brutus looked on unmoved at the death of his children, L. with a more perceptive grasp of psychology allowed him a true conflict of emotions'.

Then he rose and went away, after committing the other culprits to the judgement of his colleague. He had done a deed which it is difficult for one either to praise or blame sufficiently. For either the loftiness of his virtue made his spirit incapable of suffering, or else the magnitude of his suffering made it insensible to pain. In neither case was his act a trivial one, or natural to a man, but either god-like or brutish. (6.3-4)

The biographer is obviously of two minds when considering how to judge the actions of Brutus and he can only say that the deed was neither an easy one nor a natural one, whatever the interpretation. Like Livy's account, the people are left horrified by the punishment that has been carried out (7.1). However, there is not the same insistence in Plutarch's depiction on the shock felt at the news of the sons' betrayal of their father after all he had worked towards. The focus, in this later account, is on the dreadful punishment endured by the sons at his command.

However, Plutarch does mention the reputation of Brutus in the minds of later audiences:

δίκαιον δὲ τῆ δόξῃ τοῦ ἀνδρὸς τὴν κρίσιν ἔπεσθαι μᾶλλον ἢ τὴν ἀρετὴν ἀσθενείᾳ τοῦ κρίνοντος ἀπιστεῖσθαι. Ῥωμαῖοι γὰρ οὐ τοσοῦτον ἔργον οἴονται Ῥωμύλου γενέσθαι τῆς πόλεως τὴν ἴδρυσιν, ὅσον Βρούτου τὴν κτίσιν τῆς πολιτείας καὶ κατάστασιν.

However, it is right that our verdict should accord with the reputation of the man, rather than that his virtue should be discredited through weakness in the judge. For the Romans think that the work of Romulus in building the city was not so great as that of Brutus in founding and establishing its form of government. (Plut. *Publ.* 6)<sup>86</sup>

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<sup>86</sup> Vindicius, the slave who informed Brutus of the conspiracy, was granted freedom after the execution. See Feldherr (1998), 202; Thomas (1984), 516; and Tränkle (1965), 327-9 for a discussion of this early example of Roman manumission.

Although there is horror immediately after the execution of the young men, the reputation of Brutus in later periods is important.<sup>87</sup> No matter the interpretation of Plutarch on the execution of his sons, the Romans regarded Brutus as the founder and saviour of the Republic even with, or possibly because, of the harsh judgement he had cast upon his own children.

### **Titus Manlius Torquatus (cos. 347 BC)**

In the introduction to his discussion of T. Manlius Torquatus, Chaplin writes:

The gap between the older men who rely on history and the younger men who disregard it underlies one of Livy's paradigmatic narratives, which he periodically revisits and revises.<sup>88</sup>

The anecdote of the father who had his son executed in the fourth century BC became an important *exemplum* of Roman discipline and obedience for later generations.<sup>89</sup> As consuls, T. Manlius Torquatus Imperiosus and his colleague had decided that traditional military discipline would be reintroduced during the war against the Latins. The younger T. Manlius Torquatus engaged with the enemy in single combat and thus, even though he had been victorious, was found guilty of disobeying orders. As the story goes, the father called the legion as a witness, and then handed his son over for execution.

Although this tale is similar to that of the Bruti, in that the duty and authority of the state is held above even family bonds, the emphasis in the following accounts seems

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<sup>87</sup> The orator Crassus, in a case against M.Brutus, asked the individual what accomplishments he had to tell his ancestor, L. Junius Brutus, the man who had expelled the kings from Rome: Cic. *Clu.* 140-1, *De or.* 2.283. This use of ancestors in court cases is something that can be seen in a number of instances: Plut. *Aem.* 38.2; Cic. *Cael.*33-4. See the discussion by Treggiari (2003), 154-155. Furthermore, the very fact that the younger Brutus was called upon to act against Caesar because of his link to L. Junius Brutus shows that the latter was regarded as an early republican hero in later periods (Plut. *Brut.* 9.5-10.6; Suet. *Iul.* 80.3; App. *B Civ.* 2.112; Cass. Dio 44.12.2). See the discussion by Flower (1996), 88-9 and Macmullen (1966), 1-18.

<sup>88</sup> Chaplin (2000), 108. See also Kraus (1994), 223.

<sup>89</sup> See the discussion in Feldherr (1998), 105-112 and Miles (1995), 70-73.

to be on the transgression of a subordinate against the order of a superior in a specifically military context. The son's failure to follow his instructions presents a real threat to the discipline of the rest of the troops, and represents a dangerous transgression against the authority of the highest magistrate in the republican state.<sup>90</sup> The subsequent victory of the Roman troops in a later battle reinforces the exemplary importance of the incident.

## Livy

T. Manlius Torquatus is an important figure in Livy's history.<sup>91</sup> There are three key episodes for which he is known, two of which famously involve the relationship between fathers and sons. First, as a young man, he threatened the tribune M. Pomponius into dropping charges against his father.<sup>92</sup> He then engaged in single combat with a Gaul for which he is held up as an *exemplum* by Livy.<sup>93</sup> Finally, during his third consulship in 340 BC, he had his son executed for taking part in single combat with the enemy against orders.

Livy begins his account of the episode by describing the meeting between the younger Manlius and the enemy:

mouet ferocem animum iuuenis seu ira seu detractandi certaminis  
pudor seu inxsuperabilis vis fati. oblitus itaque imperii patrii  
consulumque edicti praeceptis ad id certamen agitur, quo vinceret an  
vinceretur haud multum interesset.

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<sup>90</sup> Feldherr (1998), 105-6 argues that the fact that the younger Torquatus fought the duel without permission, and won, actually threatens the dominance of the Romans over the Latins. Ideas of Rome's supremacy stem from the city's relationship with the gods, thus Torquatus' unauthorised victory implies that the favour of the gods is not necessary, only force: 'Therefore it is only right that the Latins, who have shared equally in Rome's victories, should also have a share of *imperium*.'

<sup>91</sup> Chaplin (2000), 108-119.

<sup>92</sup> See the discussion of this incident in Ch. III, section 1.

<sup>93</sup> Feldherr (1998), 102 points out that the elder Torquatus cares only to glorify his family in Livy's depiction of the duel (7.9.8). The dictator, when giving permission, is the one who assimilates the family with the state and, as Feldherr argues, 'translates Torquatus' action to one where family motives go hand in hand with patriotism'.

The youth's bold heart was stirred, whether by anger, or by shame at the thought of refusing the combat, or by the irresistible force of destiny. And so, forgetting the commands of his father and the edict of the consuls, he allowed himself to be swept headlong into an encounter where it would make little difference to him whether he won or lost. (8.7.8-9)<sup>94</sup>

As in the story of L. Junius Brutus, the obedience that the son is expected to show towards his father is emphasised. It is interesting, however, that Livy stresses the fact that the younger Manlius goes against his father's orders at this point, rather than a military command, as it is for the latter that he receives his punishment.<sup>95</sup> In any case, the young man is successful against his enemy and he returns triumphant to the camp, surrounded by the other soldiers:

spoliisque lectis ad suos revector cum ovante gaudio turma in castra atque inde ad praetorium ad patrem tendit, ignarus fati futurique, laus an poena merita esset. 'Ut me omnes' inquit, 'pater, tuo sanguine ortum vere ferrent, provocatus equestria haec spolia capta ex hoste caeso porto.'

He then gathered up the spoils and rode back to his troopers, who attended him with shouts of triumph to the camp, where he sought at once the headquarters of his father, knowing not what doom the future held for him, or whether praise or punishment were his appointed due. 'Father,' he said, 'that all men might truly report me to be your son, I bring these equestrian spoils, stripped from the body of an enemy who challenged me.' (Livy, 8.7.12-13)

The younger T. Manlius Torquatus here refers to his father's own bravery against the Gaul in his younger days and introduces an important theme for relationships

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<sup>94</sup> In contrast with his father's fight against the Gaul (Livy, 7.9.8), the younger Torquatus fights alone and without the support of the Roman people.

<sup>95</sup> However, Feldherr (1998), 108: 'Torquatus' mistake is not so much to have placed his desire to exalt himself and his *gens* above obedience to the orders of the consuls as to have failed to realise that there simply ought to be no difference between the demands of family and *patria*. This was one of the lessons of his father's duel, where the dictator's formal command to fight served to fuse duty to the family with patriotism.'

between fathers and sons as a whole, although it does not have the desired result in this instance.<sup>96</sup> Livy, throughout his history, uses the idea of *exempla* in order to present his audience with modes of behaviour worth emulating or avoiding. In a tragic twist, the son's victory in single combat is like his own father's previous victory and would normally gain praise in a society where the continuity of virtue was a valuable status symbol.<sup>97</sup> However, the son's bravery leads to his death rather than the praise expected:

quae ubi frequens convenit, 'quandoque' inquit 'tu, T. Manli, neque imperium consulare neque maiestatem patriam veritus adversus edictum nostrum extra ordinem in hostem pugnasti et, quantum in te fuit, disciplinam militarem, qua stetit ad hanc diem Romana res, solvisti meque in eam necessitatem adduxisti, ut aut rei publicae mihi aut mei meorumque obliviscendum sit, nos potius nostro delicto plectemur, quam res publica tanto suo damno nostra peccata luat. triste exemplum, sed in posterum salubre iuventuti erimus. me quidem cum ingenita caritas liberum tum specimen istud virtutis deceptum vana imagine decoris in te movet; sed cum aut morte tua sancienda sint consulum imperia aut impunitate in perpetuum abroganda, ne te quidem, si quid in te nostri sanguinis est, recusare censeam, quin disciplinam militarem culpa tua prolapsam poena restituas.

When the men had gathered in full numbers, the consul said, 'Inasmuch, Titus Manlius, as you have held in reverence neither consular authority nor a fathers dignity, and despite our edict have quitted your place to fight the enemy, and so far as in you lay, have broken military discipline, whereby the Roman state has stood until this day unshaken, thus compelling me to forget either the Republic or myself, we will sooner endure the punishment of our wrong-doing than suffer the Republic to expiate our sins at a cost so heavy to herself; we will set a sad example, but a salutary one, for the young men of the future. For my own part, I am moved, not only by a man's

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<sup>96</sup> On similarities between fathers and sons, refer to Ch. V, section 3.

<sup>97</sup> On *virtus* in Roman society more generally, see McDonnell (2006). This was a virtue most directly associated with manliness, or the ideal of how a man should behave. However, it could encompass qualities such as courage, worth, and excellence, and it often carried strong ethical connotations. See Roller 2004, 6-7 and Barton 2001, 34-43, 281-83. As this was the case, it was one of the core Roman virtues as well as a personified deity. On the similarities between *virtus* and ἀρετή see McDonnell (2006), 105-134.

instinctive love of his children, but by this instance you have given of your bravery, perverted though it was by an idle show of honour. But since the authority of the consuls must either be established by your death, or by your impunity be forever abolished, and since I think that you yourself, if you have a drop of my blood in you, would not refuse to raise up by your punishment the military discipline which through your misconduct has been weakened. (Livy, 8.7.15-19)<sup>98</sup>

The elder Manlius stresses the contrast between natural feeling towards his child and the duty that must be owed to the state.<sup>99</sup> As a statesman of Rome, the importance of enforcing military discipline and setting an example for future generations is more important than his own family. Like Brutus in the earlier example, the love for the father towards his children is present, but the father must show obedience to his own, ultimate father figure - the state.<sup>100</sup> Manlius, in his speech, emphasises that this is not a matter of fathers and sons but the state itself. Moreover, the episode is again cast as a story of sacrifice for the common good:

Fecit tamen atrocitas poenae oboedientiore duci militem, et praeterquam quod custodiae vigiliae et ordo stationum intentionis ubique curae erant, in ultimo etiam certamine, cum descensum in aciem est, ea severitas profuit.

Nevertheless the brutality of the punishment made the soldiers more obedient to their general; and not only were guard-duties, watches, and the ordering of outposts everywhere more carefully observed, but when they went into battle for the final contest this severity proved to be of the greatest service. (8.8.1-2)

Titus Manlius Torquatus says to his son, just before his execution, that they will make a sad story for future generations to follow, therefore emphasising the nature of exemplary conduct in Roman society. Chaplin points out that:

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<sup>98</sup> Miles (1995), 72 points out the mention of blood here, and argues that Torquatus is recalling his own *pietas* towards his strict father. When the tribune brought a charge against his father, T. Manlius Torquatus threatened the man until he had agreed to drop the case (Val. Max. 5.4.3; Livy, 7.3.4; Cic. *Off.* 3.112.7). See the discussion of this incident in Harris (1986), 85-6; Saller (1994), 109.

<sup>99</sup> Compare the mention of natural feeling in the episode of Brutus and his sons above.

<sup>100</sup> See the discussion of pressures upon the Roman *paterfamilias* in Ch. IV.

The story shows a self-conscious awareness of how *exempla* work: even before it becomes the past, the present forges models for the future.<sup>101</sup>

Significantly, Livy implies that the success of the following battle is due to the careful discipline shown by the Roman army. However, the reception by Roman audiences is more complex in this instance than in the example of Brutus and his sons:

exanimati omnes tam atroci imperio nec aliter quam in se quisque dstrictam cernentes securem, metu magis quam modestia quievere. itaque velut demerso ab admiratione animo cum silentio defixi stetissent, repente, postquam cervice caesa fusus est cruor, tam libero conquestu coortae voces sunt, ut neque lamentis neque execrationibus parceretur, spoliisque contectum iuvenis corpus, quantum militaribus studiis funus ullum concelebrari potest, structo extra vallum rogo cremaretur Manlianaque imperia non in praesentia modo horrenda, sed exempli etiam tristis in posterum essent.

For some moments they stood transfixed in silence, then suddenly, when they saw the blood pouring from his severed neck, their voices rose in unrestrained and angry complaint; they spared neither laments nor curses. The body of the youth covered with his spoils was cremated on a pyre erected outside the rampart, with all the funeral honours that the soldiers' devotion could pay. 'Manlian orders' were not only regarded with horror for the time, but were looked upon as setting a frightful precedent for the future. (Livy, 8.7.20-22)

Like in the episode with the Bruti, the onlookers are horrified and shocked at the events that have taken place. However, there is an anger directed towards Manlius himself that is not found in the presentation of the saviour of the Republic, L. Junius Brutus. The episode is regarded with such horror that harsh punishments were from then on described as *Manliana imperia*. Similarly, on the return of T. Manlius Torquatus to Rome, Livy writes that:

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<sup>101</sup> Chaplin (2000), 109.



ita bello gesto praemiis poenaeque pro cuiusque merito persolutis T. Manlius Romam rediit. cui venienti seniores tantum obviam exisse constat, iuventutem et tunc et omni vita deinde aversatam eum exsecratamque.

The war being thus dispatched, and rewards and penalties distributed in accordance with everyone's deserts, Titus Manlius returned to Rome; it is said that on his approach only the seniors went out to meet him, and that the young men, then and for all the remainder of his days, abhorred and despised him. (Livy, 8.12.1)

It is interesting that it is the older men who accept the punishment and meet T. Manlius Torquatus on his return from a successful campaign. The absence of the younger Romans may suggest, in this instance, a division or tension between generations like that discussed by Hallett and others in support of the traditional view of Roman father-son relationships.<sup>102</sup> Not to say that this proves the existence of resentment on the part of the younger generations towards their elders, but it does suggest that the older members of society found it easier to accept the harsh punishment Manlius had found it necessary to inflict upon his son. It suggests that the ideology of the state above all else was stronger in the minds of those who more

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<sup>102</sup> See Cantarella (2003), 298; Hallett (1984), 332; Plescia (1993), 143; Segal (1987), 18; and Veyne (1987), 29.

probably had experience of statesmanship and military campaigns than amongst those just beginning their political careers.<sup>103</sup>

There is another episode within this book which can be used as a comparison to that of Manlius and his son.<sup>104</sup> After Q. Fabius Maximus Rullianus had engaged in battle with the enemy against the direct order of the dictator, ultimate punishment was called for:

itaque plenus minarum iraeque profectus in castra cum maximis itineribus isset, non tamen praevenire famam adventus sui potuit; praecurrerant enim ab urbe, qui nuntiarent dictatorem avidum poenae venire, alternis paene verbis T. Manli factum laudantem.

In this angry and menacing mood, he started with all possible speed for the camp. He was unable, however, to reach it before news arrived of his approach; for messengers had hastened from the City, bringing word that the dictator was coming, athirst for vengeance and praising with almost every other word the deed of Titus Manlius. (Livy, 8.30. 12-13)

However, this episode ends in a very different way from the previous example:

stabat cum eo senatus maiestas, favor populi, tribunicium auxilium, memoria absentis exercitus; ex parte altera imperium invictum populi

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<sup>103</sup> Chaplin (2000), 108 identifies the motif of experience versus impetuosity in his work on *exempla* in Livy. This could be interpreted as a kind of generational conflict or divide as is understood by certain scholars when considering the father and son relationship at Rome (see Ch. V, section 2). However, it could be more fittingly interpreted as a contrast between the impetuosity and inexperience of youth and the patience and understanding which comes with experience, not necessarily as evidence of a gulf between young and old at Rome. Education and its relation to the father and son relationships will be discussed in Ch. V, section 1, but one element of this will be noted here. It is not just the father who prepares the son for public life. Young men at Rome took part in a kind of practical training in warfare, oratory, statesmanship, and law which was provided not only by the father but also his associates and friends. In the examples of Livy where a young man disregards the examples put forward to him by his elders, the anecdote generally ends with him eventually seeing the error of his ways, be it through a military disaster or because he has been saved in time by the very people who were advocating caution. For example, Fabius Maximus famously saves the overly-confident Minucius from the enemy after the young man goes against his own orders. The latter realises his own mistakes and gives Fabius Maximus the title of father: Livy, 22.29.20-30.2.

<sup>104</sup> See Lipovsky (1981), 112-30 on the juxtaposition of these two events.

Romani et disciplina rei militaris et dictatoris edictum pro numine semper observatum et Manliana imperia et posthabita filii caritas publicae utilitati iactabantur. hoc etiam L. Brutum, conditorem Romanae libertatis, antea in duobus liberis fecisse; nunc patres comes et senes faciles de alieno imperio spreto, tamquam rei parvae, disciplinae militaris eversae iuventuti gratiam facere. se tamen perstaturum in incepto nec ei, qui adversus dictum suum turbatis religionibus ac dubiis auspiciis pugnasset, quicquam ex iusta poena remissurum. maiestas imperii perpetuane esset, non esse in sua potestate; L. Papirium nihil eius deminuturum; optare, ne potestas tribunicia, inviolata ipsa, violet intercessione sua Romanum imperium, neu populus in se potissimum dictatore ius dictaturae extinguat.

On his side were ranged the countenance of the senate, the favour of the populace, the assistance of the tribunes, the remembrance of the absent army. His opponent urged the invincible authority of the Roman People, and military discipline, and the edict of a dictator—which had ever been revered as the will of Heaven—and the severity of Manlius, who had preferred the general good to the love he bore his son, even as Lucius Brutus, the founder of Roman liberty, had done before, in the case of his two children. But nowadays—the dictator proceeded—fathers were indulgent; and the older generation, little caring if another man’s authority were flouted, excused the young for overturning military discipline, as a thing of no importance. He should nevertheless persist in his undertaking, nor remit an iota of his due punishment to one who had fought against his orders, while the rites of religion were confused and the auspices uncertain. Whether the majesty of the supreme authority were to endure or not was beyond his power to determine; but Lucius Papirius would do nothing to diminish it. He prayed that the tribunes might not employ their power—itsself inviolate—to violate by their interference the authority of Rome; that the people might not single out the very time of his holding that office to extinguish the lawful might of the dictatorship. (Livy, 8.34.1-4)

Again, the sanctity of the Roman offices, and the Roman state, is seen as threatened by the disobedience of a member of the younger generation.<sup>105</sup> Although Fabius’

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<sup>105</sup> As in the case of T. Manlius Torquatus, the threat that such a breach of authority might weaken the dominance of the state and her magistrates is mentioned.

father pleaded for the impetuosity of youth, the dictator first remained un-swayed by this excuse for a breach of conduct against military orders.<sup>106</sup> Furthermore, L. Papirius himself manipulates exemplary behaviour in referencing famous men who had acted in the right way when faced with disobedience. Brutus and Manlius had sacrificed their own children for the common good and his mention of their deeds changes the arguments of Fabius and his supporters. Before they had been indignant and had fought against the law that the dictator cited, arguing that the younger man had won a great victory for the state through his actions and should therefore receive praise instead of blame. After Brutus and Manlius are mentioned, Fabius and his father, as well as the tribunes who were supporting them, beg the dictator for leniency for an admitted crime rather than arguing that no crime had been committed at all. Chaplin comments upon this episode in his work on exempla in Livy's history:

So tradition is upheld at every level of the story. Fabius' military success may benefit Rome, but it results from youthful insubordination. He needs the status of his father, and the Senate to protect him, and he is not absolved until there is extensive public acknowledgement of Papirius' authority.<sup>107</sup>

It is only after this change has occurred that L. Papirius accepts the demands of the Roman audience for clemency and spares the *magister equitum*:

cum se nihil morari magistrum equitum pronuntiasset, degressum eum templo laetus senatus, laetior populus, circumfusi ac gratulantes hinc magistro equitum hinc dictatori, persecuti sunt, firmatumque imperium militare haud minus periculo Q. Fabi quam supplicio miserabili adolescentis Manli videbatur.

Then, declaring that the master of the horse was free to depart, he descended from the platform, and the joyful senators and yet more joyful people thronged about them and attended them, congratulating

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<sup>106</sup> The theme of impetuosity will come up time and again throughout this analysis of father and son relationships. Cicero (*Sen.* 10.33) describes this as the *ferocitas iuvenum*; cf. the description of the young in Aristotle (*Rh.* 2.12.3-13).

<sup>107</sup> Chaplin (2000), 111.

now the master of the horse and now the dictator. It seemed that the peril of Fabius had been not less efficacious than the pitiful punishment of young Manlius in the establishment of military authority. (Livy, 8.35.8-9)

Again, the sanctity of the state had been secured against any inside threats or disobedience, and the example was set for following generations. It is interesting, however, that Livy states that the precarious situation of Q. Fabius had the same effect as the execution of the younger Manlius, especially as both episodes occur near to one another in the same book and so seem destined for comparison.

### **Manlius in other literature**

There is no other extended version of the story of T. Manlius Torquatus in either Latin or Greek literature, but there are various mentions of the episode. In the *De Officiis*, Cicero emphasises the *pietas* shown by T. Manlius Torquatus Imperiosus towards his father, as well as his bravery in single combat against the Gaul, but only briefly mentions his actions towards his own son:

Atque hic T. Manlius is est qui ad Anienem Galli, quem ab eo provocatus occiderat, torque detracto cognomen invenit, cuius tertio consulatu Latini ad Vesperim fusi et fugati, magnus vir in primis et qui perindulgens in patrem, idem acerbe severus in filium.

And in his third consulship he routed the Latins and put them to flight in the battle on the Vesperis. He was one of the greatest of the great, and one who, while more than generous toward his father, could yet be bitterly severe toward his son. (3.112)

As in Livy's account, Roman audiences seem to interpret the father's actions towards his son as overly harsh in a way that they do not for Brutus. However, there is another mention of T. Manlius Torquatus in Cicero's *Pro Sulla*, which highlights the public good as the highest importance for a Roman citizen:

an vero clarissimum virum generis vestri ac nominis nemo reprehendit qui filium suum vita privavit ut in ceteros firmaret imperium; tu rem

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publicam reprehendis quae domesticos hostis, ne ab iis ipsa necaretur, necavit? (Sull. 32-33)

No one blames that famous member of your family and name who put his own son to death in order to strengthen his authority over the rest; do you, then, blame the State which has destroyed the enemies in its midst to avoid being itself destroyed by them?

Sallust also describes Cato citing the execution of T. Manlius Torquatus' son in his speech against those involved in the conspiracy of Catiline in which he argues that the severest punishments should be given to all involved. The mirror speech by Caesar argues for leniency using a long list of *exempla* whereas Cato uses only this one (Sall. *Cat.* 52.30-3).

Similarly, Plutarch mentions T. Manlius Torquatus in his life of Fabius Maximus, describing how Minucius had disobeyed a military command:<sup>108</sup>

ὄθεν οἱ μὲν ἄλλοι καταδείσαντες ἡσυχίαν ἤγον· ὁ δὲ Μείλιος ἔχων τὴν ἀπὸ τῆς δημαρχίας ἄδειαν (μόνη γὰρ αὕτη δικτάτορος αἰρεθέντος ἢ ἀρχῆ τὸ κράτος οὐκ ἀπόλλυσιν, ἀλλὰ μένει τῶν ἄλλων καταλυθεισῶν), ἐνέκειτο τῷ δήμῳ πολὺς, μὴ προέσθαι δεόμενος τὸν Μινούκιον μηδ' ἔᾶσαι παθεῖν ἃ Μάλλιος Τουρκουᾶτος ἔδρασε τὸν υἱόν, ἀριστεύσαντος καὶ στεφανωθέντος ἀποκόψας πελέκει τὸν τράχηλον, ἀφελέσθαι δὲ τοῦ Φαβίου τὴν τυραννίδα καὶ τῷ δυναμένῳ καὶ βουλομένῳ σώζειν ἐπιτρέψαι τὰ πράγματα.

Wherefore they were all terrified and held their peace, excepting only Metilius. He enjoyed immunity of person as tribune of the people (for this is the only magistracy which is not robbed of its power by the election of a dictator; it abides when the rest are abolished), and vehemently charged and prayed the people not to abandon Minucius, nor permit him to suffer the fate which Manlius Torquatus inflicted upon his son, whom he beheaded although crowned with laurel for the greatest prowess, but to strip Fabius of his tyrant's power and entrust the state to one who was able and willing to save it. (*Fab.* 9)

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<sup>108</sup> Also see the account of this story in Livy (22.8.5-18.10 and 23.1-30.10) and Polybius (3.105.8-10).

Although the focus of this passage is not on the episode of T. Manlius Torquatus and his son, it suffices to note that Plutarch takes care to describe the son as crowned with laurel for his bravery and achievement even while being beheaded for disobeying orders. This emphasis relates closely to that view articulated in the first passage of Cicero, and by the soldiers and younger element of society in Livy's own account. Chaplin argues:

The story as a whole reaffirms the importance of age and authority. After Fabius rescues Minucius, the latter hails him as *pater* and directs his soldiers to address him as their *patronus*. Desiring to point up the resumptums of a proper relationship between age and authority, Livy reiterates these appellations in direct and indirect speech (22.29.20-30.2).<sup>109</sup>

Therefore, it is possible to see the way in which the stories of L. Junius Brutus and T. Manlius Torquatus highlight a number of themes which are significant for the study of the relationship between fathers and sons. Livy's account of the Bruti is relatively concise compared to that of Plutarch, and lacks many of the finer details provided by the latter. However, as a moral example, the messages this story conveys concerning duty, youthful error, disobedience, and *pietas* are important in ideas of what it meant to be Roman. Notably, the actions of the father are depicted in terms of an impossible sacrifice in order to safeguard the Republic. The deed is terrible, and the reactions of the Roman audience attest to this, but it is also unavoidable in light of the betrayal of his sons.

However, Plutarch presents a different cultural interpretation to the events. The onlookers are similarly shocked but, in the end, understanding, just as is the case in Livy's account. However, there is the possibility of an alternate outcome, at least in the minds of the audience who are hopeful and wish to spare the father from having to superintend such a punishment against his own family. The judgement of Plutarch

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<sup>109</sup> Chaplin (2000), 115. See the discussion of the use of the term *pater* in Roman society in Ch. I.

himself is equally ambivalent in the *Publicola*. However, his own opinion on the father is clear in the opening to the *Brutus*: the biographer states that L. Junius Brutus' overwhelming hatred of tyrants had led him to the terrible deed of killing his own sons.<sup>110</sup>

Although there is no comparable Greek source for the story of T. Manlius Torquatus, there are various, brief mentions of this figure in a number of works. Thus, it is still possible to gain an idea of the various ways in which he was depicted. In Livy's account, the father's own words to his son before the execution contain the same themes as have been identified in the case of the Bruti, but with an emphasis upon the affection naturally felt by a father towards his children. He goes on to talk of duty, and the importance of putting the state above all things, even his own children. T. Manlius Torquatus acknowledges the tragic nature of the events, and that he is both the father and judge to the young man being punished. The consequence of the execution is that every man in the Roman army followed order to the letter, and Livy suggests that the success of the following battle was dependent upon this obedience. Thus, sacrifice for the ultimate good of all is the message in both of these anecdotes in Livy's history.

However, the actions of T. Manlius Torquatus are not as well-received by the Roman audience as those of L. Junius Brutus. The soldiers are frightened and angered by the harsh punishment, the term *Manliana imperia* is coined, and a divide between young and old seems to emerge in terms of the acceptance of the action. Where the elder men come to meet him after his return from the ultimately successful campaign, the younger elements of society will not do the same. This mixed response echoes the mixed response to the episode in general that comes through in sources such as Cicero and accounts of similar incidents in Polybius.

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<sup>110</sup> See Van der Blom (2010), 98: 'The ancestor's intolerance of tyrants could be claimed by the descendant as a family tradition and almost a character trait irrespective of the number of generations in between them'.



## Conclusion

In conclusion, this chapter has compared and contrasted several portrayals of the Roman father. This led to a consideration of those audiences reading the works of Dionysius of Halicarnassus, Livy, and Plutarch; the various aims of the texts in question; and the difference in time between the two former authors and Plutarch. From such an analysis, it appears that there is a difference in the way in which Greek and Latin authors portray the *paterfamilias*, and I would argue that this stems from the fact that Dionysius of Halicarnassus and Plutarch are writing for, and attempting to explain Rome to, a Greek audience; in the case of Livy, this cultural exchange is not present and the focus is instead on providing *exempla* for future generations to follow.

The first section, then, explored the presentation of *patria potestas* by Greek writers and found that there seems to be a similar approach across distinct genres which emphasises the apparently severe nature of Roman family relations. Owing to the scarcity of legal sources for the period in question, texts collated centuries after the end of the Republic are often combined with the account by Dionysius of Halicarnassus. I would argue that this is an interpretation which takes as its evidence legal rights which we should more accurately interpret as the boundaries of father-son relations, not the essence. Moreover, the origins of these legal powers are rooted in the legendary past and it is thus problematic to relate their description directly to the family of the middle and late Republic.<sup>111</sup>

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<sup>111</sup> Saller (1999), 191: 'The comments of Dionysius and Sextus Empiricus exhibit two elements of the image of the despotic *paterfamilias*: it is an image based on legal powers and is associated with the legendary past.' It should also be made clear that Roman citizens were proud of the unique nature of *patria potestas*, and it was regarded as one of the institutions which had made the city great. The controversy surrounding its nature and existence in republican and imperial Rome is a modern invention.

It could also be argued that the image of the Roman father given by Dionysius of Halicarnassus stems from two cultural ideals.<sup>112</sup> First, the majority of power in the Roman state was held by the heads of elite households; this is reflected in the use of the term *Patres* for the senate (Plut. *Rom.* 13.2-4; Livy, 1.8.3-7).<sup>113</sup> Second, there was the belief that the wellbeing of the state was of the highest importance for every citizen. In the two case studies considered in the second section, these ideas have become intertwined and lead to actions which other cultures might misinterpret. For example, Livy depicts the fate of the Bruti as inevitable as soon as the two had become involved in the conspiracy against the republic, but, in Plutarch, there is some suggestion that alternative outcomes were possible.

Many scholars have debated the issue of power over life and death, even though our extant literary evidence provides only a very small number of cases. I have argued that the examples of fathers killing sons are famous for the very reason that they present a shocking interaction between family members. The act of an individual killing a family member contrasts with the very core of Roman social values. Nevertheless, the loyalty of its citizens belonged ultimately to the state. In the majority of the examples given above, there is a conflict between the needs of the city and the needs of individual members of the family, and where such a conflict does not exist the public reaction is clear: prosecution in the case of Fabius and lynching in the case of Tricho. In such a situation, it was the Roman ideal that duty to the state would take precedence over duty to the family.

In sum, these depictions do not sufficiently reflect the variety of portrayals of Roman fathers and sons as found across the surviving sources. Therefore, it is necessary in the rest of this thesis to consider father and son depictions in the extant literary evidence in order to build up a more realistic picture of the relationships between the

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<sup>112</sup> See the discussion of this passage in Ch. II, section 1.

<sup>113</sup> On the use of the term *Patres* for the Roman senate, and for a discussion of terms derived from *pater* being used for central institutions in Roman society, see Ch. I.

two throughout this period. This will be done by considering those concepts which exerted a significant pressure upon how the *pater* and *filius* interacted with one another: traditional values, dynastic considerations, and social ideals. The relationship between fathers and sons was a relationship that was highly complex and felt the pressures of political life and ambition, social ideology, status, and legal powers. To characterise it solely as authoritarian and confining or, equally, as always mutually affectionate is to ignore its intricacies and the variety of father and son relationships as presented across a range of sources.

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### III

## The Roman Son

The previous chapter explored the emphasis upon duty to the state in Latin examples of the *ius vitae necisque* and the question of morality in the Greek depictions. The gulf between law and social practice has also been investigated in the discussion of Dionysius of Halicarnassus and his portrayal of Roman family relations.<sup>1</sup> However, there are few modern studies which consider how interactions between republican fathers and sons are portrayed across a wide range of sources, and what this can say about social expectations throughout this period.<sup>2</sup>

The first section of this chapter, then, looks at social ideals in order to explore what the sources can reveal about those characteristics expected of the exemplary elite Roman son, and the pressures which he would have faced. *Pietas* was the Latin term used to describe the social obligation owed to country, to parents, and to blood relatives. In many ways, it encapsulated the everyday duty, outside of legal boundaries, which operated between members of the community, and it was a central concept in Roman social relations. However, as the discussion in the following section will show, the writings by the jurists clearly show that, even in legal discussion, it was a concept that was expected to be present in family relationships.

Therefore, the survey of *pietas* to follow concludes that this was a central part of family relations and any discussion of the legal framework of the family should necessarily address this element in order to provide balance to the overly legalistic

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<sup>1</sup> For a discussion of the intersection between law and life in the Roman family, see Saller (1994), 74-102 and Gardner (1998).

<sup>2</sup> The exception to this is Saller (1994), but the focus there is on undermining the idea of the severe father rather than examining the norms for father and son relationships. On the Greek side, there is also the work by Strauss (1993) on fathers and sons in Athens during the Peloponnesian war.

view of family relations. From there, it will be shown that the son was expected to uphold and add to the reputation of his family and that there could be severe consequences for one who did not. The threat of disinheritance or the disapproval of the *paterfamilias* was serious in an age when sons would have relied heavily upon their social connections when making their first steps in politics. I thus conclude that it was in the best interests of the son to maintain a rapport with his father in those cases where the *pater* was still alive when the young man was entering public life.

The second half of this chapter centres around the *Pro Sex. Roscio Amerino* of Cicero – a speech which is heavily reliant upon the expectations of paternal-filial bonds. It begins by exploring Cicero’s characterisation of the younger Roscius, one that continually emphasises the duty shown by the son towards the father. This speech also shows the existence of a belief in Roman society that some form of ‘natural feeling’, an emotion that is used as an important theme in the defence of Roscius, existed between parents and their children. Cicero argues that it would take someone corrupt beyond all human sentiment to murder his father and contrasts this successfully with the persona of his client. This case clearly shows that there was a basic expectation that family relationships ought to contain a certain degree of emotion or feeling, and there are several further instances throughout this thesis of incidents where fathers showed, or were expected to show, ‘natural feeling’ towards their sons, and vice versa.<sup>3</sup>

In the following discussion, I have also identified several characteristics or concerns related to traditional values, dynastic considerations, and social ideals which reflect the portrayal of sons in the literary sources. From a survey of the evidence, it is clear that the descriptions of the *filius familias* and his behaviour more commonly make

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<sup>3</sup> For example, T. Manlius Torquatus speaks of the emotion present in the father-son relationship: *me quidem cum ingenita caritas liberum tum specimen istud virtutis deceptum vana imagine decoris in te movet* (Livy, 8.7.16) as discussed in Ch. II, section 2. On the presence of ‘natural feeling’ in family relationships, see also Cic. *Rosc. Am.* 46. For Plutarch’s discussion of the affection all races and species feel for their offspring (*De amore proles*): Ch. V, section 1.

reference to duty, *pietas*, the family name and reputation, support in domestic and public life, and familial feeling rather than the legal disabilities of being under the *potestas* of another. As this is the case, I argue that these concepts exerted a greater influence than that of *patria potestas* on the normal family dynamic at Rome.<sup>4</sup>

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<sup>4</sup> See the discussion of *pietas* in Saller (1994), 74-102. On family reputation, see Flower (1996) and (2011), 271-85. On family relationships, see Dixon (1991), 99-113 and (1997), 149-67; Bradley (1987), 33-62 on dislocation in the Roman family; Golden (1988), 152-63 on the effects of high early mortality rates; and Hallett (1984) on the ideal of the father-daughter relationship.

## Section 1: Social Ideals and the Roman Son

The way in which family relationships are discussed in the sources can provide an important insight into cultural norms of the republican period. There is a great deal of significant inter-disciplinary work done on custom and social traditions in the ancient world.<sup>5</sup> These have been primarily influenced by the fields of anthropology and sociology, and they are of particular relevance for a discussion of family behaviour.<sup>6</sup> For the republican period, the way in which fathers and son interactions are presented to the reader in a text can demonstrate the ways in which individuals were expected to behave. For example, Livy uses the audience as a narratological device to reflect the shock of the Roman people at the execution of the sons of Brutus (2.6-8), and the Roman soldiers display similar reactions to the sentence that T. Manlius Torquatus imposed upon his son (8.1-14).<sup>7</sup> The response of the audience in each of these examples makes it clear that this was not the norm for family interactions. Thus, by considering the way in which fathers and sons are depicted in various genres and, where possible, in material evidence, it is possible to create a model of what *was* expected during this period.

The following section begins with a survey of the use of *exempla* in republican culture and society before moving on to show that the institution of *pietas* placed a certain type of mutual obligation upon family members which could exist outside the strict rules of law. The discussion here centres on the Roman son, but this is a quality that was expected of all immediate relatives. Finally, the fact that the son was

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<sup>5</sup> Gruen (1992), 84-6; Harders (2012), 10-27; Horster (2011), 84-99; and Saller (1994), 71-133. On *exempla*, refer to Chaplin (2000) and Van der Blom (2010).

<sup>6</sup> Important anthropological works include that of Mead (1928), whose study of family life in Samoa was challenged by Freeman (1983), 281-93. Similarly, Goody (1962) studied the LoDagaa of Northern Ghana and the pattern of sacrifice to their ancestors. Because the heir can only inherit on the death of the benefactor, Goody states that the individual felt guilt that was assuaged by sacrifice. See, also, the discussion of Kleijwegt (1991), 7-11 on the research of Firth and the Ritchie brothers in Polynesia. Sociological works include Merton (1949); Hechter and Horne (2003), 90-100, and Mead (1934).

<sup>7</sup> See Ch. II, section 2 for a more in-depth discussion of the two episodes.

expected to uphold the family name is illustrated by the discussion of reputation at the end of this section.

## **Pietas**

*Pietas* existed as a central concept in the Roman consciousness, and it is an element which, if considered alongside the legal powers of the father, can provide a more balanced interpretation of family relations.<sup>8</sup> Although the full meaning of the term is difficult to convey, it is most closely associated with duty towards the gods and state, as well as reciprocal obligations between family members.<sup>9</sup> In particular, literary and archaeological sources demonstrate the role of *pietas* in republican culture. An early Roman myth describes how the legendary figure Aeneas, after the destruction of Troy, carried his father away from the city (Dion. Hal. *Ant. Rom.* 1.49-65; Livy, 1.1-3).<sup>10</sup> Aeneas was the epitome of what it meant to be a dutiful son and his depiction in the *Aeneid* of Vergil, and on monuments such as the *Ara Pacis*, emphasise the *pietas* which was a fundamental aspect of his character. Duty, *pietas*, lineage, and continuity (in the founding of the Roman people and interactions with his own son, Ascanius) are crucial to the idealised characterisation of Aeneas. As the founder of the race, the depiction of this individual provides an important insight into the way in which later periods articulated their own identity.<sup>11</sup> It also demonstrates the behaviour expected of the virtuous Roman citizen.

However, Saller takes a view of *pietas* which does not focus on the myth of Aeneas at all. Instead, he considers the story of a Roman woman who nursed her starving

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<sup>8</sup> See Bannon (1997), 16 for comparative work on fraternal relationships and the role of *pietas*: 'Romans' perceptions of and reactions to brothers were shaped by their expectations of fraternal devotion or *pietas*. Fraternal *pietas*, the idealized devotion of brothers, was a subset of the traditional Roman virtue *pietas*, the blend of affection and duty that structured kinship.'

<sup>9</sup> Saller (1988), 393-410; Evans Grubbs (2010), 377-392; Bannon (1997), and Bradley (2000), 297-8. Wagenvoort (1980), 1-20 argues that *pietas* was originally associated with duty owed to other citizens and family members and that it did not include religion until the middle to late Republic.

<sup>10</sup> See the discussion of the *Aeneid* in Ch. VI.

<sup>11</sup> For a more in depth discussion of father and son relationships in the *Aeneid*, see Ch. VI.



mother in prison (Plin. *HN* 7.121; Val. Max. 5.4.7).<sup>12</sup> Rather than being punished when discovered, the daughter was venerated for showing exemplary filial piety. The temple of personified *Pietas* is said to have been built on the site of this prison, and Saller points out that such an interpretation is the antithesis of a powerful father demanding obedience from a powerless son.<sup>13</sup> In fact, the roles are almost completely reversed. Although this example concerns women, it is important that the actions of the daughter were praised for the care she had shown towards her mother, and thus for the close bonds between family members illustrated.<sup>14</sup> There is no discussion of *patria potestas*, as women could not be the head of families in this period; nevertheless, the term *pietas* is used, which shows that this ideal cannot be identified solely with regard to the duty that was legally owed to the father of the household.<sup>15</sup>

The very fact that intellectual and cultural discussion regarding the definition of *pietas* existed shows that this was a central concept in republican (and imperial) social values. Valerius Maximus, an imperial author, is an important source for considering the expectations existing for father and son relationships. His work focuses on *exempla* and the majority of his examples are taken from the republican period. Writing in the first century AD, he devoted a section of his work solely to a consideration of the different forms of *pietas*; he begins with a list of those individuals, many of whom will be discussed later in this chapter, who were famous

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<sup>12</sup> Saller (1994), 107.

<sup>13</sup> The temple to personified *Pietas* was begun by M. Acilius Glabrio in 191 BC, and dedicated by his son in 181 BC. Inside the temple, the son placed a statue of his father: Livy, 40.34.4; Val. Max. 2.5.1.

<sup>14</sup> In the third century AD, the jurist Marcian spoke in favour of paternal authority being based on love and not cruelty: dig. 48.9.5. *Diuus Hadrianus fertur, cum in uenatione filium suum quidam necauerat, qui nouercam adulterabat, in insulam eum deportasse, quod latronis magis quam patris iure eum interfecit: nam patria potestas in pietate debet, non atrocitate consistere.*

<sup>15</sup> Saller (1988), 399.

for having shown *pietas* towards their parents.<sup>16</sup> Similarly, Cicero remarks upon this concept at a number of points in his works:

pietatem quae erga patriam aut parentes aut alios sanguine coniunctos officium conservare moneat.

*Pietas* warns us to keep our obligations to our country or parents or other kin. (*Inv. rhet.* 2.66)<sup>17</sup>

Here, the basic definition of *pietas* is given as the duty that should be shown to country and parents, though he does also mention the gods in comparable texts.<sup>18</sup> Emilie uses this passage as a stepping stone in her discussion of *pietas* towards the state in Cicero's career.<sup>19</sup> In reaction to opposing scholarship, she argues that *pietas* was central to his own philosophical views and that the *novus homo* displayed attention to its demands throughout his life with regard to his family, friends, hometown, and Rome itself.<sup>20</sup> This notion of *pietas* to the state is something that has been discussed in previous considerations of the executions of the sons of Brutus, and the son of T. Manlius Torquatus.<sup>21</sup> It has been argued that the action of the *pater*

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<sup>16</sup> On the use of *exempla* in the works of Valerius Maximus, see Skidmore (1996). The list of individuals (Val. Max. 5.4) includes Coriolanus, Scipio Africanus, L. Manlius Torquatus, M. Cotta, and C. Flaminius. For brotherly *pietas*, see Val. Max. 5.5: Scipio Africanus, L. Scipio Africanus and M. Fabius.

<sup>17</sup> Refer to Cicero (*Off.* 2.11, 46, *Rep.* 6.16). Whether these directly represented the views of Cicero or not, this shows that there was a common concept of *pietas* in the late Republic. Again, see the discussion of Saller (1994), 102-132. On Cicero's conception of *pietas*, refer to Wagenvoort (1980), 1-20.

<sup>18</sup> For *pietas* towards the gods, see Cic. *Fin.* 3.22.73, 23.65, and *Nat. D.* 1.2.3, 1.41.116.

<sup>19</sup> Emilie (1944), 540.

<sup>20</sup> Emilie (1944), 537. See, for example, the criticisms by Boissier (1903) which Emilie (1944), 537 mentions in her own article.

<sup>21</sup> See Ch. II, section 2.

in each of these examples is the result of the belief that the state must be protected at all times, even against family.<sup>22</sup>

However, Cicero's discussion of the term, although illuminating, does not provide a practical example of the role of *pietas* in Roman society. There is a case from the early first century BC which will serve to illustrate the concept more fully, especially its presence in family relationships. Q. Caecilius Metellus Numidicus, the consul of 109 BC, was recalled from Numidia and, as a result of political intrigues between Marius and Saturninus, exiled from Rome (Sall. *Iug.* 64, 4; Plut. *Mar.* 8, 4; Cic. *Red. sen.* 37, *Arch.* 6). His son (cos. 80 BC) campaigned ceaselessly to have his father recalled. In 98 BC his efforts were rewarded and he became Q. Caecilius Metellus Pius in recognition of the *pietas* he had shown on his father's behalf. It was not just the father who benefited from the actions of the son in this example, though. The family reputation, which would impact upon the status and standing of all of its members, was safeguarded by the actions of the younger Caecilius Metellus. Thus, the actions of the son went beyond the basic expectations of duty between father and son and displayed great *pietas*.<sup>23</sup> At the same time, his actions illustrate the cooperation necessary between family members in order to ensure the success of all.

In political life, it was also the duty of a son to display *pietas* towards his parents, and to be seen to be maintaining the reputation of his family. Valerius Maximus relates how M. Aurelius Cotta was considered honourable in bringing a charge against C. Papirius Carbo, the man who had convicted his father (5.4.4; also Cass.

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<sup>22</sup> Emilie (1944), 540 points out the way in which the state was regarded as the ultimate parent figure and as such demanded the greatest *pietas*: 'A Roman's moral obligations were due, first, to his country, then to his parents; hence betrayal of country or desertion of parents was a great wrong. Cicero's concept of *pietas* embraced these truths, and he defended these Roman precepts. Parricide is the term he employs to describe Caesar's action against the fatherland'.

<sup>23</sup> Another example is that of Ser. Sulpicius Rufus who died for his country and was awarded a statue in 43 BC. This would reward the *pietas* of the son who had petitioned for such an award to be granted posthumously to his father, remarks Cicero (*Phil.* 9.12).

Dio 36.40.3).<sup>24</sup> Similarly, Plutarch describes one of Lucullus' first actions upon his entrance to public life as accusing the man who had prosecuted his father (Plut. *Luc.* 1). As well as being an effective method of launching a political career, this defence of father and family was regarded as a particularly admirable way of getting oneself noticed.<sup>25</sup> In Plutarch's description, Cato the Elder is said to have respected young men who brought cases against those men who had impeached their fathers (Plut. *Cat. Mai.* 15.3).

There was also the case of L. Manlius, who was summoned to trial by M. Pomponius for mistreating his son.<sup>26</sup> One of the charges was that he had sent the young man, the T. Manlius Imperiosus Torquatus discussed in Chapter I, away from Rome to work on a farm and had thus destroyed his chances in public life. However, this same son went to the tribune's house and, when he had been allowed to enter, threatened his father's accuser until he had agreed to drop all of the charges. This was particularly admirable because of the harsh treatment the son had previously suffered at the hands of his father (5.4.3; Livy, 7.3.4; Cic. *Off.* 3.112). Saller's discussion of this example stresses the presentation of the story in Valerius Maximus, told as it is to emphasise the exemplary ideal.<sup>27</sup> The *pietas* in this account is said to have been particularly notable because the son had supported his father, even after having been mistreated by him.

Finally, C. Flaminius, as tribune in 232 BC, was giving a speech on an agrarian bill which had greatly angered a number of senators to the point that there was talk of

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<sup>24</sup> M. Cotta was well-known for having prosecuted his father's enemy, most likely with the help of his father's friends, on the day of his *toga virilis* ceremony (Cic. *Sest.* 10; Val. Max. 5.4.4, and Cass. Dio 36.40.4). See Epstein (1987), 109 for a more in-depth discussion. Cato the Elder also remarked that action against one's father's enemies was owed to the *manes*, rather than traditional sacrifices (Plut. *Cat. Mai.* 15.3).

<sup>25</sup> For another discussions of sons bringing cases against their father's accusers, see Cic. *Cael.* 1.1-2.

<sup>26</sup> See Harris (1986), 85-6.

<sup>27</sup> Saller (1994), 109.

enlisting an army against him.<sup>28</sup> In the story told by Valerius Maximus, the father came to the rostra and, taking his son's hand, brought him down. In this version, the tribune obeyed his father immediately, and the moralist writes that: *apud C. quoque Flaminium auctoritas patria aequae potens fuit* (5.4.5). This illustrates that the *pietas* and duty observed to parents could intervene even in political life.<sup>29</sup> Equally notable, the authority of the father in this example is not affected by the political nature of the incident, nor his son's position. However, it should be noted, there is another version of the Flaminius story in which the son was dragged from the rostra by his father while the audience watched and did nothing (Cic. *Inv. rhet.* 2.52; cf. Dion. Hal. *Ant. Rom.* 2.26.5).<sup>30</sup>

Roman literature also provides various examples of sons who failed to display *pietas* towards their parents and are remembered for this reason; in fact, they have become what could be termed negative examples for subsequent generations. The fact that certain behaviour was expected is shown in the way in which the episodes are related and especially in the use of audience in these depictions. First of all, the sons of Brutus are prime example of young men who failed to show *pietas* to country or to father: they represent the absolute contrast to Aeneas and Anchises. In Chapter I, the reaction of the audience to the execution of the Bruti was discussed and it was

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<sup>28</sup> Frier and McGinn (2004), 210 discuss the issues raised by this example. This is one of the rare cases in which a son's activity as a citizen is challenged by his father. Comparable is the example of Fabius Maximus and his son who, as consul, ordered the former to dismount from his horse and approach on foot. In this anecdote, the father is delighted at his son's conduct (Plut. *Fab.* 24.2).

<sup>29</sup> Valerius Maximus stresses that even the threat of an army being raised against Flaminius was not enough to sway him from his purpose (Val. Max. 5.4.5): *nam cum tribunus plebis legem de Gallico agro viritim dividendo invito et repugnante senatu promulgasset, precibus minisque eius acerrime resistens ac ne exercitu quidem adversum se conscripto, si in eadem sententia perseveraret, absterritus, postquam pro rostris ei legem iam referenti pater manum iniecit, privato fractus imperio descendit e rostris, ne minimo quidem murmure destitutae contionis reprehensus.*

<sup>30</sup> Cic. *Inv. rhet.* 2.52: C. Flaminius, *is qui consul rem male gessit bello Punico secundo, cum tribunus plebis esset, invito senatu et omnino contra voluntatem omnium optimatum per seditionem ad populum legem agrariam ferebat.* In Cicero's description of this event, there is a lengthy debate over whether the father had attacked the majesty of the Roman people in dragging a tribune from the rostra, or whether he had used his fatherly authority; from there, whether the fatherly authority of a private citizen could legitimately be used against the power of the Roman magistrate is considered.

possible to see the way in which Livy, in particular, emphasised the shock of the people at their betrayal.<sup>31</sup> Similarly, Sallust emphasises the adoption of Jugurtha by Micipsa alongside the later un-filial conduct of the former at a number of points in his narration of the Jugurthine War.<sup>32</sup>

Fathers and sons in Roman comedy can also be held up as examples of the negative ideal: it is their exaggerated subversion of the normative principles of republican culture which provokes laughter from the audience.<sup>33</sup> In the *Pseudolus* of Plautus, the young man in love conspires with his slave to get money from his parents (117-120); the *Bacchides* contains a scene in which Mnesilochus says that he will steal from his father (505-508); and the *Mostellaria* presents a young man who wishes that a messenger would bring him the news that his father has died (233-234).<sup>34</sup> This tension illustrated in the works of Plautus has been presented in modern scholarship as a sign of generational conflict, which will be discussed to a greater extent in Chapter V. One should keep in mind that such plays, though adapted for Roman audiences, did develop from Greek New Comedy and so may not directly reflect ordinary Roman behaviour.<sup>35</sup>

However, Segal states that ‘to a people who regarded a parent’s authority with religious awe and could punish an infringement with death, Plautus presents an

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<sup>31</sup> Then there is the description in Sallust of Aulus Fulvius, who ran away to join Catiline (*Cat.* 39.5). The father had him dragged back and is reported to have said that he had sons in order for them to fight on behalf of the state against Catiline, not on behalf of Catiline against the state (Val. Max. 5.8.5). See Ch. I, p. 66, Ch. II, p. 90, and the Conclusion, p. 279, n. 201.

<sup>32</sup> See, for example, Sallust (*Jug.* 9 and 14).

<sup>33</sup> On Plautus, see Segal (1987); on Roman comedy more generally, refer to Fontaine and Scafuro (2014) and Konstan (1983). Comedy is an important source for the study of the middle and late Republic more generally as it was designed to appeal to a larger audience than the traditional works of the elite such as history, literature, and biography. The public nature of comedy meant that plays had to appeal to a wider group of people.

<sup>34</sup> Yet, Plautus’ plays also include evidence of affectionate relationships between parents and children (*Poen.* 26, 1105, 1292; *Rud.* 39; *Men.* 334-336). See Saller (1994), 6.

<sup>35</sup> Strauss (1993), 220 discusses the predominance of father-son conflict in Menander’s plays from fourth century Athens, the predecessor of much of Plautus’ work.

audacious irreverence for all elders'.<sup>36</sup> The view here then is of comedy as a release of the usual bonds of society in a controlled environment. However, Segal also points out that this comic reversal of expectations in the behaviour of family members towards one another is not commonly found in Terence.<sup>37</sup> Moreover, it is not just the relationship between fathers and sons which takes the form of the anti-ideal, the norms for siblings, for married couples, and for slave-master relations are also upturned.<sup>38</sup> The depictions of fathers and sons in these plays do not reflect the reality of normal life; they are part of a comic exaggeration of tensions and anxieties that could be found in Roman society at a much less extreme level.<sup>39</sup>

As a final point, it should be stressed that the expectation that *pietas* should be shown towards family members is reflected in Roman legal practice. First of all, in Gaius' *Institutes*, it is noted that fathers and sons are not able to prosecute one another (4.78; cf. Paul. *dig.* 22.5.4); while Ulpian remarks that parents and children should support one another, even if the children are no longer in their father's power (Ulp. *dig.* 25.3.5.1-4). The jurist Marcian also discusses a case in which a son had committed adultery with his step-mother:

Diuus Hadrianus fertur, cum in uenatione filium suum quidam necauerat, qui nouercam adulterabat, in insulam eum deportasse, quod latronis magis quam patris iure eum interfecit: nam patria potestas in pietate debet, non atrocitate consistere.

It is said that when a certain man had killed in the course of a hunt his son, who had been committing adultery with his stepmother, the deified Hadrian deported him to an island because he acted more like a brigand in killing him than as one with a father's right; for paternal

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<sup>36</sup> Segal (1987), 13.

<sup>37</sup> Segal (1987), 19. However, Segal does not provide a possible explanation of why this is the case. Perhaps the pushing of social boundaries appealed to different classes in Roman society?

<sup>38</sup> Segal (1987), 27 comments that the relationships depicted contrast sharply with the ideal of *pious Aeneas*.

<sup>39</sup> Neither am I advocating that these plays provide a direct reflection of Greek families; the nature of this form of comedy makes it likely that the humour arises from a manipulation of social expectations and boundaries in a 'safe' environment – the stage.

power ought to depend on *pietas*, not cruelty. (Marcian. *dig.* 48.9.5, trans. Watson, adapted)

Significantly, recent scholarship has examined the role of *pietas* in Roman law. Evans-Grubbs discusses the promotion of the ideal of *pietas* during the empire, and Rawson has argued that the use of young children to incite sympathy at the trials of their fathers shows a knowledge – and manipulation - of the expectations for the emotional bond between parent and child in Roman society.<sup>40</sup>

### **Upholding the Family Name**

Roman social memory developed within a strongly hierarchical and traditional community, one in which political power was held first by the old patrician families and then by the great senatorial families (some of whom were patrician) of the middle and late Republic.<sup>41</sup> The wax masks of worthy ancestors – i.e. generally those that had performed great deeds or had held important magistracies – were displayed in the hallways of elite households, and used in elaborate funerary processions.<sup>42</sup> It was the duty of the family to remember their ancestors and ensure that others were reminded of them, and masks such as these could function as the ultimate status symbols. In essence, these masks operated as physical reminders of the political esteem of the family itself in the eyes of any who would see them.<sup>43</sup> In such an environment, then, the past influenced the future and a family whose members had reached the heights of the *cursus honorum* could be a great advantage to an

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<sup>40</sup> Evans Grubbs (2011), 377-392; Rawson (2003), 223-224. It was not only children that could be used to incite sympathy, Cicero also discusses the appearance of the elderly parents of his client in the *Pro Caelio* (4 and 79); cf. the discussion of the manipulation of father and son relationships in the *Pro Sex. Roscio Amerino* in Ch. III, section 2.

<sup>41</sup> See Flower (2006), 53: ‘At the same time as this political culture was developing, there came into being the monuments, public spectacles, and habits that distinguished a Roman politician during his lifetime and that aimed to preserve his memory after death. Such memory devices were not separable from the political system and were owned by the *nobiles* as a social caste. In other words, Roman memory was political memory.’

<sup>42</sup> Flower (1996).

<sup>43</sup> As the *domus* was a public as well as domestic space, this was not restricted to only members of the family itself; clients or associates would come to the house to conduct business.



ambitious young man just beginning his political career.<sup>44</sup> Likewise, the triumphs of famous generals, honorific statues and inscriptions, and the building works funded by them firmly situated these important families and their members within the very stones of Rome itself, while oratory would continually refer back to the famous *exempla* of preceding generations.<sup>45</sup> These traditions were occurring even at the earliest points of Roman history, which prompts Flower to note that ‘until the second century Roman memory had been created and maintained for generations outside of the formal genre of written narrative history’.<sup>46</sup>

In such a society, the control of any members of the family lay in the hands of the *paterfamilias*. The family was self-governing and the elite of the city had a great deal of influence, renown, and status. The reputation of the family could mean the difference between political success and failure and it was maintained at all costs by its head. However, with this need to add to the renown of a family line, there were significant benefits in public life: brothers, fathers, and connections made through marriage could all provide significant political advantages to a young Roman of the senatorial class.<sup>47</sup>

The relationship between Cicero and his son Marcus exhibits the issue of reputation in a number of ways. In his *De Officiis*, Cicero writes about the moral duty of an individual and dedicates the work to his son.<sup>48</sup> His letters to Atticus also demonstrate the responsibility and expectations which lay on the shoulders of Marcus (*Att.* 6.1.12,

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<sup>44</sup> Wiseman (1971), 100-107; Severy (2003), 29, also points out that members of the elite would fund building projects in the city, naming the Circus Flaminius Aqua Marcia, Porticus Metelli, Basilica Aemilia, Pons Cestius, and Theatrum Pompeii as examples. This was an important method of self-presentation and may have contributed to the dominance of certain families in republican politics.

<sup>45</sup> Chaplin (2000), Smith and Covino (2010), and Van der Blom (2007, 2010).

<sup>46</sup> Flower (2006), 45.

<sup>47</sup> Relatives could also provide advice to a young man entering politics. In his famous speeches against M. Antonius, Cicero rebuked him for not heeding the advice of his uncle. L. Caesar, over that of his step-father (*Phil.* 2.14).

<sup>48</sup> See the discussion of Cicero’s *De Officiis* in Ch. IV, section 1.

13.1.1, 16.3.2, 16.1.5; cf. *Fam.* 16.21.6).<sup>49</sup> The Roman son was expected to enhance the reputation of the family and safeguard it against any damage. It was an important duty and one that would have been impressed upon a child from his earliest days. An epitaph to P. Cornelius Scipio in the Tomb of the Scipios on the Via Appia laments that he had died before he could contribute to the family renown in his own right and illustrates the importance of living up to the family name (*CIL* 6.37039= *ILS* 4 = *ILLRP* 311).<sup>50</sup>

In the famous speech said to have been given by Marius in Sallust's narration of the Jugurthine war, the *novus homo* comments upon young men who use their family's reputation to pave the way for them in life, without doing anything to make their own honour. He asks the assembled audience who they would rather have as a son, someone who would add to the glory of the family, or someone who would only benefit from it (*Sall. Jug.* 85). From his earliest days, a boy of the senatorial class was educated in a way that would prepare him for a specific position in society.<sup>51</sup> Cicero and the Elder Cato wrote works dedicated to their sons and their education; others such as Aemilius Paullus or Scipio Africanus had achieved so much in their

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<sup>49</sup> See Dyck (1996), 12 on the early education of Marcus; cf. Osgood (2011) 69-84. Horster (2011), 84-101, and Connolly (2011), 101-119 discuss upbringing and education in the family more generally.

<sup>50</sup> The exact identity of the P. Cornelius Scipio mentioned in this epitaph is unknown. There is a later addition to this inscription which lists that he had held the office of *flamen Dialis*. Flower (2006), 57 writes that: 'This individual was originally commemorated as if he had died young and had held no offices or honors at all. He was simply labeled as someone who would have surpassed the glorious tradition of the ancestors if he had lived.'

<sup>51</sup> On education, see Ch. V, section 1. The upbringing of young members of the senatorial elite involved equipping them with the skills and knowledge they would need to take a role in public life. Plutarch describes the education of the sons of Aemilius Paullus, and the son of Cato the Elder: *Plut. Aem.* 6.8-10; *Cat. Mai.* 20.1-6, 20.8, 24.6. Gaining practical experience in military affairs by accompanying a father or perhaps a father's friend on campaign and improving oratorical skills through shadowing senators were also significant in preparing young Romans for their future careers.

own public careers that there must have been an intense pressure on their children to do likewise.<sup>52</sup>

In his letters to Atticus, Cicero also discusses the situation of his son's financial support. It was a matter of pride that Marcus was seen to be supported by his father, in education and financially.<sup>53</sup> This necessity relates to several of the issues of reputation and duty that were expected to exist between fathers and sons. As Hallett has discussed, fathers were connected by name to the achievements of both their sons and daughters.<sup>54</sup> It could be argued that sons were, in many ways, extensions of their father. On the death of the *paterfamilias*, his heir would inherit all of the material possessions that had made up the world of his father along with his status, standing, and, to a great extent, social network.<sup>55</sup>

On the other hand, political disgrace could mean the loss of identity and position, and threatened the very eminence of the family itself.<sup>56</sup> The measures mentioned above supported the creation of memory and status for a family in public life, and so it was

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<sup>52</sup> For Roman traditions of literary dedication more generally, see Fantham (1996); for father-son dedications, LeMoine (1991), 337-366. For the pressure on sons to attain their father's renown, see Cicero (*Sen.* 35) on the son of Scipio Africanus. Also, see Polyb. 35.4 for the wish of the Macedonians, after Aemilius Paullus' actions there, that Scipio Aemilianus should be chosen for negotiations in the area, even though he had been adopted into another family by that time.

<sup>53</sup> Cicero writes various letters to Atticus in which he discusses the financial and educational circumstances of his son, and he comments at a number of points on the importance of Marcus being seen by others to be properly supported by his father. Refer, for example, to *Cic. Att.* 12.7.1, 12.24.1, 12.32.2, 13.24.1, 13.37.2, 13.47, 14.7.2, 14.11.2, 14.16, 15.13a.2. The last of these concerns the dedication of the *De Officiis* to his son which he regarded as an appropriate subject for a father.

<sup>54</sup> Hallett (1984), 82. Traditionally, a Roman son would take the *praenomen* of his father in the middle and late republic, while other sons would be named using common *praenomina* in the family. As Wilson (1998), 5 points out, these could be of great significance to certain aristocratic families and some may have had geographical connections. However, from the first century AD, it was common for several sons to share the same *praenomen*.

<sup>55</sup> As an illustration of this, Augustus was not content to be named heir in the will of C. Julius Caesar; he also organised an official adoption in order to create a more legitimate connection. On this, see Lindsay (2009), 89. On Augustus maintaining the connection to the memory of C. Julius Caesar in the design of the *forum*, see Galinsky (1996), 208.

<sup>56</sup> As an example, after the defeat of Hannibal, the Scipio family were known to have placed restrictions on those members not living up to the family name. An example is that of Lucius Scipio, son of Africanus, who was denied the right to wear a ring with his father's image on it: Livy, 41.27.2; Val. Max. 3.5.1. For discussion, see Suolahti (1963), 48; Flower (1996) 87-88; Flower (2011), 58.

not unheard of for early memory sanctions to be used in order to rid themselves of disgrace.<sup>57</sup> The family could address the matter within its own domestic jurisdiction by arranging for a ban on the *praenomen* of one of its members.<sup>58</sup> M. Manlius Capitolinus was accused of plotting to become king, and the Manlii responded by banning the praenomen Marcus for all future descendants (Cic. *Dom.* 101; Dion. Hal. *Ant. Rom.* 14.4; Diod. Sic. 15.35.3; Val. Max. 6.3.1a; Livy, 5.47, 6.14-20; Plut. *Cam.* 36).<sup>59</sup>

The example of T. Manlius Torquatus (cos. 165 BC) and his son, D. Silanus, illustrates the themes of shame and reputation particularly well. The story is found in Valerius Maximus, Cicero and Livy, and there are slight differences between the accounts. All, however, agree that the Macedonians had complained that D. Silanus had taken bribes from allies when he had been *propraetor* there in 140 BC.<sup>60</sup> Valerius Maximus provides the longest description of the incident, perhaps because of his use of the anecdote as a lesson to his readers. When he heard of the accusations against his son the father, who was an expert in the law, investigated the case himself.<sup>61</sup>

ita pronuntiavit: ‘cum Silanum filium meum pecunias a sociis accepisse probatum mihi sit, et re publica eum et domo mea indignum iudico, protinusque e conspectu meo abire iubeo.’

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<sup>57</sup> See Mustakallio (1994), for early attacks against memory; on the development of memory sanctions in Roman culture, Flower (2006).

<sup>58</sup> For the ban on naming, see Livy, 6.20.14 (Manlii) and Suet. *Tib.* 1-2 (Claudii). For discussion: Flower (2011), 48-49.

<sup>59</sup> Cantarella (1991), 206-7; Jaeger (1997), 57-93; Lintott (1970), 22-24; Mustakallio (1994), 48-58; and Oakley (1997), 476-92.

<sup>60</sup> Cic. *Fin.* 1.7.24; Livy, *Per.* 54; Val. Max. 5.8.3; Sen. *Controv.* 2.3.18. See also, Flower (1996), 218; Bodel (1999), 260.

<sup>61</sup> Cicero includes an interesting detail in *De Finibus* (1.24) regarding this episode. It is not mentioned elsewhere, but the son of T. Manlius had been adopted by Decius Silanus, a fact which would explain the different names of father and son. Nevertheless, the biological father still asked to pronounce the judgement on the case himself, and still ruled that the adopted son had shamed his family through his actions.

He pronounced as follows: ‘It having been proved to my satisfaction that my son Silanus took bribes from our allies, I judge him unworthy of the commonwealth and of my house and order him to leave my sight immediately.’ (Val. Max. 5.8.3)

Having decided that D. Silanus was guilty, T. Manlius Torquatus ordered him out of his home and from his sight; this account is similar to that of Cicero (*Fin.* 1.24) and Livy (*Per.* 54). The anecdote is particularly striking because of its legal tone. The father judges the son unworthy of house and state, which must have signalled the ultimate dishonour for a Roman citizen, and delivers his sentence. In essence, this is a depiction of the exercise of power within the *domus* itself. Although the crime was a public matter, it is possible to see the way in which punishment of its members would most likely have been dealt with by the *paterfamilias* of an elite household in earlier periods.<sup>62</sup> D. Silanus hung himself the next night, but his father refused to attend the funeral. Instead, Livy describes Manlius Torquatus sitting in his *tablinum*, the study leading directly from the *atrium* where the patron would give out legal advice to his clients.<sup>63</sup> He is clearly depicted fulfilling his own duty towards the state and this emphasis of the country and its law above all is a theme that has been discussed at length in connection with the traditional view of father and son

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<sup>62</sup> There is not enough information on this incident to understand whether the investigation by T. Manlius Torquatus should be understood as an official trial. See the discussion on the existence of a domestic tribunal in Ch. II, section 2.

<sup>63</sup> Val. Max. 5.8.3: peregerat iam Torquatus severi et religiosi iudicis partes, satis factum erat rei publicae, habebat ultionem Macedonia, potuit tam verecundo filii obitu patris inflecti rigor: at ille neque exsequiis adolescentis interfuit et, cum maxime funus eius duceretur, consulere se volentibus vacuas aures accommodavit: videbat enim se in eo atrio consedis in quo imperiosi illius Torquati severitate conspicua imago posita erat, prudentissimoque viro succurrebat effigies maiorum [suorum] cum titulus suis idcirco in prima parte aedium poni solere ut eorum virtutes posterius non solum legerent sed etiam imitarentur.

relationships.<sup>64</sup> Similarly, in the accounts of Valerius Maximus and Cicero, the father sat himself amongst the busts of his ancestors while his son's funeral took place and thus both texts highlight the connections between family, reputation, and shame.<sup>65</sup> Clearly, sons were expected to uphold the family name, and there could be severe consequences for those who did not.<sup>66</sup>

There is one final point which can be taken from the story of T. Manlius and D. Silanus. First, the two men were descendants of the Manlius Torquatus about whom the term *Manliana imperia* had been coined after he had given the order for his son to be executed.<sup>67</sup> After the actions of this ancestor, it may have been expected that any father of that line would deal with a child in a similarly severe fashion.<sup>68</sup> T. Manlius did sit himself in view of the busts of the Torquati and it could be argued that he gave out legal advice in the view of these busts as if to reinforce his own resolve, and reaffirm the point that he was upholding the state over those who would do it harm, even when those included his own family.

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<sup>64</sup> See the comparable example discussed in Ch. V, section 2 in which the son of M. Scaurus deserted the consul, Catulus, in battle. Having been told the news, he sent a message telling the young man that he would have rather received his son's bones than have heard of such shameful conduct (Val. Max. 5.8.4): *M. vero Scaurus, lumen ac decus patriae, cum apud Athesim flumen impetu Cimbrorum Romani equites pulsi deserto consule Catulo urbem pavidam repeterent, consternationis eorum participi filio suo misit qui diceret libentius se in acie eius interfecti ossibus occurrurum quam ipsum tam deformis fugae reum visurum: itaque, si quid modo reliquum in pectore verecundiae superesset, conspectum degenerati patris vitaturum.* As in the example above, the young man killed himself soon after. See Harris (1986), 85-86.

<sup>65</sup> On the significance of the *imagines*, see Flower (1996) and (2006), 64: 'The scene of the censorious father in his *atrium*, contemplating the masks of the ancestors and their function in his house, has much to tell us about Roman political culture'.

<sup>66</sup> Saller (1994), 94-95 discusses the importance of safeguarding the virtue of the *domus*. As Flower (2006), 64 points out, the fact that the father sat amongst the ancestor masks clearly shows that the disgrace of D. Silanus was both reflected in his funeral and memory: he was evidently not awarded a mask himself, and his exclusion from the family meant that he would not be mourned or commemorated in the future. Flower (2006), 64-5: 'Rather the cupboard doors stood open in the *atrium* so that anyone could see that the ancestors were neither in mourning nor present at his funeral. The implication is that Junius was not buried in a family tomb and his status was that of a person who had been disinherited. It seems most likely that none of his relatives attended his funeral'.

<sup>67</sup> See discussion in Ch. II, section 2.

<sup>68</sup> As Cicero, in his praise of Brutus, states: *O civem natum rei publicae memorem sui nomini imitatoremq̄ maiorum!* (Phil. 3.8).

This section, then, has shown that there were several pressures upon Roman sons to maintain relatively harmonious relationships with their fathers; these included wider social expectations and obligations, the reputation of the family, natural feeling, and the threat of disinheritance. Notably, there is little mention of *patria potestas* in those sources which present the norms for family relationships during the middle and late Republic. The discussion will now explore the depiction of the Roman son as presented in *Pro Sex. Roscio Amerino* of Cicero.

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## Section 2: Social Expectations of Father and Son Relationships in the *Pro Sex. Roscio Amerino*

The sources analysed above have created an image of social expectations for father and son relationships; these showed that interactions were based upon traditional values such as *pietas* and reputation rather than legal powers. This section will continue that discussion by looking in-depth at a speech which provides a further insight into those issues already considered.

The *Pro Sex. Roscio Amerino*, delivered in 80 BC, is Cicero's defence of a man charged with the murder of his father.<sup>69</sup> It appears from Cicero's account that the Elder Sex. Roscius was both relatively influential and wealthy. Though he lived in Ameria, he had connections with some of the most prominent families of Rome; the Metelli, Servilii, and the Scipiones are all mentioned in the text (15). In 81 BC, he was murdered on his return from Rome to Ameria. Cicero's defence of his son argues that this death was a result of a plot between two relations, and Chrysogonus, a freedman with connections to the dictator Sulla. The defence claimed that these men arranged to have the Elder Sex. Roscius' name added to the list of those proscribed and the son charged with the murder of his father in order that they might receive the property that would otherwise go to the Younger Sex. Roscius.

There are a number of scholarly works which discuss whether the younger Roscius was guilty of the murder or not.<sup>70</sup> It seems that he was acquitted by the jury in this trial, made up of senators, but his guilt or innocence is largely irrelevant for the

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<sup>69</sup> The trial took place in the *quaestio di sicariis* and was the first to be held in 80 BC after the turmoil of the civil war and proscriptions (Gell. 15.28.3). Because of the severity of charges of *parricidium*, the case took precedence over other trials. For more information on this, see Dyck (2010), 2. For a discussion of possible revisions made after the death of Sulla in 78 BC, see Berry (2004).

<sup>70</sup> See Dyck (2003), 235-246 and Seager (2007), 896-910 on the case against the younger Roscius, and Vasaly (1985), 1-20 on the methods of persuasion within the speech. Lintott (2008), 425-427 also includes an appendix on the case and Seager (1982) discusses the political context of the trial.



purposes of this discussion.<sup>71</sup> It is more significant for a study of social expectations that a large section of Cicero's defence focuses upon interactions between fathers and their sons. The picture he presents of these relationships must, if he had any hope of succeeding, have been designed to appeal to the aristocratic traditional values of the elite. In fact, the verdict of the jury implies that the expectations of father and son relationships employed by Cicero were effective in striking a chord with this audience.

### **Duty and the Family**

In order to defend the younger Roscius, Cicero presents his audience with a set of parallels designed to cast the defendant in a good light, while associating his accusers with the corruption of late republican society. One of the most significant of these contrasts is the disparity between rural and city life. Although his father had close connections with individuals at Rome, the younger Roscius rarely went into the city and had to rely upon his father's associates for support after he had been evicted from his land (18). From the arguments established by Cicero, it seems that the prosecution depicted him as a figure worthy of suspicion and as a son who had been sent to work on his father's farms as a punishment for past misbehaviour.<sup>72</sup> Here, Cicero questions Erucius on Roscius' rural background:

hoc patres familiae qui liberos habent, praesertim homines illius ordinis ex municipiis rusticanis, nonne optatissimum sibi putant esse filios suos rei familiari maxime seruire et in praediis colendis operae plurimum studique consumere? an amandarat hunc sic ut esset in agro ac tantummodo aleretur ad uillam, ut commodis omnibus careret?

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<sup>71</sup> See Gruen (1968) 257-8 on the composition of the jury: 'Control of the courts had been, for at least a century prior to this time, subject to political pressures, and Sulla's reorganization of them and return to exclusively senatorial jurors was a major element in his political program.' Cicero twice mentions the favourable attention that his speech on behalf of Sex. Roscius had brought: *Brut.* 90.312; *Off.* 2.14.51. Plutarch categorically states that Sex. Roscius was acquitted in the trial (*Cic.* 3.2-4).

<sup>72</sup> Compare the example of T. Manlius Imperiosus Torquatus who, because he had sent his son away from Rome to work on the family farm, was charged with mistreatment by L. Manlius: Val. Max. 5.4.3; Livy, 7.3.4; Cic. *Off.* 3.112.7.

quid? si constat hunc non modo colendis praediis praefuisse sed certis fundis patre uiuo frui solitum esse, tamenne haec a te uita eius rusticana relegatio atque amandatio appellabitur?

Surely the heads of households who have children, especially those of Roscius' class from the country towns, think it most desirable for themselves that their sons should devote themselves as much as possible to the management of the estate and spend a large part of their labour and pains on cultivating the farms? Or did he send him away with the intent that he might remain on the estate and merely have his food given him at the country house while at the same time he was deprived of all advantages? What? If it is established that Roscius not only superintended the cultivation of the farms, but, even during his father's lifetime, was allowed to have usufruct of certain estates, will you, in spite of this, continue to call his life a banishment to the country to get him out of the way? (43-44)

In the defence speech, Cicero attacks those arguments constructed by Erucius in his accusations against the younger Roscius. In particular, it appears that the young man had been depicted as an outcast from Roman society, one who had been consigned to a hard life on the farm by his own father. In response, Cicero claims that Sextus Roscius favoured the younger Roscius by entrusting him with such a responsibility, and there is the implication that the son was acting as a true heir to the property. Moreover, Cicero's argument presents the life of Roscius on the farm as more akin to that of the early Romans, than that of someone banished from the society of the city:<sup>73</sup>

Ne tu, Eruci, accusator esses ridiculus, si illis temporibus natus esses cum ab aratro arcessebantur qui consules fierent. etenim qui praeesse agro colendo flagitium putes, profecto illum Atilium quem sua manu spargentem senem qui missi errant conuenerunt hominem turpissimum atque inhonestissimum iudicares. at hercule maiores nostri longe aliter et de illo et de ceteris talibus uiris existimabant

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<sup>73</sup> See, however, the commentary by Dyck (2010), 114 in which he states that for all of Cicero's representation of Roscio's country life, the running of the property would usually be the responsibility of a slave by this period.

itaque ex minima tenuissimaque re publica maximam et florentissimam nobis reliquerunt.

In truth, O Erucius, you would have made an absurd accuser, if you had been born in those times when men were summoned from the plough to be made consuls. For, seeing that you think it a crime to superintend the cultivation of the land, you would assuredly have considered the well-known Atilius, whom the deputation found sowing his field with his own hand, a most base and dishonourable man. But, by heaven, our ancestors had a very different opinion of Atilius and others like him. And it was by acting on such principles that, in place of a very small and poor State, they have left us one that is very great and prosperous. (50)<sup>74</sup>

In truth, there is a problem with this argument of Cicero's, in that Roscius was the son of an equestrian and so it is highly unlikely that he laboured on the farm himself, like the early Romans he is being compared with.<sup>75</sup> Yet, neither does this fact strengthen the case of the prosecution, as Roscius would have overseen the extensive property owned by his father and it is thus unlikely that his rural life was entirely lacking in comforts, as Erucius implies (43-44).<sup>76</sup>

However, the traditional rural life versus the corrupt city life is an important contrast throughout the speech. Cicero's allusion to the rustic citizen-farmers ties into a value system which would have appealed strongly to the traditional, aristocratic jury. Moreover, this furthers the view of society in the city of Rome as having degenerated, a view discussed in the first section of this chapter. It should also be noted that the proscriptions had recently torn Roman society apart and violence had

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<sup>74</sup> Dyck (2010), 118 argues that the reference to the *maiores* is designed to show that Cicero, although a *novus homo*, has adopted the ideals of the Roman elite, unlike Erucius. He also makes Atilius a model of the senatorial elite. It is not known which of the Atilii who had held the consulship is meant here, but it is a similar anecdote to the one of L. Quinctius Cincinnatus. See Dyck (2010), 119.

<sup>75</sup> L. Quinctius Cincinnatus was not only an ideal of Roman virtue because of his conduct of the war against the Latins. When a case was brought against his son, he supported the young man to the point that he was forced to withdraw from Rome and work on a farm in the countryside (Livy, 3.11-14). Livy writes that he was farming his land when the deputation came to recognise him as dictator (3.26), and described his sons waiting to greet him after he had heard the news. For discussion of the case against his son, see Ch. V, section 2.

<sup>76</sup> Also refer back to Dyck's comments in n.73 of this chapter.

become a part of daily life in the city. The idea of the loss of Roman morality and the *mos maiorum* must have been felt keenly in the light of the recent turmoil.<sup>77</sup> The association of Roscius with those early Romans whose traditional virtues had ensured the success of the state was an effective defence, even if the reality was not so straightforward.

However, as a result of the association between Roscius and the country life, his accusers were placed in the contrasting position.<sup>78</sup> The relations of Sextus Roscius involved in the attack were from Ameria also, but they are characterised in a way more befitting the corrupt man of the city prepared to take advantage of the country man.<sup>79</sup> The motives put forward by Erucius for Roscius' murder of his father are those which cannot be related to life in the country, and must instead be understood with reference to the corrupt city life:

luxuries igitur hominem nimirum et aeris alieni magnitudo et indomitae animi cupiditates ad hoc scelus impulerunt? de luxuria purgavit Erucius cum dixit hunc ne in conuiuio quidem ullo fere interfuisse. nihil autem unquam debuit. cupiditates porro quae possunt esse in eo qui, ut ipse accusator obiecit, ruri semper habitavit et in agro colendo uixerit? quae uita maxime disiuncta a cupiditate et cum officio coniuncta est.

No doubt, then, it was riotous living, enormous debts, and his unbridled desires that drove him to commit this crime? As for the charge of riotous living, Erucius himself has cleared him from that by saying that he hardly ever took part in any festive gathering; as for debts, he never had any; further, as for greed, how could it exist in one who has always lived in the country and occupied himself with the cultivation of his land, with which the accuser himself has reproached

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<sup>77</sup> For an interesting discussion of the 'language of morals' in Latin historiography in particular, see Levick (1982), 53-62.

<sup>78</sup> On this manipulation of the facts of a case, see Lintott (2008), 3: 'In the courts of the Roman Republic, an orator's duty was to his client, not the court, and Cicero stressed the importance of adapting the *narration*, the account of the 'facts of the case', to the later argument. The same is true of the historical *exempla* he introduces'.

<sup>79</sup> These characterisations have their roots in Roman drama, especially comedy. See Vasaly (1985) for a more in-depth discussion of the dramatic personae used by Cicero in the *Pro Roscio Amerino*.

him—a kind of life which is entirely removed from the passion of avarice, but inseparable from duty? (39)

Forensic speeches would often consider the past of the accused in order to explore whether the crime reflected previous immoral behaviour.<sup>80</sup> Luxury, debts, and evil desires were all things that did not fit with a rural lifestyle, yet they could be associated with those individuals accusing the younger Roscius. Moreover, the son is presented in the speech as fulfilling the expectations of father and son relationships discussed above in the very fact that he is described as diligently overseeing his father's property. Duty towards the family has been discussed at length in various sources, and it comes up again in Cicero's defence:

nam cum hic Sex. Roscius esset Ameriae, T. autem iste Roscius Romae, cum hic filius assiduus in praediis esset cumque se uolantate patris rei familiari uitaeque rusticae dedisset, iste autem frequens Romae esset, occiditur ad balneas Pallacinas rediens a cena Sex. Roscius.

Now, while my client was at Ameria, and that Titus Roscius Magnus at Rome; while the son was always engaged upon his farms, and, in accordance with his father's wish, devoted himself to the management of the estate and a country life, whereas Magnus was constantly at Rome, the father, while returning one evening from supper, was killed near the baths of Pallacina. (18)<sup>81</sup>

Although the prosecution and defence have debated the father's decision to leave his son in the country to take charge of the family property, it is important for Cicero's case that the younger Roscius is never presented as questioning that decision. He is dutiful towards his father and family, and presented as content in the simple country life. This makes it all the more shocking that he should be forced off of this property

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<sup>80</sup> Dyck (2010), 111: 'This chapter accordingly raises and dismisses three theories by which Roscius' character could have led to parricide: a misdirected youth, a propensity to violence, or the need to support a luxurious lifestyle.'

<sup>81</sup> Dyck (2010), 84: 'C. later seeks to refute the prosecution's argument that the son's *relegation* to the country proves the father's dislike by claiming that it is characteristic of an entire class of young men acting *partum uoluntate* (42-8)'

by T. Roscius, and so rendered unable to perform all of the ceremonies for his father's funeral:

interea iste T. Roscius, uir optimus, procurator Chrysogoni, Ameriam uenit, in praedia huius inuadit, hunc miserum, luctu perditum, qui nondum etiam omnia paterno funeri iusta soluisset, nudum eicit domo atque focus patriis disque penatibus praecipitem, iudices, exturbat, ipse amplissimae pecuniae fit dominus.

Meanwhile, the excellent Titus Roscius, the agent of Chrysogonus, comes to Ameria; he seizes my client's farms, and before the unhappy man, overwhelmed with grief, had rendered all the last tokens of respect to his father, strips and throws him out of his house, and drives him headlong from the hearth and home of his fathers and his household gods, while he himself becomes the owner of an ample property. (23)<sup>82</sup>

Important for Cicero's characterisation of the younger Roscius is his loyalty towards his father. However, in those days when he should have been in the midst of the *feriae denicales* and preparing for the funeral of his father, he is forced, grief-stricken, from the land that he has overseen for all of those years. Unable to complete the funeral rites, separated from his home and his household gods, he is described as naked while he is made to leave what had been his home.<sup>83</sup> His vulnerability is emphasised; this fits into his characterisation as a simple farmer and would have encouraged sympathy.<sup>84</sup> He does not have the connections that his accusers can call upon, either in terms of the people he knows at Rome, or in the capacity for manipulation which becomes an important characteristic of Chrysogonus and the

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<sup>82</sup> The son would have been in the midst of the *feriae denicales*, the nine days during which those affected by the death did not attend work or other engagements. See Dyck (2010), 91; Toynbee (1971), 50; Maurin (1984), 205; Belayche (1995), 167-8. Dyck (2010), 91: '*domus* is amplified by the reference to the *foci patria* and *di penates* with their sacred associations; cf. *Dom. 109 quid omni religion munitis quam domus unius cuiusque ciuium? hic area sunt, hic foci, hic di penates, hic sacra, religions, caerimoniae continetur*'.

<sup>83</sup> See Bodel (1999), 259-281 on Roman funerals; Lindsay (1998), 67-80 on the Roman funerary banquet, and Rawson (2003), 336-363.

<sup>84</sup> The importance of the *corona* of spectators in Roman trials should be emphasised here. The crowd would shout their approval or sympathy and must have had a powerful influence on the outcome of cases. See Millar (2002), 41.

Roscii within the speech.<sup>85</sup> As a conclusion to the depiction of Roscius' character and behaviour towards his father, no matter how much is rhetorical show, it is a moving scene.<sup>86</sup> It was carefully designed to persuade the jurors by using pre-existing social expectations of father and son relationships. The final element in convincing Cicero's audience of the genuine nature of Roscius' characterisation is his statement that the son does not ask for his property to be returned; he asks only that he be acquitted of the murder of his father and the taint of such an accusation (143).

### **Natural Feeling**

Another theme which comes up in this speech is the idea that a type of natural feeling exists between fathers and sons which, Cicero concludes, means that any disruption to the relationship must have had strong motives behind it:

si tibi fortuna non dedit ut patre certo nascerere ex quo intellegere posses qui animus patrius in liberos esset, at natura certe dedit ut humanitatis non parum haberes; eo accessit studium doctrinae ut ne a litteris quidem alienus esses. ecquid tandem tibi uidetur, ut ad fabulas ueniamus, senex ille Caecilianus minoris facere Eutychem filium rusticum quam illum alterum, Chaerestratum - nam, ut opinor, hoc nomine est - alterum in urbe secum honoris causa habere, alterum rus supplici causa relegasse?

If it has not been your lot to be born of a father about whom there is no mistake, one from whom you could have learnt what was the feeling of a father towards his children, at least nature has given you

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<sup>85</sup> In Cicero's depiction of the episode, Sex. Roscius is denied help because many individuals fear the consequences of siding against Chrysogonus (*Rosc. Am.* 1); he is only able to act as the defence because he is relatively unknown at this stage in his career. Cicero describes how Caecilia, the daughter of Nepos, helped Sex. Roscius (27) and relates that the notoreity of the alleged crime, it being the first in the re-opened courts, and the involvement of Chrysogonus had led many to think that no one would defend him (29). This is, of course, the way in which Cicero's wants his audience to interpret events; it is possible to argue that few people helped the son because they were unsure of his innocence of the murder.

<sup>86</sup> On *pathos* and *ethos* in Roman rhetoric, see Wisse (1989), May (1988), and Paterson and Powell (2004), 1-57.

no small share of humanity, combined with a taste for learning, so that you are not a stranger to literature. To take an example from the stage, I ask you whether you really think that the old man in the play of Caecilius thinks less of Eutyclus, who lives in the country, than of the other, Chaerestratus (I think that was his name); that he keeps the one with him in the city as a token of esteem, while he has sent the other into the country as a punishment. (46)<sup>87</sup>

The defence speech here returns to the claim by Erucius that the younger Roscius had a motive for the murder of his father because he had been exiled to the countryside to tend the family property. However, Cicero argues that this was not a sign that Sex. Roscius lacked fatherly affection for his son- referencing a now lost play - but an indication of its existence. The orator uses the expectation that natural feeling exists between parents and children, and that this was reflected in their behaviour towards one another, in order to show that Roscius could not have held any resentment towards his father. Again, this seems an obvious point, but one that it is necessary to highlight in response to certain traditional ideas of father and son relationships.

Cicero then goes on to question the other motives cited by the prosecution against the younger Roscius:

‘exheredare pater filium cogitabat.’ mitto quaerere qua de causa; quaero qui scias; tametsi te dicere atque enumerare causas omnes oportebat, et id erat certi accusatoris officium qui tanti sceleris argueret explicare omnia vitia ac peccata filii quibus incensus parens potuerit animum inducere ut naturam ipsam uinceret, ut amorem illum penitus insitum eiceret ex animo, ut denique patrem esse sese obliuisceretur; quae sine magnis huiusce peccatis accidere potuisse non arbitror.

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<sup>87</sup> Dyck (2010), 116: ‘The play must somehow have made it clear that the ascribed motives (*honoris causa...supplici causa*) are absurd; but the relegation of a son to work on the farm is a fairly common comic motif and tends to be viewed by the son as unwelcome; cf. examples cited by Dyck on *Off.* P.637.’



‘The father intended to disinherit the son.’ I do not ask for what reason, I ask how you know it. Certainly you ought to have stated and enumerated all the reasons, and it would have been the duty of a conscientious accuser, whose object it was to convict anyone of such a crime, to set forth all the vices and transgressions of the son, by which the father could have been so enraged as to bring himself to overcome his natural feelings, to drive out of his mind that love so deeply rooted in it, and, lastly, to forget that he was a father, which it seems to me could never have happened without the gravest transgressions on the part of my client. (53)

Cicero’s response to Erucius’ argument shows that the latter had attempted to paint a picture of a young man whose behaviour had used up the natural affection a father ought to feel towards his son. Emphatic language stresses the point that the younger Roscius’ failings must have been bad indeed for a father to consider disinheriting his son. This suggests, and is supported by the focus on issues of inheritance at Rome, that it was an unusual and extreme action to disinherit an heir.<sup>88</sup> Yet, the prosecution needed a strong motive to explain the murder of a father by his own son. The very nature of Cicero’s ensuing argument emphasises that it would take a son who had been treated very badly by his father, a son who had forgotten all affection towards his father, to resort to parricide:

Occidisse patrem Sex. Roscius arguitur. scelestum, di immortales! ac nefarium facinus atque eiusmodi quo uno maleficio scelera omnia complexa esse uideantur! etenim si, id quod praeclare a sapientibus dicitur, uultu saepe laeditur pietas, quod supplicium satis acre reperietur in eum qui mortem obtulerit parenti, pro quo mori ipsum, si res postularet, iura diuina atque humana cogeant? in hoc tanto, tam atroci, tam singulari maleficio, quod ita raro exstitit ut, si quando auditum sit, portentis ac prodigiis simile numeretur, quibus tandem tu, C. Eruci, argumentis accusatorem censes uti oportere? nonne et audaciam eius qui in crimen uocetur singularem ostendere et mores feros immanemque naturam et uitam uitiiis flagitiisque omnibus deditam, denique omnia ad perniciem profligata atque perditam? quorum tu nihil in Sex. Roscium ne obiciendi quidem causa contulisti.

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<sup>88</sup> On inheritance in Roman law, see Gardner (2011), 361-377; Champlin (1991); Amelotti (1966) and (1987), 151-159; Daube (1969); Shatzman (1975), and Watson (1971).

My client is accused of having killed his father—a criminal and impious act, O immortal gods! of such a nature that all kinds of guilt seem to be included in this single evil deed. In fact, if, as is well said by philosophers, filial duty is often violated by a look, what punishment sufficiently severe can be found for one who has brought death upon his father, for whom all laws human and divine bound him to suffer death himself, if circumstances demanded? In the case of a crime so grave, so atrocious, so unusual, and one which has been so rarely committed that, whenever it is heard of, it is regarded as a portent and monstrosity, what arguments, I ask you, do you think you ought to employ, Erucius, in your capacity of accuser? Ought you not to show the remarkable audacity of the man who is accused of it, his savage manners and brutal nature, a life given up to every kind of vice and infamy, in short, a character depraved, abandoned, and utterly ruined? You have brought none of these imputations against my client, not even for the sake of making the imputation. (37-39)<sup>89</sup>

The forceful language at this point in the speech would have roused emotions in the audience. The crime was rarely committed, Cicero claims, and a long section of the defence is devoted to explaining why parricide was considered so wicked in comparison with other crimes. A contrast is created between the *pietas* discussed in the first section of this chapter and epitomised by the characterisation of the younger Roscius, and the impiety of an individual who would commit such an act. A son who would murder his father was the very antithesis of the dutiful son. In consequence, he was the antithesis of the younger Roscius as presented by Cicero: a son who had spent his life in the countryside, as per the instructions of his father, where he had shown the characteristic, traditional values of the rural life. The clever parallel of rural and city life presented by Cicero makes it impossible to correlate this picture of the younger Roscius with the accusations he faces. The contrast between a dutiful son, and the immorality and corruption of a son who could kill his own father, is very

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<sup>89</sup> Dyck (2010), 109 asserts that, '*pietas* was originally the fulfilment of the duties imposed by the *di parentes* so as to ensure the safety of the family from divine wrath'. So far as parricide is concerned, Dyck (2010), 110 states that it seems to have been, as far as the surviving evidence can tell, a rare crime. See Saller (1986), 9, 19; (1987), 21-2, 34.

effective. Cicero's strong denouncement of a parricide plays upon the audience's expectations of father and son relationships, and creates a strong case for the younger man's acquittal:

tamen haec aliis nefariis cumulant atque adaugent, crimen incredibile confingunt, testes in hunc et accusatores huiusce pecunia comparant; hanc condicionem misero ferunt ut optet utrum malit ceruices T. Roscio dare an insutus in culleum per summum dedecus uitam ammittere.

Yet they crown and aggravate them by other impious acts. They invent an incredible charge, bribe with my client's own money witnesses and accusers to appear against him, and reduce the wretched man to the alternative of choosing whether he prefers to offer his throat to Titus Roscius or to be sewn up in a sack and lose his life by a most infamous death. (30-31)<sup>90</sup>

Cicero makes it clear that the murder of a parent was an unnatural deed, and that the punishment for such a crime was equally extreme. Having outlined the method of execution faced by a patricide, Cicero uses a number of emotional appeals to ask the jury which explanation was more likely: that a son would murder his father without motive, or that others might have conspired to gain possession of his property (30, 37-65). One of the most significant for our study is the argument that the natural emotions existing between fathers and sons, as is implied in Cicero's reasoning, would have prohibited a crime of such magnitude. However, there is a final foil created between those who respect blood connections, and those who betray them. It

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<sup>90</sup> Lintott (1968), 38, 41; Dyck (2010), 1: 'Being an abomination at Rome, the *parricida* was subject to a gruesome and unique punishment: *insui uoluerunt in culleum uiuos atque ita in flumen deici* (71). C. makes no mention of the inclusion in the sack of a snake, an ape, a dog, and a cock, alluded to by Justin. *Inst.* 4.18.6 and *Mod. dig.* 48.9.9 but evidently not practiced in his time. In spite of C's claim (70) that it was invented as a deterrent, the punishment was probably originally a ritual procedure for removing a *progidium* from the community; the drowning of hermaphrodites, likewise regarded as *progidia*, is the closest parallel in historical times. The *poenia cullei* is referred to as early as Plaut. *Epid.* 469-61. One Malleolus was thus executed (for matricide) in 101 (*Rhet. Her.* 1.23; cf. *Inv. rhet.* 2.158-9). Q. Cicero inflicted it on provincials in 59 (*Q. fr.* 1.2.5). A *lex Pompeia*, probably of 55 or 52, appears to have subsumed *parricidium* under the regular punishment for murder in cases tried before the standing courts (*quaestiones*), namely exile (*Marcel. dig.* 48.9.1). See Egmond (1995), 169-92.

should be noted that two of the men behind the accusation, and denounced as involved in the murder by Cicero, were themselves relations of Sextus Roscius.

Finally, the natural feeling described in this defence speech can be expressed through the loss the younger Roscius felt at his father's death. Cicero argues that the death of the father had brought only grief and poverty to the son (13) and he portrays the son as dutifully tending to the farm far away from where the murder had taken place (18). He stresses the extent of the son's anguish (23) and in doing so emphasises that the young man had been forcibly removed from his home before he had been able to complete his religious duties. The relationship between father and son is crucial to the success of Cicero's characterisation of the younger Roscius. His manipulation of the jury's social expectations for this bond presents the younger Roscius as the ideal son, and is therefore crucial for an understanding of how fathers and sons were expected to behave towards one another in this period.

## Conclusion

In conclusion, social expectations dictating the behaviour of a Roman son included duty, *pietas*, support, and upholding the family name. There is no indication that a *filius familias* was viewed or treated as little more than a slave in the eyes of the *paterfamilias* in either the middle or the late Republic.<sup>91</sup> Furthermore, the next chapter will focus on the behaviour expected of the father in order to show that he in fact owed a duty of care and education to his offspring. Of course, conflict did arise within the family, and this aspect of the relationship will be explored more fully in Chapter V which looks at the relationship between family members as depicted in the literary sources more generally. However, *patria potestas* should not be regarded as the most significant influencing factor governing the behaviour of fathers and sons towards one another throughout this period. In fact, there is no mention of the legal rights of the father at any point in the examples given above, even where the son is suspected of plotting against his father. I should reiterate at this point that the stories of fathers having their sons killed are rare, and those that do almost always involve a conflict between family and state. The presence of these anecdotes in the scholarship does not reflect their relative scarcity in the sources.<sup>92</sup>

First, the discussion focussed on *exempla* and its role in Roman society in order to illustrate those qualities with which the *filius* was more commonly identified. It was found that common goals such as public prestige, the societal pressure to aspire towards the examples of those commemorated by statue in the forum, or the virtuous early Romans, and the responsibility for the reputation of the *domus* were significant considerations for a young Roman beginning his political career.

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<sup>91</sup> Saller (1994), 133-155.

<sup>92</sup> The very opposite, in fact: such examples have been taken as symptomatic of normal father and son relationships rather than as unique events.

The next section considered the use and manipulation of social ideals in Cicero's *Pro Sex. Roscio Amerino*. By associating the younger Roscius with the topos of the dutiful son, the speech appeals to the jury's expectations of how fathers and sons should behave towards one another. Moreover, Cicero identifies his characterisation of the defendant with the traditional *mores* of the virtuous early Romans. This tactic removes the taint associated with *parricidium* from the younger Roscius, and realigns the disregard for blood relations to the participants in the murder who are also related to the elder Roscius.<sup>93</sup> As a result, the members of the prosecution symbolise the corruption of the contemporary city. Moreover, although Cicero is careful not to implicate Sulla in the actions of his freedman Chrysogonus, the mention of an individual being forced from his own lands before he could perform the funeral rites for his dead father, must have been reminiscent of the turmoil of the recent proscriptions during which time there are several stories of fathers being killed and their property, which should have gone on to any heirs, being confiscated and sold off at auction (Cic. *Off.* 2.8.27; 1.14.43).<sup>94</sup>

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<sup>93</sup> Magnus is the only one who was involved in both the original plot and the prosecution, while Capito is said to have been involved in the murder of the elder Roscius (*Rosc. Am.* 17-20, 84, 96-101). Erucius himself was not related to Sextus Roscius.

<sup>94</sup> Not only was the property of an individual who had been proscribed confiscated, but mourning was forbidden, funeral rites were forbidden, and their children and grandchildren were banned from standing from magistracies. See Cic. *Off.* 2.8.27, 1.14.43; Vell. Pat. 2.28.4. Moreover, the Italian towns were not safe from the turmoil of the 80s BC. The Social War which began in 91 BC did win citizenship for those south of the River Po, but it had vast consequences with regard to human lives, and economic stability. This was closely followed by the civil wars between Marius (then Cinna) and Sulla and, after the victory of Sulla against the younger Marius in 82 BC, the proscriptions followed. Robinson (2007) 40, comments that: 'The civil strife had ripped apart the social stability of the Italian upper classes. The effects of constant wars ruined much of the Italian peasantry; conscriptions of adult males led to impoverished or indebted farms, with nobody there to protect them against forcible expropriation. Shortages of labour on the land led to shortages of food, and to the growth of kidnapping (...)'

## IV

### The Roman Paterfamilias

The previous chapter conducted an in-depth analysis of the social identity of the *filius familias* in the middle and late Republic. From this discussion, it became clear that social ideals such as reputation, *pietas*, and natural feeling represented a significant pressure on the behaviour of Roman sons towards their parents and family.

At first glance, it may seem that there is not much more to be said about the rights and responsibilities of the aristocratic father in the republican period. Much has been written about the Roman elite of this period, especially as a precursor to the focus on family in the early principate. A number of eminent scholars have discussed connections between families, and there is a great deal of work done on private law by scholars such as Watson, Daube, and Crook.<sup>1</sup> What is lacking is a discussion of what this meant for the individuals concerned.

I would argue that the portrayal of the *paterfamilias* across a wide range of sources emphasises the incredible responsibilities of this individual to his children, to his family, but most of all to the state. Furthermore, because of the ideological comparison in Roman society between the ideal statesman and the father, there was

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<sup>1</sup> On prosopography: Gelzer (1912) who showed that the term *nobilis* referred to consular rank and descent for Cicero's contemporaries; Münzer (1920) analysed political history from the fourth century BC through to the first century BC and focussed on the rise and fall of families and their allies; he also contributed several important articles to Pauly-Wissowa's *Encyclopädie der classischen Altertumswissenschaft* (1894-). Syme (1939) applied prosopography to the period of intense historical change at the end of the republic; Broughton's (1951-1986) work was designed to document public offices and careers ; and Wiseman (1971) showed that new men in the senate were generally men whose standing in their own towns was similar to the *nobiles* of Rome. On Roman law see, among others, Watson (1971, 1972, 1995); Daube (1956, 1969), and Crook (1967).

an expectation within the wider community that the aristocratic father would act as a role model to other citizens, with all of the rights and duties this entailed.

The discussion begins with an analysis of the presentation of the head of the family in Cicero's *De Officiis*. As this was a philosophical text written from Cicero to his son, one might question its relevance as an example of the general currency of Roman ideals: did it reflect widespread mores, or was it rather an idiosyncratic view? I will therefore draw on a broader array of sources to show that Cicero's stance is in line with traditional views on this matter. That is, this text shows that there were certain cultural expectations or pressures upon the Roman father with regard to his behaviour towards his dependants. Although rarely alluded to in interpretations which stress his legal authority within the household, I argue that the responsibilities of protection, education, reputation and continuity were central to the ideal of the Roman statesman-father figure. It is for this reason that political leaders and, later, emperors cast themselves in the guise of father of the city.

From there, the discussion will move on to a consideration of self-representation in order to explore the greater association of the father with the *familia*. It will become apparent that a harmonious relationship between father and son was in the best interests of the family as a whole, and that the *paterfamilias* had the responsibility of maintaining the renown of the household within the greater community.

Leading on from this focus on familial concerns such as continuity, and with a view to the analysis of father and son relationships in the next chapter, the motives behind adoption will then be examined. It will be found that dynastic considerations were a key concern for the head of an aristocratic household, but that did not necessarily preclude affection in either the adopted child-parent bond or in the biological child-parent bond.

In this way, we will gain a greater insight into how the head of the family ought to act, and to be seen to be acting, as well as his responsibilities with regard to the



dynasty as a whole. By framing the argument in such a way, this chapter also addresses the identity of the aristocratic father across the private and public spheres. Furthermore, the argument of this chapter takes the view that dynastic considerations, traditional values, and social ideals contributed towards a sense of common identity and unity within the household as a whole.

## Section 1: Social Ideals and the Roman Father

The *De Officiis*, written in the last year of Cicero's life, casts some light on Roman ideals of obligation and duty.<sup>2</sup> The text gives direct advice from father to son on how one ought to engage in public life in the late Republic.<sup>3</sup> This aspect of didacticism will be one of the first themes addressed in the following analysis. However, it should be noted here that the following discussion necessarily compares and contrasts the presentation of social ideals for fathers and sons in this text with other contemporary sources in order to gain the most accurate insight into this topic.

Cicero's relationship with his son, Marcus, is often regarded as having been, to some extent, problematic. In fact, it has sometimes been depicted as cold and emotionless when compared with the outpouring of grief which followed the death of his daughter, Tullia, in 45 BC.<sup>4</sup> However, as Marcus outlived his father, it could be argued that no comparable situation arose in the father-son relationship which would have resulted in such a show of emotion. Nevertheless, it is true that Marcus appears as a source of concern to his father in the surviving letters to Atticus.<sup>5</sup> There are numerous instances in which Cicero mentions his worries regarding Marcus' tuition, about him being seen to have enough money, and about him paying enough attention to his studies (*Att.* 6.1.12, 13.1.1, 16.3.2, 16.1.5; *Fam.* 16.21.6). On the other hand, letters concerning Tullia often speak of her as a source of comfort to her father, or address her marriage and the importance of finding a suitable husband. On the surface, then, a reading of his letters seems to support the analysis of Hallett that

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<sup>2</sup> Historically, the *De Officiis* has been one of the most significant and most widely read classical texts.

<sup>3</sup> In writing this essay, Cicero drew on the *Peri Kathekontos* of the second-century BC Greek Stoic philosopher, Panaetius of Rhodes. The first two books of the *De Officiis* are modelled closely on that earlier work, while the third is very much Cicero's own. See Dyck (1996), 17-29.

<sup>4</sup> See Hallett (1984), 135. Cf. *Cic. Att.* 12.14, 12.15, 12.18, 12.36, 12.38.

<sup>5</sup> Laes and Strubbe (2014), 94 describe Marcus as 'the prototype of the alcohol-guzzling student'. Also refer to the discussion in Eyben (1968), 44-5 and 52-3; cf. Bradley (1991), 103-6.

fathers might hold more affection for daughters than sons.<sup>6</sup> One might argue, though, that this example illustrates in fact that a Roman father had different responsibilities with regard to his male or female children, and higher expectations for a son's role in public life. For the son of a *novus homo* such as Cicero, who had achieved a great deal in his political career, it is likely that these expectations would have been difficult to fulfil.<sup>7</sup>

In place of a visit to his son in Athens where he was studying, Cicero dedicated the *De Officiis* to Marcus (*Off.* 3.121). The text itself presents a number of father and son bonds, most carefully designed to present the ideal father figure and to emphasise the wisdom and authority of the *paterfamilias*.<sup>8</sup> This is where the more personal aim or focus of the text comes through (*Off.* 3.121). The audience is presented with the concerns and frustrations of an actual republican father with regard to his son. Of course, the *De Officiis* has important moral, political, and philosophical themes running throughout. However, at its most basic level, it is a literary gift from father to son. While Cicero is indicating how one should be a Roman man in the republican period, he is also exploring how to be father and son to one another in the society of the time.<sup>9</sup>

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<sup>6</sup> See Hallett (1984), 135. However, in a letter to his brother, Cicero comments upon how much he has missed his brother, wife, son, daughter, and nephew during his time in exile. He describes Tullia as *effigiem oris, sermonis, animi meis* and writes of Marcus: *quod filium venustissimum mihi que dulcissimum (Q fr. 1.3.3)*.

<sup>7</sup> Cicero writes: *Quod cum omnibus est faciendum, qui vitam honestam ingredi cogitant, tum haud scio an nemini potius quam tibi; sustines enim non parvam exspectationem imitandae industriae nostrae, magnam honorum, non nullam fortasse nominis (Off. 3.6)*. Also, see Dyck (1996), 11: 'There was now, since the death of Tullia in February of the preceding year, more at stake in the relationship. Cicero was still concerned, as he had been since 46, with his personal and political legacy, of which young Marcus was now the sole custodian.'

<sup>8</sup> See Dyck (1996), 14.

<sup>9</sup> Dyck (1996), 14 writes that 'the stress thus lies on the positive role parents can play at this critical juncture in their children's lives'.

## Literary Dedications

In any case, it is clear that Cicero took a great interest in Marcus' education, and the dedication of the *De Officiis* was an important gift from father to son. Dyck argues that the *De Officiis* of Cicero was 'deeply embedded in the father-son relation. It was meant as a call to order, an emphatic reminder of his [Cicero's] responsibilities to himself, his family, and his society'.<sup>10</sup> This is important. So many modern works which touch on the relationship between the Roman father and son focus on the rights the *paterfamilias* had over all of those under his power. It is important to remind ourselves that Roman society in general focussed heavily on duty and obligation; the role of the father was no different. The role taken on by Cicero in the *De Officiis* is as mentor, role-model, and guide for his son. He was, in essence, providing a blueprint for his son on how an aristocratic male should participate in Roman politics and society more generally. Thus, the practice of dedicating these works could be viewed as an intellectual legacy from father to son. Cicero writes:

quam ob rem magnopere te hortor, mi Cicero, ut non solum orationes meas sed hos etiam de philosophia libros, qui iam illis fere se aequarunt, studiose legas; vis enim maior in illis dicendi, sed hoc quoque colendum est aequabile et temperatum orationis genus.

And therefore, my dear Cicero, I cordially recommend you to read carefully not only my orations but also these books of mine on philosophy, which are now about as extensive. For while the orations exhibit a more vigorous style, yet the unimpassioned, restrained style of my philosophical productions is also worth cultivating. (*Off.* 1.3).

Here he is not only leading Marcus towards the *De Officiis*, but also directing him towards using his speeches and philosophical works as educational tools. Therefore, father-son dedications in Roman literature pick up on characteristics such as duty,

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<sup>10</sup> Dyck (1996), 12.

obligation, responsibility, and education in the familial relationship.<sup>11</sup> These are qualities that come up numerous times in an analysis of father-son depictions. As Rawson points out:

Even if there was an element of literary conventions in these dedications and dialogues, they reveal what kinds of relations were considered appropriate between fathers and son.<sup>12</sup>

This supports the characteristics associated with fatherhood as evidenced by the terms derived from the word *pater* in the Latin language discussed in Chapter 1. In this sense, the idea of education and moral guidance is presented and maintained.

Therefore, Cicero utilises the traditional ideal of the Roman father in order to dedicate a work to his son which focuses on the correct behaviour for a Roman aristocrat in the republican period.<sup>13</sup> As a manual on ethical philosophy of the period, it is indispensable and has left a profound legacy.<sup>14</sup> Yet, Cicero also displays a personal concern for Marcus' education in this text which is echoed in a number of letters to Atticus and in the personal role he takes over his son's education (*Q fr.* 2.4.2; 3.3.4; *Att.* 6.1.12). He acted as tutor to Marcus at age 11 (*Att.* 8.4.1) and at age 15 (*Q fr.* 3.4.6). The manual was written in 44 BC while Marcus was studying at Athens.<sup>15</sup> In its last lines (*Off.* 3.121), Cicero writes:

Habes a patre munus, Marce fili, mea quidem sententia magnum,  
sed perinde erit ut acceperis.

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<sup>11</sup> Other examples of literary dedications from father to son include M. Porcius Cato, *Ad Marcum filium*; Titus Livius; L. Anneus Seneca, *Controversiae, Suasoriae*; Q. Asconius Pedianus; M. Fabius Quintilianus, *Institutiones oratoriae*; Lucius Apuleius, *De Platone et eius dogmate, De Mundo*; Aulus Gellius, *Noctes Atticae*. For a complete list, see LeMoine (1991), 243.

<sup>12</sup> Rawson (2003), 158; cf. LeMoine (1991), 339-340.

<sup>13</sup> Cicero had already written the *Partitiones Oratoriae* for an 11 year old Marcus in 54 BC.

<sup>14</sup> For its influence through the centuries, see Dyck (1996), 39-49. Although not a Christian work, the text was used by the church. It was also said to have influenced Erasmus, and it stood as a standard text in English schools of the seventeenth century.

<sup>15</sup> See Dyck (1996), 12, on the early education of Marcus. The young man had been studying under Gorgias at Athens, but the philosopher was fired after word of his son's drinking made its way to Cicero (Plut. *Cic.* 24.8; *Cic. Fam.* 16.21.6).

So here, Marcus, my son, is a present from your father-an important one as I see it, though its value will depend on how you receive it.

He urges Marcus to use the text, and the time on his hands, in the proper way and this is a theme which has continued throughout (*Off.* 1.77, 2.44, 2.87, 3.5, 3.121). At the very beginning of the text, he urges Marcus to read his own works in order that he might learn how to express himself in Latin (*Off.* 1.1-3). Again, this shows an awareness of the father's duty of education for the son, as well as the idea that the son should follow in his father's footsteps. Moreover, an anxiety about his son's progress comes through in Cicero's letters to Atticus, as well as a concern that his son should be seen to be financially supported by his father (*Att.* 12.32.2, 13.1.1, 16.3.2, 6.1.12, 16.1.5). In the final lines of the work, Cicero states that his son is dear to him, but will be dearer still if he takes Cicero's advice on board (*Off.* 3.121). This shows that the obligation of education is a shared burden between father and son; the former ought to act as role model and educator to those under his power, while his son should make use of this example and aim at emulating the actions of his father.<sup>16</sup>

Literary dedication was a practice that has been closely associated with the high valuation of fatherhood at Rome. The use and purpose of these in republican literature more generally is not relevant to this thesis as a whole.<sup>17</sup> However, dedications were often presented as a gift or a service done on behalf of the dedicatee or even the state as a whole. As this was the case, such dedications necessarily placed the person named under some kind of obligation. This could either be in the form of gratitude or through a sense of responsibility to uphold the principles set out in the dedicated work.<sup>18</sup> One of the most natural ways of accomplishing this purpose was to

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<sup>16</sup> Cicero mentions the legacy he has left to Marcus at a number of points throughout: *Off.* 1.1, 1.121, 2.76, 3.6, 3.126.

<sup>17</sup> For Roman traditions of literary dedication more generally, see Fantham (1996).

<sup>18</sup> This same idea can be identified where Cicero emphatically names Marcus in the text of the *De Officiis*. Also see Dyck (1996), 61.

assume the persona of the *pater*.<sup>19</sup> Thus we have the example of the Younger Pliny who assumed the role of father in his writings in order to create a surrogate relationship with those he was addressing.<sup>20</sup> Thus, the father-son analogy in literary dedications could be used to create authority.<sup>21</sup> The author took on the fatherly role in order to pass knowledge on from one generation to another. Thus the practice of literary dedication more widely reflects the characteristics expected of father and son relationships. The author used the status and role of the *paterfamilias* as a way of enhancing his own authority, and the message often centred around the educational benefits to the reader.<sup>22</sup> It also created a familiar relationship between the dedicator and his target audience

### **Paternal Exempla**

The motif of wise elders guiding the younger generations is found in both the *De Officiis* and Livy's *History*.<sup>23</sup> Dyck points out that those examples of fathers and sons provided in the *De Officiis* are ones that emphasise the wisdom and experience of the *pater*. Similarly, the *filius* always takes the advice of his senior within this text in

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<sup>19</sup> This is something that can be identified throughout the imperial period and beyond. See the discussion by LeMoine (1991), 337-366.

<sup>20</sup> Bernstein (2008), 204 writes: 'Though childless and heirless, Pliny represents in symbolically paternal terms his mentorship of young men through the example of his own life and work'.

<sup>21</sup> Although outside the scope of this thesis, the positive and negative aspects of the father-son relationship has also been used throughout history as a way of describing one's literary forefathers. Thus, the influence of Vergil is seen throughout Dante's work, while even early twentieth century writers such as Eliot, Pound, and Joyce look back to their classical forerunners. On this aspect of literary theory, see Bloom (1973). Of course, Vergil himself had Homer as an inescapable influence on his own epic. Significantly, Hardie (1993) discusses this relationship between authors in terms of paternity and filiation.

<sup>22</sup> See Dyck (1996), 11 on Cato the elder's *praecepta* to his son: 'After all, a father was responsible for his son's education, a matter that Cicero took seriously, not only by appointing a series of tutors for young Marcus and his nephew Quintus, but also by taking on the role of tutor himself on various occasions (24 October 54: *Q fr.* 3.4.6; 22 February 49: *Att.* 8.4.1)'. See also Bruwaene (1933), 53.

<sup>23</sup> See Chaplin (2000) for a discussion of this motif in Latin literature.

what could be read as hopeful encouragement from Cicero to a – perhaps – sometimes rebellious Marcus while he is studying abroad.<sup>24</sup>

As was discussed in Chapter 1, this is a dynamic which kept political power in the hands of the elders in Roman society. The ideal of the elite *paterfamilias* very much finds a place in this text. The nature of the work is designed to portray how an exemplary Roman member of the elite should conduct himself in both public and private life, though the focus is, of course, on politics. Cicero comments that this was a subject best suited to Marcus' age and to his own paternal authority (*Off.* 1.4). It is important to note, once more, the way in which the father's role involves a sense of obligation, in this case the duty of presenting a model of fitting conduct for his son.<sup>25</sup>

As mentioned, the *De Officiis* makes use of the father and son relationship in order to portray the Roman idea of the father as the ideal role model and teacher for the young (*Off.* 1.123).<sup>26</sup> This relates closely to the use of Latin terms derived from *pater* for various roles and honours in Roman society.<sup>27</sup> Moreover, it is a theme picked up by Cicero in a number of his works. In particular, he used the father and son relationship in his forensic speeches in order to highlight how good citizens should act, or to highlight the moral degeneracy of an individual under attack.<sup>28</sup> In his second speech against Verres, written in 70 BC, Cicero berates him for setting a bad example to his children:

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<sup>24</sup> Dyck (1996), 14.

<sup>25</sup> A comparable example of the duty owed to children comes through in an episode told by Livy (2.4-5) in which Manlius Imperiosus was brought to trial in 362 BC for failing to provide the appropriate education for his son. Livy relates that he had removed him from society by sending him away to work on the family farm.

<sup>26</sup> One of the best examples of the pressure to emulate glorious deeds is the art, statues, and monuments of the city of Rome itself in the republican period. Livy (45.40) relates the story of Aemilius Paullus and the death of his sons; he writes: *nam duobus e filiis, quos duobus datis in adoptionem solos nominis, sacrorum familiaeque heredes retinuerat domi, minor, duodecim ferme annos natus, quinque diebus ante triumphum, maior, quattuordecim annorum, triduo post triumphum decessit; quos praetextatos curru vehi cum patre, sibi ipsos similis destinantis triumphos, oportuerat.* (Livy, 45.40.7-8). Father and son relationships are an important and recurring theme throughout Latin literature. For a discussion of these in the *Aeneid*, see Lee (1979).

<sup>27</sup> See the discussion in Ch. I on this point.

<sup>28</sup> For example, see the discussion of the *Pro Sex. Roscio Amerino* in Chapter III, section 2.



quibus in rebus non solum filio Verres, verum etiam rei publicae fecisti iniuriam. suscepas enim liberos non solum tibi, sed etiam patriae, qui non modo tibi voluptati, sed etiam qui aliquando usui rei publicae possent esse. eos instituere atque erudire ad maiorum instituta, ad civitatis disciplinam, non ad tua flagitia neque ad tuas turpitudines debuisti. esset ex inerti et improbo et impuro parente navus et pudens et probus filius, haberet aliquid abs te res publica muneris. nunc pro te Verrem substituisti alterum civitati (...)

You begot children not only for yourself, but for your fatherland, that they might not merely be a pleasure to yourself, but also, in due season, do good service to your country. It was your duty to educate and instruct them in the ways of our forefathers and the traditions of our national life, not in your own depraved and disgraceful behaviour; and if your son, for all his father's idleness and dishonesty and uncleanness, grew up active and honest and decent, you would have done your duty by the country to some extent at least. As it is, you have but supplied the nation with another Verres to take your place. (Cic. *Verr.* 2.3.161),

As Steel points out, Cicero highlights the perversion of the traditional father-son relationship. Instead of emulating the glorious deeds of father and ancestor, the idea of continuity becomes 'a sinister parody of the ideal of transmitting family history and achievements'.<sup>29</sup>

Therefore, the Roman *paterfamilias* had a responsibility to be both a role model and educator of his son. There are a number of scholars who doubt the extent to which fathers played an active role in their son's education, and this could very well have been the case, especially when fathers were away on campaign or public business.<sup>30</sup> However, McDonnell has argued, for early Rome at least, that 'the role of Roman fathers was to be very close to their sons, at least until they reached adulthood.'<sup>31</sup>

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<sup>29</sup> Steel (2002), 47.

<sup>30</sup> This is the view of Bernstein (2008), 209 and Bloomer (2006), 72–73.

<sup>31</sup> McDonnell (2006), 179. For example, the Elder Cato was careful to supervise his son's education, and to be present for his bath (Plut. *Cat. Mai.* 20.5-9; Cic. *Off.* 1.121, 3.121 and *Att.* 15.13). For fathers dining with children: Plut. *Quaes. Rom.* 33. McDonnell also points out that the rule that fathers should not bathe with sons was aimed only at adult sons: Val. Max. 2.1.7; Cic. *Clu.* 141; Plut. *Quaes. Rom.* 40.

There is also some suggestion that fathers traditionally did not dine away from home without sons while they were still young children (Plut. *Quaest. Rom.* 33; Cic. *Off.* 1.121, 3.121, *Att.* 15.13.6). What is clear is that an intellectual ideal existed in Roman life whereby an elite *paterfamilias* would oversee this education. Cato the Elder, Cicero, and Seneca all dedicated works to their sons. Cicero talks of the upbringing owed to the son in the *Pro Sex. Roscio Amerino* in terms which must have been designed to appeal to the jury present (*Rosc. Am.* 64).<sup>32</sup> The first connections in a young politician's life would have been supplied by his father's circle of acquaintances. Moreover, the very tradition of creating a literary dialogue between father and son which is reflected in Cicero's *De Officiis* appeals to the importance of the didactic role that fathers had with regard to the education of their sons.<sup>33</sup> There are numerous examples of sons who were expected to emulate their ancestors. It is clear that this was the Roman ideal, at least in the republic, for how social values should be passed from generation to generation.

### **Authority**

In 44 BC Cicero had decided to leave the turmoil of Rome in order to oversee his son's activities in Athens, concerned that the young man should make the right decisions for his future.<sup>34</sup> In order to accomplish the things expected of him, the Roman father had to possess some form of control over his dependants. This is clear from previous discussion of the father's role in public life. His status as *paterfamilias* depended upon him being seen as an *exemplum* of the ideas of renown and virtue and also on his regulating the behaviour of his household.<sup>35</sup> This was crucial for the elite who relied upon their reputation for political and social status.

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<sup>32</sup> See the discussion of the *Pro Roscio Amerino* in Ch. III, section 2.

<sup>33</sup> LeMoine (1991), 337-366.

<sup>34</sup> There is evidence from his letters of Cicero being concerned over his son's behaviour in Athens: and about his future prospects: *Att.* 14.7.2, 14.16.3, 14.18.4, 15.16.1; *Fam.* 12.16.2, 16.25.

<sup>35</sup> In a society without a centralised police force, punishment was often dealt with within the family itself.

In the end, Cicero was called back to an urgent senate meeting in Rome and was unable to visit his son (*Att.* 16.7). However, the episode reveals a great deal about the way in which fathers and sons might interact with one another. Following the death of Tullia, Marcus was now Cicero's only child and the focus of his ambitions. The duty of upholding the family name and adding to the renown of his father's reputation must have weighed heavily upon the young man. Sons who did not live up to the expectations of their position in the household and state might be judged harshly. One such example is that of the D. Silanus, discussed in the previous chapter, who was accused by the Macedonians of mismanagement and was later tried by his own father (*Val. Max.* 5.8.3; Cicero, *Fin.* 1.24; Livy, *Per.* 54).

It could be suggested, then, that the power of the father was closely intertwined with responsibility, and that the authority shown by the *paterfamilias* in private life had an important connection to his *auctoritas* in public life. The very nature of the *De Officiis* itself shows this connection between private and public influence. By dedicating his work on how a Roman male should act in private and public life to his son, Cicero was also reaching out to the younger generation who were becoming prominent in politics.<sup>36</sup> And by taking on a paternal role, he created a dialogue between them in which he was presented as a mentor. This was an important tactic for remaining influential and relevant in the turmoil of late republican politics.

So, in the competitive political environment of the republic, all members of the family had their parts to play; yet, the ultimate responsibility for the household lay on the shoulders of the *paterfamilias*. That is why Cicero could use the contrasting example of Verres and his son to such effect. Similarly, Plutarch emphasises the relationship between father and son in the situation faced by Crassus in his disastrous

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<sup>36</sup> *Mihi autem haec oratio suscepta non de te est, sed de genere toto.* (*Cic. Off.* 2.45). Walsh (2000), 27 writes that 'Cicero visualised Marcus as representative of the young men of senatorial families in whose hands lay the political future of Rome. In this sense the guidelines for political advancement and for appropriate behaviour in office are addressed to a whole generation which would outlive the political corruption of Mark Antony, and might bend to the task of restoring the republic'.

Parthian campaign. The biographer writes that the commander was led on by his son's exuberance during the battle (Plut. *Crass.* 23.5). This resulted in the death of both men and the destruction of the Roman forces. The moral of the story seems to be that the relationship was not what it ought to be: the father failed to use his greater experience, wisdom, and authority and was swept away by his son's enthusiasm.

Thus, the fathers and sons presented to the reader in the *De Officiis* are important. Cato the Elder is mentioned first when he tells his son not to go into battle without first swearing an oath (*Off.* 1.36).<sup>37</sup> Quintus and Scipio Aemilianus are then mentioned as individuals who strove to follow in the footsteps of their fathers, respectively Publius Mucius in the law, and Paullus in the army (*Off.* 1.32). Another Scipio, the son of Africanus, is mentioned as one who was unable to emulate his father due to his bad health, but who could aim to succeed in other areas (*Off.* 1.33):

Optima autem hereditas a patribus traditur liberis omnique patrimonio praestantior gloria virtutis rerumque gestarum, cui dedecori esse nefas et vitium iudicandum est.

The noblest heritage, however, that is handed down from fathers to children, and one more precious than any inherited wealth, is a reputation for virtue and worthy deeds; and to dishonour this must be branded as a sin and a shame.

So, the father acts as a teacher to his son; he shares his wisdom and greater experience, as when Philip chastises Alexander for trying to use bribes to win the loyalty of the Macedonians (*Off.* 2.15). He also provides a moral compass to his children, as in the example of Aemilius Paullus who was famed for taking none of the wealth of Macedon home. Cicero writes that he brought a glorious reputation to his own home, rather than the wealth he could have brought from Macedon (*Off.* 2.22). Moreover, the sons we are presented with are paragons of *pietas* who will stand by their fathers at all costs: T. Manlius Torquatus is said to have threatened the

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<sup>37</sup> Cicero relates that the son had previously been discharged and so his original oath was no longer appropriate. See Dyck (1996), 143 on this passage.

tribune who brought an indictment against his father, even though Lucius Manlius had banished him to live in the country. However, Cicero does point out that this Torquatus showed bitter severity towards his own son in turn (*Off.* 3.31).

Thus, the natural authority commanded by the ideal *paterfamilias* over his dependants reflected upon his position in state as a whole. Social expectations for the hierarchical structure of Roman society exerted a significant pressure upon father and son relationships. The fact that the legal texts speak of the father holding significant powers does not mean that individuals used these with any regularity; on the contrary, social norms and expectations would have often exerted a greater pressure than laws.

## Section 2: Self-presentation and the *Domus*

Having discussed the role of the father in public and private life more generally as presented by Cicero's *De Officiis*, it is now important to focus on the creation of family status. McDonnell writes that the donning of the toga in a young Roman's life involved not only a transition from boyhood to manhood, but also a move from the domestic to the public.<sup>38</sup> The creation of family identity in the public arena, and specifically the role of the *paterfamilias* in doing this, is the focus of the following section. Peachin has argued that:

To be socially a Roman, and to relate to others in the Roman social fashion, should have involved most essentially a perpetual attempt to establish, as it were, one's social *auctoritas* (influence, authority, prestige, ascendancy, esteem) and for doing that there were particular mechanisms, which could ultimately be comprehended as Roman.<sup>39</sup>

This is an important point to keep in mind for the following discussion. The issue of lineage will come up time and again throughout this thesis. The very nature of this study, with its focus on the elite, necessitates an analysis of the way in which republican families represented themselves within their community. The responsibility for this lay on the shoulders of all family members, but it was the male members who had most scope for adding to the family name. What is clear is that the reputation of the household was something that could be enhanced or, equally, damaged by its members. Thus, Cicero discusses the legacy he has left for Marcus in the *De Officiis* and the mention of the father's own deeds is expected to spur the son onto a similar path. It was the role of the *paterfamilias* to bridge the gap between public and private to ensure that the family retained its renown. This could mean censorship of individual members, such as that of Manlius Capitolinus discussed in the previous chapter.<sup>40</sup> It could mean passing judgement on members who had

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<sup>38</sup> McDonnell (2006), 178.

<sup>39</sup> Peachin (2011), 27.

<sup>40</sup> This is discussed in Livy (5.47, 6.14-20) and Plutarch (*Cam.* 27). See Ch. III, section 1.

shamed the family, as in the example of D. Silanus mentioned above.<sup>41</sup> However, it more commonly involved the presentation of the household through monuments, coins, triumphs, and funerary processions.<sup>42</sup> This latter point will be analysed more fully in the discussion of grief in Chapter V.

### **The Family and the City**

A number of allusions to the family cult have already been made, but as relationships within the immediate family have been the focus of the discussion thus far, it has not been necessary previously to discuss religion in republican society in any depth.<sup>43</sup> Yet the private rituals connected to births, the transition from childhood to adulthood, marriage, and death were an important part of life for individuals in the republican period. Every year, Roman tradition dictated that one's ancestors be honoured through the performance of rites and sacrifices. The religious festival of the *Parentalia* was held in honour of the dead.<sup>44</sup> During this time, sacrifices and libations would be offered to the ancestors and a feast would be held. The tombs of the elite surviving on the Via Appia in Rome display the concern over observing the proper respect due to the dead. Some give the exact measurements of the land in order to ensure that no one would transgress on the property of the tomb; others ask passers-by not to urinate on the religious space. Even in death, the tombs of renowned individuals marked the glory of their family on the land itself. The tomb of the Scipio family still survives on the Appian Way. Once, any traveller coming along that road into/or out of Rome would have passed rows of tombs which must have seemed like

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<sup>41</sup> Val. Max. 5.8.3; Cicero, *Fin.* 1.24; Livy, *Per.* 54. Also, see the discussion of this episode in Ch. III, section 1.

<sup>42</sup> See the interesting argument by Hölkeskamp (2004) that the elite classes were an aristocracy of office rather than birth and so had to constantly remind the masses of their family history in order to remain relevant in each subsequent generation.

<sup>43</sup> Public religion and the role of senatorial classes as priests in these cults is also worthy of note here. See North and Price (1998) and Rüpke (2007) on Roman religion. See Toynbee (1971) on death and burial.

<sup>44</sup> See Dolansky (2011) 125-157 on the *Parentalia*; Bodet (1999), 259-281 on Roman funerals; Harmon (1978), 1592-603 on the family festivals of Rome, and Lindsay (1998), 67-80 on the Roman funerary banquet.

a chart of the most important families of the Republic. The experience of walking along the street of tombs leading into Pompeii gives the closest impression of the effect these monuments must have had on the general public.<sup>45</sup>

Yet, the tombs, rites, and traditions of the elite were also important in promoting a sense of shared identity which would help to bind family members together in a common goal. Psychologists refer to the process of socialisation to describe the way in which children are taught the norms and customs of their culture, as well as how to relate to others. For an elite Roman child, the first point of reference was the household, and it played a significant role in both public and private life.<sup>46</sup> For young boys, McDonnell has mentioned the *toga praetexta* ceremony, but the responsibility of the funeral oration could also mark their entrance into public life: Caesar famously gave the speech at his aunt's funeral (Suet. *Iug.* 6). For women, their public identity was almost exclusively connected to that of their family, but the role of marriage in creating alliances between families was significant.<sup>47</sup>

Thus, the identity of the family as a social, economic, and political body was hugely important for the prosperity of the state as a whole in republican Rome.<sup>48</sup> It could also act as a means of binding the city together with a shared history.<sup>49</sup> After all, in many ways, the history of the city from early Rome through to the end of the Republic was the history of certain families. The emphasis on lineage, the glory of

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<sup>45</sup> See Koortbojian (1996), 210-234 on text and imagery in the street of tombs.

<sup>46</sup> In fact, Harlow and Laurence (2002), 21 point out that the house, and the emotion associated with this structure, was central for all individuals at Rome.

<sup>47</sup> See Treggiari (1991) and Bradley (1991).

<sup>48</sup> The example of Livius Drusus (tribune in 81 BC) is telling. Rather than have a private dwelling constructed which would be away from the public, he directed the architect to make his home seen by all (Vell. Pat. 2.14.3); cf. Cic. *Off.* 1.139 on aristocratic households being admired.

<sup>49</sup> With Augustus' rise to power, the imperial family became the focus of city history and the ideal which Roman society should look towards. See Severy (2003), 5: 'Meanwhile, experiments in expressing Augustus' unprecedented relationship to the state proceeded beyond the legal and magisterial vocabulary of the restored *res publica*. In particular, Augustus and his contemporaries began to understand his authority and caretakership of the state as that of a Roman father to his family'. I would, however, amend this statement to argue that his use of the father-child relationship was not a new development in Roman conceptions of power and authority.



one's family line: these are all emphasised in surviving accounts of life from the Second Century BC through to the end of the first century BC. That is because the history of the most renowned and archaic *gentes* such as the Cornелиi, Aemilii, the Claudii, the Fabii, and the Manlii, among others, was a shared history that bound the city together.<sup>50</sup> As Fox has pointed out in connection with the Roman calendar, the history of aristocratic households tied society together and stressed the link between elite position and public good.<sup>51</sup>

Likewise, the topography of Rome herself was designed and maintained by aristocratic *domus*.<sup>52</sup> The Roman forum became so full of unauthorised statues that the censors ordered them all removed in 158 BC (Plin. *HN* 34.30-1). But even when these were taken away, temples, monuments, and *basilicae* all remained that plotted the history of family units on the land of the city itself. Elite families would have heavily influenced the urban layout of the city itself in the republican period.<sup>53</sup> There were often strong connections to building projects funded by ancestors, and this becomes particularly notable in connection with temples.<sup>54</sup> This would have created a connection between the *familia* and religion itself. It also imposed some form of duty on subsequent generations to maintain the structure and to remain a patron of some kind.<sup>55</sup>

Thus, the role of the elite household in the republican period illustrates why the idea of the father continued to be so central in the ideology of the Roman people. As the head of the aristocratic family, he was role model, judge, representative of the

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<sup>50</sup> It was similarly used to create *exempla*. For example, the death of all but one of the Fabii recounted by Livy at 2.49 is both important in Roman ideas of their own identity and character, and also an event that shaped the history of the city itself.

<sup>51</sup> Fox (2007), 158; cf. Flower (1996), 53.

<sup>52</sup> On commemorative statues, see Sehlmeier (1999).

<sup>53</sup> Just as the imperial family heavily influenced the layout of the city in later periods: in particular, see Favro (1992), 61-84 on Augustus as *Pater Urbis*.

<sup>54</sup> For example, the theatre complex of Pompey in 55 BC contained a temple to Venus Victrix (Plut. *Pomp.* 42.4, 40.5).

<sup>55</sup> For example, Cato the Younger spoke in the forum for the first time against the destruction of the Basilica Porcia which his ancestor, Cato the Elder, had dedicated while censor (Plut. *Cat. Min.* 5.1).

family, and simultaneously responsible for the family's relationship with the gods.<sup>56</sup> He was simultaneously responsible for both the commemoration of the household's past, and the caretaker of its future. He was expected to act as role model to his own dependants but also, more than that, he was expected to be an *exemplum* of what a leading man of Rome should be.

### **Influence in the State**

So, the role of the aristocratic *paterfamilias* in the republican period had a public element to it. When we take into account the idea of the *domus* as the state in microcosm and vice versa (Cic. *Off.* 1.54; cf. Aristot. *Pol.* 1.2), it becomes clear that his identity within the public arena must be more fully taken into account.<sup>57</sup> Yet, the characteristics of republican politics must also be addressed at this point. There have been divergent views in scholarship in the last few decades over the question of the character of the Roman Republic. Some early twentieth century scholars such as Syme portrayed an oligarchic political framework made up of certain family groups and alliances.<sup>58</sup> In response Millar has argued that the democratic element of Roman politics was under-estimated by such scholars.<sup>59</sup> Hölkeskamp and Flaig are among those who have cited popular participation, voting rights, and the fact that there is evidence of certain family groups maintaining power over several years against the stance taken by Millar.<sup>60</sup>

Although it can be said that the staunchly oligarchical view of Roman politics in this period does not taken into account the possibilities open to the *novus homo* (Cicero

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<sup>56</sup> There is the famous example of C. Fabius Dorsuo who, though the city was besieged by the Gauls, left the Capitoline Hill and walked past the enemy in order to perform a yearly sacrifice. See Livy, 5.46.52 and Val. Max. 9.1.11.

<sup>57</sup> This image goes back to classical Greece, where managing one's *oikos* well is seen as a necessary indication that one can manage state business well. See Brock (2013), 25-42.

<sup>58</sup> Syme (1939).

<sup>59</sup> Millar (1998, 2002).

<sup>60</sup> Hölkeskamp (2004), 301-338 and Flaig (2003). The Claudii saw a member of their family hold the consulate every generation for the greater part of the republican period.

is, of course, the prime example here) or the influence held by the tribunes as representatives of the plebs, it is clear that the majority of political power was in the hands of the elite senatorial class (just as it tended to be in the hands of the elders in society).<sup>61</sup> That is not to say that democratic participation was not possible to some extent, or that the masses had no voice in decision-making in the republican period. However, it could be argued that the influence of the common people, though not always the case, was seen more usually in the support they could offer a candidate from a higher class than themselves. And one of the way in which statesmen could gain support, both from the masses and from those of their own social groups, was through self-representation.

By promoting themselves and their families in a particular way, then, aristocratic republican families could build up their *auctoritas* within the community. Research has shown that commemorative monuments, public buildings, and dedications were all ways of writing the family onto the city itself. For example, building projects sponsored by individual families and bearing their names includes the Circus Flaminius Aqua Marcia, Porticus Metelli, Basilica Aemilia, Pons Cestius, and Theatrum Pompeii.<sup>62</sup> In particular, there is the example of Cato the Younger who spoke in the forum for the first time against the destruction of the Basilica Porcia which his ancestor, Cato the Elder, had dedicated while censor (Plut. *Cat. Min.* 5.1). This was an important method of self-presentation and may have contributed to the dominance of certain families in republican politics. Households were also known to mint their own coins, could act as patrons in literature and art, and family money was often used by the aedile to stage the public games and impress the populace of Rome with his generosity.<sup>63</sup> Finally, in the competitive political environment of the republic, the victory of a general could result in him being awarded a triumph. This

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<sup>61</sup> For new men in the senate during the late republic, see Wiseman (1971).

<sup>62</sup> Severy (2003), 29.

<sup>63</sup> On coins, see Crawford (1974). On the public games, see Bernstein (1998).

was perhaps the greatest honour that could be granted to a Roman citizen, and one that resulted in a great deal of glory for the individual and his family.<sup>64</sup>

So, the *paterfamilias* very much had a public role and this public role and how it interacted with the persona of the head of the household is worthy of discussion with regard to the comparison between *domus* and state. The patron-client framework mimicked the relationship between the head of household and his dependants and the number of clients visiting the house could be an important measure of an individual's influence within the state. Patronage was an important way in which Roman society both articulated and reinforced its hierarchical nature.<sup>65</sup> It also served to stabilise the community and, by continually renewing the status and *auctoritas* of upper-class families, to keep them in their positions of power.<sup>66</sup> There are examples of patrons who took great care to ensure that their house was near the forum in order to guarantee that their clients could easily visit, and to ensure that they remained visible (Plut. *Mar.* 32.1).<sup>67</sup> Part of maintaining influence in Rome was through being seen: this was an important part of maintaining status, *auctoritas*, and *dignitas* in the city. Thus, statesmen bought houses close to the forum (Livy, 44.16.10-11; Plut. *Mar.* 32, *C. Gracch.* 12.1; space on the Palatine Hill was also sought after: Dion. Hal. 1.79.11; Cass. Dio, 53.27.5; Cic. *Cael.* 18 and 59; Plut. *Crass.* 2.4-5) and the patron publicly defended his clients in legal cases. Hence, the physical reminders of family names were written on the very landscape of the city itself. The patron-client relationship was not one based on the exchange of money or commodities; instead, having a number of followers was an important status symbol and an important pool of support in politics. Political power itself was held almost completely by aristocratic family groupings in republican Rome. As Watson has pointed out, any member of such a dynasty had the support of his *gens* when standing for office. Moreover,

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<sup>64</sup> Itgenshorst (2005) and Beard (2007).

<sup>65</sup> The influential work on patronage is that of Wallace-Hadrill (1989).

<sup>66</sup> Watson (1971), 2 makes this same point.

<sup>67</sup> See p. 175, n. 48 above.

adoption and marriage created alliances with other families and thus a network of obligations between influential statesmen and their relatives.<sup>68</sup>

Moreover, when one looks at the tactics followed by Augustus at the dawning of the principate, it is possible to see the way in which the emperor draws upon the same methods of self-representation. As Flower points out, Augustus created his position 'in terms of past political habits and customs'.<sup>69</sup> It was now the emperor who was the sole patron and father of the city and who received all triumphs; likewise, the imperial family became the model for traditional Roman morality.<sup>70</sup>

Thus, the representation of the *domus* and its head was important for the elite in republican Rome.<sup>71</sup> Self-representation through art and building works represented a method by which the elite classes promoted their families. Several sources depict a Rome full of monuments, some erected by the senate and the Roman people; others privately funded by families or individuals.<sup>72</sup> In Sallust's history of the Jugurthine War, he talks of the way in which ancestor masks had inspired Q. Fabius Maximus and other illustrious citizens in the days when people sought public offices for glory rather than because of lust for wealth (5.1). These masks were displayed in the household for all to see and admire, and the semi-public nature of the household should be re-emphasised at this point as the place where a Roman patron would receive his clients and conduct business.<sup>73</sup> And, of course, there was the funeral

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<sup>68</sup> Watson (1971), 2.

<sup>69</sup> Flower (2011), 277. On images, see Zanker (1990). On the memory of the republican period in imperial Rome, see Gowing (2005).

<sup>70</sup> See Severy (2003).

<sup>71</sup> Flower (1996).

<sup>72</sup> For statues in the early republic: Livy 8.13.9: Also, for privately erected statues by sons see Livy, 40.34.5-6 and Val. Max. 2.5.1. For privately erected statues for oneself, see Plut. *Fab.* 22.8. Cf. Plin. *HN* 34.30-1 on the destruction of unauthorised monuments.

<sup>73</sup> See Flower (1996).

procession for the elite which stood as an advertisement for the history and glory of that family's lineage (Polyb. 6.53-6.55).<sup>74</sup>

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<sup>74</sup> On the Roman funeral procession, see Flower (1996) and Flaig (2003).

### **Section 3: Adoption and Roman Family Concerns**

The way in which the relationship between fathers and sons was expressed is vital for understanding Roman social and political history of the middle and late Republic. The patriarchal composition of the household was described in terminology that was highly significant for that society as a whole, and family dynamics permeated the foundations of Roman ideas about themselves. Even the strict hierarchy of republican society, based on patron-client relationships, reflected the political system and reproduced the connection between a father and his children. A study of the consequences of adoption, as a means of mimicking the natural connections between parent and child, then, is important in understanding the concerns of that society more generally. Moreover, the study of adoption can provide a great deal of information about the way in which fathers expected to benefit from the relationship.

#### **Forms of Roman Adoption**

In legal terms, the Roman process of adoption involved a complete break from the original family which is similar to the modern tendency to adopt infants rather than older children. However, perhaps owing to high infant mortality rates, Roman adoptions rarely involved a young child and so a degree of attachment to the biological family stemming from early upbringing and education was probable. Likewise, a tendency to adopt within the extended family meant that a complete separation was unlikely. There is a similarity between the need to continue a family line in modern and ancient times and there may have been a certain amount of concern over care in old age, though there is little surviving evidence to prove or disprove this consideration. However, one difference is the position of the person being adopted, and the importance of providing shelter for an individual without family. Adoption in Roman culture seems to have been very much a matter for the elite, and the majority of surviving evidence for the middle and late Republic is

concentrated around senatorial families, though there are a few equestrian and freedmen examples.<sup>75</sup> The care of orphans and foundlings was not the purpose of adoption in the period; economic factors were a consideration in terms of financing political careers, and though there may have been an element of social mobility in the choice to adopt, the most concrete example of this is from the Imperial period.<sup>76</sup>

Yet a more foreign aspect of the process of adoption in this period was the emphasis upon the transfer of an individual from the authority of one patriarch into that of another. The *potestas* required over an adoptive heir was the same as that which would have naturally existed between a biological father and son, and explains why women were unable to adopt. As they had no independent power of their own, they were unable to exercise this over a dependant. At Rome, there were three ways in which an adoption could take place, although the last is, to some extent, controversial.

The first process by which the member of one family could become a member of another was *adoptio*, and could be described as a private adoption. This required a full transfer from the *potestas* of one *paterfamilias* into that of another.<sup>77</sup> The adoptive child gained inheritance rights from the adoptive father but formed no legal ties with any other member within that family. Of course, this in no way paints the full picture as affection could have existed between the two and, of the adoptions that took place, most were between members of an extended family and so other bonds are likely to have been in place. Moreover, although there was no official

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<sup>75</sup> An example of an equestrian adoption is that of Atticus by Q. Caecilius. However, this is a testamentary case. See the letter addressed to Q. Caecilius Q. f. Pomponianus Atticus after his adoption: Cic. *Att.* 3.20. The other adoption involving an equestrian is that of Anneius (Val. Max. 7.7.2). See Lindsay (2009), 123-37 for a discussion of the place of adoption in the practices of freedmen and their families. In regards to the use of alternative methods such as fostering and their popularity within different social classes at Rome, see Dixon (1999) and Nielsen (1999).

<sup>76</sup> See Quint. *Inst.* 6 on the death of his son who is described as being given up for adoption to a consular family in the hope that this would create greater opportunities for him.

<sup>77</sup> One of the first known examples was the adoption by the patrician L. Manlius Acidinus of a son of the plebeian Fulvius Flaccus (Vell. Pat. 2.8.2). See Gaius, *Inst.* 134, for the process.



relationship created between other members of the family, the legal texts did recognise the place of *pietas* as an important force in Roman society. The *Digesta Iustiniani* (Ulp. *dig.* 3.1.1.11) makes it clear that this was expected of step-relatives as well as those related by birth or adoption.

The second kind of adoption was known as *adrogatio* and involved the transfer of one *paterfamilias* into the power of another, effectively combining their property with that of the adoptive father and ending their own family line. The description of this in Aulus Gellius involves a motion to the people asking them to regard the adoptive son as if born from his adoptive father.<sup>78</sup> Because of the possibility for exploitation in this situation, the process was carried out before the *comitia curiata*. This was in order to secure the safety of the individual being adopted and his property.

The third way in which an heir could be designated by a Roman *paterfamilias* was by testament. The will would include a *nominis ferendi condicio* which required the heir to take on the name of the person making the will alongside their fortune. In essence the individual named, then, would become head of that family, protecting the lineage of that dynasty and carrying out duties related to the family cult and the tomb of the deceased. Yet, this practice is a source of debate for scholars and there are a number of arguments against including testamentary cases as a type of adoption at all.<sup>79</sup> Because there was no transfer into another's power, women could 'adopt' in this manner and this has generated debate over whether the institution should be regarded

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<sup>78</sup> *Eius rogationis verba haec sunt: 'Velitis, iubeatis, uti L. Valerius L. Titio tam iure legeque filius siet, quam si ex eo patre matreque familias eius natus esset, utique ei vitae necisque in eum potestas siet, uti patri endo filio est. Haec ita, uti dixi, ita vos, Quirites, rogo.'* (Gell. 5.19.9)

<sup>79</sup> See Gardner (1998), Lindsay (2009) and Shackleton Bailey (1967). In one of the earliest cases of known testamentary adoption, the son of P. Cornelius Scipio Nasica (pr. 93) received an inheritance from his maternal grandfather, L. Licinius Crassus (cos. 95).

as 'true' adoption at all.<sup>80</sup> The adoption of Octavian by *adrogatio* after Caesar's death similarly suggests that testamentary cases were not true adoptions. The future Augustus was first included in Julius Caesar's will, yet the later adoption consolidated his status as the true heir to the property, position and, significantly, the supporters of Caesar.

### Family Ties

A study of the motivations involved in adoption, where there is enough evidence to draw some conclusions, gives an insight into what the *paterfamilias* expected to get out of father and son relationships. The family lineage and the continuity of the *sacra* of the *gens* is arguably the key consideration. In *De Domo Sua*, Cicero condemns Clodius for allowing his family line to die out in order to achieve his own ends, and the very act of *adrogatio* being decided before the Pontiffs- who presided over matters of religious significance- highlights the importance of the household gods and rites, as well as duty to the ancestors (*Dom.* 35). The *gens* was a key element in the character of Roman society and the importance of the *domus*, especially for the elite, was a significant aspect in the way in which that culture was articulated. In Polybius, Scipio Aemilianus confides in the historian that he was concerned that his mild character did not fit with his renowned family and this shows that the idea of lineage was present in wider social expectations (Polyb. 31.24.1-11).<sup>81</sup> It also shows that the characteristics of an adopted son were a consideration for the adoptive father and for the family in general. As the future heir, the political career and aspirations of Scipio Aemilianus were, to a great extent, secured by his admittance into the Scipio family. Moreover, in terms of lineage, a link can also be identified between the

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<sup>80</sup> In fact, few ancient sources described testamentary cases in terms connected with adoption, and it is not named nor discussed in the legal texts in the same way that *adoptio* and *adrogatio* are. The description in Gaius' *Institutiones* concerning adoption more generally mentions only two forms: *Adoptio autem duobus modis fit, aut populi auctoritate, aut imperio magistratus, uelut praetoris* (1.98). The first was the private adoption concerning an individual still under parental power; the second was *adrogatio*, verified before the *comitia curiata*.

<sup>81</sup> See Walbank (1979), 496-8 and Van der Blom (2010), 98.

presence of Scipio Aemilianus at the destruction of Carthage and the campaigns his adoptive grandfather Scipio Africanus had taken part in there, and there is a similar correlation between his biological father's career in Macedonia and the desire of the locals that the son, even though adopted by another family, should be chosen to continue negotiations in that area (Polyb. 35.4).<sup>82</sup> This shows that adoption could create a network of connections and alliances between families in a similar manner to marriage.

Together with this need for continuity of the family line, then, was the concern over transmission of property from one generation to the next. It is in this area that the legal texts are most illuminating, as the focus of these is almost entirely on issues of inheritance and the re-organisation of family connections in order to artificially manoeuvre the lines of descent. A number of scholars have discussed this engineering of familial bonds, and it is an important issue to consider in terms of the motivations of adoption as it displays a consciousness of familial bonds and the divide between the family in law and the family in society. Unfortunately, there is little to no evidence of this being done in practice, but it is an issue which the jurors, because of its link to inheritance rights, do cover in some detail.<sup>83</sup> For example, the *Digesta Iustiniani* discusses instances in which a *paterfamilias* would adopt a grandson as heir (Ulp. *dig.* 1.7.15.1, 37.4.3.1, 3; 37.8.1.9) or emancipate a grandson and then adopt him in the place of a son in order to re-negotiate the way in which property was passed on (Ulp. *dig.* 37.4.3.1-2). As in the normal practice of adoption, this required consent on the part of those involved, including that of the son to whose power the adopted grandson would revert on the death of the head of family (Paul.

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<sup>82</sup> For the speech of Scipio on fortune: Polyb. 38.20.1; Diod. Sic. 32.23.1-24.1). For the speech of Paullus on fortune: Polyb. 29.20; Diod. Sic. 30.23.1; Plut. *Aem.* 27.2; Livy, 45.8.6. On echoes between the two during Paullus' triumphal speech and on the destruction of Carthage, see Diod. Sic. 32.23; App. *Pun.* 132; Livy, 51.6 (Scipio follows the example of his father after he had conquered Macedon in organising games); Diod. Sic. 32.25; Cic. *Verr.* 2.1.2, 2.2.3, 85; 2.4.73, 84, 93, 97. Astin (1967), 76 discusses these similarities.

<sup>83</sup> For discussion, see Gardner (1999).

*dig.* 1.7.6, 10, 11). Moreover, the popularity of wills in the Republic re-affirms this need for control over who would inherit.

Similarly, kinship becomes an important aspect of the process in terms of inheritance, and the greater majority of examples took place within the larger family network. There was a strong concern over keeping property within the family and, subsequently, within an elite group.<sup>84</sup> However, though important studies suggest that ordinary Romans would have used fosterage or similar practices outwith the boundaries of law, there is some evidence of adoption involving freedmen, and so the practice could be used by different social groups.<sup>85</sup> Of course, many of the main concerns of the practice set out in the legal documents would have been more significant for the upper classes of Roman society.

At the same time, it is possible to identify a number of matches which seem to have involved members of the elite whose families were already connected to one another.<sup>86</sup> The adoption of the son of Aemilius Paullus into the Cornelii Scipiones is a prime example, as the two families had a history of working together.<sup>87</sup> Similarly, the adoption of his eldest son into the family of Fabius Maximus Aemilianus shows signs of cooperation between certain groups of people. An interesting detail about this last example is the dual adoption of Fabius Maximus Aemilianus and also Fabius Maximus Servilianus, whose brothers remained with their natural father.

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<sup>84</sup> See Hopkins (1983), 74 on adoption within the aristocracy being used as a way of keeping property and status within a select group. However, there is little surviving evidence to prove or disprove this as an active motivation rather than a consequence of the practice.

<sup>85</sup> See Lindsay (2009), 123-37 for a discussion of the place of adoption in the practices of freedmen and their families.

<sup>86</sup> Scipio Aemilianus was adopted into the family that his aunt had also married into. Similarly, T. Annius (*RE* 67) Milo and (L.) Licinius (*RE* 76) Crassus (Scipio) were both adopted by maternal grandfathers, the latter through testament; while Q. Caecilius (*RE* 81) Metellus Celer (cos. 60) was adopted by his father's cousin. M. Marius (*RE* 42) Gratidianus (tr. pl. 87) and C. Rabirius (*RE* 6) Postumus were both made the heirs of their maternal uncles, the latter again by testament.

<sup>87</sup> See Plut. *Aem.* 2.5: Aemilius Paullus' sister, Aemilia, was the wife of Scipio Africanus and so the aunt of Scipio Aemilianus. Astin (1967) also discusses the political connections between the Aemilii Paulli and Scipiones throughout his work on Scipio Aemilianus.

Yet another possible motivation behind adoption is financial considerations. The cost of upbringing and support in their political career could result in immense pressure on the family fortune, and there was the risk of sharing an inheritance between a number of children with the result that individual portions would be relatively small and perhaps not enough to meet the property qualifications. By having a son adopted into another family, an heir was provided for another *familia* and their public career could be supported from the wealth of another. There is no direct evidence to relate the adoption of the sons of Aemilius Paullus to financial considerations, especially when any number of motivations from a new marriage to family networks may have played their part in the decision to relinquish his control over his sons. However, it is interesting that his eldest children were adopted only after the birth of two more sons. His lineage must have seemed secure, yet the conqueror of Macedon died legally childless after losing both younger sons within days of his triumph (Cic, *Tusc.* 3.70; Polyb. 31.28.1-4; and Plut. *Aem.* 39.5).

There are also certain motivations behind adoption which are outside the usual functions of the institution, though still supported by the law. The first of these is its use in obtaining political goals. In *De Domo Sua*, Cicero begins with a discussion of the adoption laws that he argues Clodius had bypassed in order to become tribune. He comments upon the customary age difference between an adoptive father and his prospective son, and the condition that the former should be unable to have children of his own (Cic. *Dom.* 34). Cicero then goes on to question the action on the grounds of religious and family matters: the inheritance patterns of the family into which Clodius had been adopted were altered through his actions, and the *sacra* of the Clodian family would perish with him, as head of that family. Moreover, Cicero argues that the very institution of adoption itself had been manipulated in order to allow Clodius to obtain his political goals; he goes on to berate him for polluting his own line in order to become a member of another when he had no interest in upholding the religious customs of this new family either.

There is also the example of Dolabella in 47 BC who seems to have used adoption in order to become a member of a plebeian family and therefore be eligible to hold the office of tribune. Similarly, there are a number of instances in which laws were passed limiting adoption for uses outwith its original purpose. For example, Aulus Gellius reports a speech given by Scipio Aemilianus in which he speaks out against using adopted sons as a way of gaining the advantages bestowed upon those with children (Gell. 5.19). The Augustan marriage laws also provided an avenue for some to gain benefits in a similar way, and, though later, Tacitus mentions a decree of the senate against fictitious adoptions (*Ann.* 15.19).

The final considerations in terms of motivation fall outside the interest and scope of the jurists in a way that could easily be mistaken to mean that it was not an important aspect of Roman life. However, company and care could also be factors for adoption, especially into old age. For adopted children it could be argued that affection did not play a part in the overall motivations behind cases- although that does not mean that it never did- but the existing relationship between biological father and son was not extinguished along with their legal ties to one another. Likewise, companionship and care in old age were real possibilities for the adoptive father and son.

### **Case Study: Aemilius Paullus and his Sons**

The example of Aemilius Paullus and his sons from the Second Century BC gives voice to some of the concerns involving the relationship of adoptive fathers and sons: there is clear evidence of a relationship between the young men and both their biological and adoptive families which illustrates the fact that *patria potestas* does not sufficiently represent all of the possible bonds between fathers and sons; furthermore, the adoptions themselves create strong links with the Cornelii Scipiones and the Fabii Maximi, and the themes of both continuity and reputation come through clearly.

Strong bonds could be maintained, then, between a biological father and a son who had been adopted into another family. At the death of their biological father in 160 BC, Scipio Aemilianus and Fabius Maximus held lavish funeral games during which Terence's *Adelphoe* was staged; this was a particularly apt play as the plot involved the relationship between two brothers and the adoption of one of the men's sons by the other.<sup>88</sup> The themes of the play were significant and the connections between the sons of Aemilius Paullus and the issues addressed are obvious. In particular, the work depicts both the remaining bonds between a natural father and his adopted son, and the newly created ties with an adoptive father and his heir. As one brother says to the other: *natura tu illi pater es, consiliis ego* (Ter. *Ad.* 126). The play is, of course, based on Greek models, but the themes are closely intertwined with Roman ideas of kinship, and the adoption, as it takes place within the extended family, mimics some of the main aspects involved in a consideration of the practice.

In fact, the fame of Scipio Aemilianus and his friendship with Polybius meant that a great deal of information can be found regarding the adoption of the former and his later relationship with both biological and adoptive family.<sup>89</sup> This is, of course, an exceptional case and, as evidence of adoption in the Republican period often involves little more than the name of those involved and very little else, it is problematic to hold this up as representative of the relationship between fathers and sons as whole. However, it is worth considering why this case is so well known and one possible reason may have been the political position of the men involved in the adoption and their prominence in public life, as well as the privileged position of

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<sup>88</sup> On the funeral games and the staging of Terence's *Adelphoe*, see Val. Max. 6.7.1, 5.10.2; Livy, *Per.* 46; Polyb. 18.35-36, 31.26.

<sup>89</sup> Aemilius Paullus gave up his eldest children after the birth of two sons to his second wife (Plut. *Aem.* 5.5; Livy, 45.41.12), and Polybius depicts their relationship as remaining strong at a number of points within his narrative. Moreover, Scipio Aemilianus was adopted into the family that his aunt had also married into. Similarly, T. Annius (*RE* 67) Milo and (L.) Licinius (*RE* 76) Crassus (Scipio) were both adopted by maternal grandfathers, the latter through testament; while Q. Caecilius (*RE* 81) Metellus Celer (cos. 60) was adopted by his father's cousin. M. Marius (*RE* 42) Gratidianus (tr. pl. 87) and C. Rabirius (*RE* 6) Postumus were both made the heirs of their maternal uncles, the latter again by testament.

Polybius as a close friend of the family and so with access to aspects of their lives which others may not have had.

Yet aspects of Roman cultural and family life not discussed by Gaius or in the *Digesta Iustiniani*, such as *pietas*, affection, and companionship, are also significant in determining what bonds remained between a natural father and his son after an adoption had taken place. In a number of instances, the sons of Aemilius Paullus are depicted as remaining dutiful towards their biological father. They accompanied him on campaign, they took part in his triumph after the battle of Pydna (Polyb. 31.29.5; Livy, 45.27.6; 45.40.4), and together they funded the funeral games after his death (Val. Max. 6.7.1, 5.10.2; Livy, *Per.* 46; Polyb. 18.35-36, 31.26.6). The brothers were also well known for their affection towards one another: Cicero describes the respect Scipio Aemilianus always showed towards his older brother (*Amic.* 69) and Polybius also depicts the younger giving a share of his fortune to Fabius Maximus Aemilianus (32.14).<sup>90</sup> At the same time, Scipio Aemilianus passed on an inheritance to his biological mother and to his sisters, while providing the dowry for his adoptive sisters (Polyb. 18.35.9, 31.26.1, 31.27.1 and 31.28.2; Diod. Sic.31.27.3). This is significant as the movement of an individual from one family into another did not affect the relationship between a mother and her son which, as Gardner discusses, existed always outside of the legal formation of the family.<sup>91</sup> There was no conception of legal power over their children for Roman women as there was for the father. However, the importance of that relationship, as evidence confirms, cannot be said to have been lacking because there was no legal terminology equipped to describe it.<sup>92</sup> Moreover, it is in this scope that the aspects of Roman life and culture not covered by the legal texts come most to the fore and show the danger in describing a society only in terms of its laws. Custom, of course, played a huge part

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<sup>90</sup> For the relationship between Scipio Aemilianus and his brother, Fabius Maximus: Polyb. 31.26.6; Diod. Sic. 31.27.3; Plut. *Aem.* 5.1; Cic. *Amic.* 11.

<sup>91</sup> Gardner (1998), 125.

<sup>92</sup> On motherhood at Rome, see Dixon (1988).



in republican life, as it did in the empire, and the literary works are the best sources for gaining an understanding of that society in practice.

Yet there is more to be said for the close bond between the adopted sons of Aemilius Paullus and their biological family: their bond echoes many of the expectations a society had for the terms in which the relationship between fathers and sons, and indeed brothers, should be articulated. When his sons fought with him at the Battle of Pydna, Aemilius Paullus is described by Polybius as anxious when the younger of the two cannot be found, and the men over whom he is commander join in the search until they find him (Plut. *Aem.* 22.9, Livy, 44.44). The worry felt by the commander is that of a father for a son, notwithstanding Scipio Aemilianus' adoptive status. Similarly, Polybius describes Scipio Aemilianus as living up to the upbringing and prestige of both his biological father and his adoptive family at a number of instances in the work (Polyb. 31.25.8 and 31.23.1; cf. Diod. Sic. 31.27.3). The themes of duty and obligation are evidenced by these examples, as well as filial piety and affection for their father in the expensive games that the brothers agreed to stage.

Having considered some examples of the relationship between sons and their biological fathers, it is necessary to think about the newly created bond. Again, kinship is important for considering this new relationship between family members as, in the definite examples it is possible to cite, a large number take place within the extended family, especially in terms of the maternal line.<sup>93</sup> The concern over keeping property within the family as much as possible ties in with the overall importance of the continuity of the *gens* in Roman culture and society as a whole.

The degree to which the adoptive relationship was engineered to mimic the original relationship between father and son is also significant for this thesis. Although there are a number of instances in which the place of the biological relationship is held up

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<sup>93</sup> T. Annius (*RE* 67) Milo and (L.) Licinius (*RE* 76) Crassus (Scipio) by their maternal grandfathers, M. Marius (*RE* 42) Gratidianus (tr. pl. 87), C. Rabirius (*RE* 6) Postumus and M. Satrius (pr. 45) by their maternal uncle.

as significant, and one legal text states that adoption created ties based only upon agnatic descent – ties between males in the family- and not blood, in most cases there seems to be the expectation that this bond should mimic the biological one.<sup>94</sup> The passage in Aulus Gellius mentioned above includes a request to the people in which the adoptive son is said to be regarded as if born from that father (Gell. 5.19.1-14). Gardner also points out that adoptive brothers and sisters were unable to marry in the same way that natural brothers and sisters were unable.<sup>95</sup> However, Gaius (*Inst.* 2.136) makes it clear that the status of an adopted child was equal to that of one who had been born into that family, but only for as long as the adoption lasted. The rights of adoption would be lost after emancipation, and the individual would revert to emancipated son of his original father (*Inst.* 2.137).

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<sup>94</sup> For blood ties: Paul. *dig.* 1.7.23 *adoptio enim non ius sanguinis, sed ius adgnationis adfert*; Cicero identifying C. Fannius as *frater germanus* of Q. Titinius (*Verr.* 2.1.128), and Sallust (*Jug.* 10.3): *obtestorqu te, uti hos, qui tibi genere propinqui, beneficio meo fratres sunt, caros habeas neu malis alienos adiungere quam sanguine coniunctos retinere*. For associations between the adoptive and biological relationships: Lindsay (2009), 66.

<sup>95</sup> Gardner (1998), 125.

## Conclusion

This chapter focussed on the identity of the elite head of family and considered the social expectations for his status and behaviour as well as the duties relevant to his position. It was found that, though much modern scholarship emphasises the rights of the father in Roman society, the responsibilities of that role across the private and public spheres were also significant.

First, the discussion of Cicero's *De Officiis* was necessarily supplemented with other sources in order to show that it does represent a traditional – if idealised – portrayal of how fathers and sons were expected to interact with one another. The analysis illustrated the didactic nature of this relationship, and the relationship between young and old more generally. It also became clear that the father was expected to act as a role model to his children and to embody those qualities with which the Roman community most identified. At the same time, the Roman father was the authoritative voice of the family as a whole and its representation in the public sphere was his responsibility. There are several nuances to the characterisation of the head of the family in this text alone which illustrate the fact that there are a variety of family relationships depicted in the sources.

The discussion of family reputation also emphasised the importance of influence and status in public life and reinforced one of the central arguments of this thesis as a whole. It demonstrated that dynastic considerations were hugely influential in fostering a sense of common identity and unity between family members. Ultimately, social issues exerted an enormous pressure upon the father and son relationship to be mutually assistive. That is, of course, not to say that conflict did not arise. However, the Rome of Paul Veyne in which sons were obsessed with killing their fathers contrasts with the images presented in the literary sources.<sup>96</sup> Moreover, it is hard to believe that any elite family would have been able to sustain itself, its reputation, and

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<sup>96</sup> Veyne (1987), 29.

its position within republican society had there been constant in-fighting taking place.

Having discussed the role of adoption in Roman life, it is possible to identify certain motivations behind the institution more generally, and these can give some information on the relationships involved. By considering the examples that have survived, the main considerations of the practice are revealed as dynastic, financial, or political. However, these basic motivations do not exclude the presence or development of relationships within the new family, or those surviving from the natural family. The Scipio brothers are depicted as retaining close bonds with their natural relatives, as well as taking on important roles within their adoptive *gens*. Together with considerations of lineage and status, it is clear that affection, *pietas*, and companionship were significant aspects of adoption and Roman family life more generally. The popularity of wills in the period meant that anyone without an heir was able to designate a suitable individual and, in most cases, the *nominis ferendi condicio* would be acceptable to that person. However, the fact that adoption continued to exist at the same time as this practice could be an indication that inheritance and lineage were not the only considerations in place. Wills could fail or be contested after death, while adoption made an individual a legitimate heir to a name, to property, and to *clientes*, as well as making that person a legitimate member of the family. This leads directly onto a discussion of the relationship between fathers and sons from birth through to death in the following chapter.

## The Relationship between Father and Son

Previous chapters have argued that traditional values, dynastic considerations, and social ideals exerted pressure upon the father and son relationship to remain, to a large extent, mutually assistive and cooperative. It is now important to introduce a comparison to this focus on legal and societal ideals. The following discussion looks at the life cycle in order to consider normal life for fathers and sons in republican Rome.<sup>1</sup> Interactions between the two in the literary sources have been surprisingly neglected in previous considerations of the Roman family.<sup>2</sup> Yet they show that pressures upon this relationships rarely stemmed from the legal powers of the *paterfamilias*.

At this point, the obvious variation possible in how family members relate to one another should be emphasised. I will conclude in this chapter that there is no one model for father and son relationships in republican Rome. However, those themes discussed below arise time and again and emphasise both the didactic nature of family interactions, and the possibilities of close relationships involving companionship and support.

The first section will consider the evidence surviving for the early life and education of the Roman son. This shows that republican society both expected the father to act as teacher and role model to his children and, as this was the case, that fathers and young sons would spend a significant amount of time with one another.<sup>3</sup> The

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<sup>1</sup> On the scholarly debates surrounding the division of the life cycle, see Laes and Strubbe (2014), 23-40.

<sup>2</sup> The notable exception here is Saller (1994) and (1997), 7-34.

<sup>3</sup> At its most basic level, the very nature of *patria potestas* meant that fathers were liable for the actions of a son *alieni iuris*.

discussion of interactions between the *paterfamilias* and his adult sons shows that conflict was a real possibility within the family; however, I argue that there is not enough evidence of wide-scale dissatisfaction amongst the young men to label this as generational conflict. In support of this point, social ideals and expectations, as well as the opportunities provided to the *filius familias* as result of his family connections, meant that serious clashes were relatively rare. Finally, I will conclude in the section on death and its implications that continuity was a serious concern and, again, exerted a significant pressure upon the bond to remain harmonious.

Through an in-depth analysis of descriptions of fathers and sons in the literary sources, then, this chapter presents a more balanced interpretation of their relationship. For the aristocracy of this period, the reputation, standing, and status of the dynasty were all aims which members of that unit were expected to support and uphold. Moreover, of particular relevance to senatorial families, was the significance a competitive political landscape must have had in ensuring that fathers and sons cooperated with one another.

## Section 1: Upbringing<sup>4</sup>

The previous chapter mentioned the view of Hallett that there was more emotion apparent in the bond between Roman fathers and daughters than in the relationship between fathers and sons.<sup>5</sup> She goes on to state that fathers felt more sensitivity towards their daughter's emotional state than their son's.<sup>6</sup> An anecdote from Plutarch is given as an example: Aemilius Paullus, having just received the command of the Macedonian war, returned home to find his young daughter in tears. Hugging his daughter, the father asked why she was crying and discovered that her puppy had just died. The dog was called Perseus – the name of the king of Macedon – and so the episode was interpreted as a good omen for the war (Plut. *Aem.* 10.6). It is obvious from Plutarch's account, and as Hallett has argued, that the newly-appointed general does acknowledge and respond in some form to the distress of Aemilia Tertia. However, the identification of emotion in historical accounts is problematic, and it does not necessarily follow that because there are no exact counterparts to this example that fathers felt more affection towards their daughters than their sons.<sup>7</sup>

Republican culture and traditional gender roles limited strong displays of emotion between aristocratic men, even where those involved were related, and as such these perhaps do not appear in the sources to the extent in which displays of emotions involving daughters might.<sup>8</sup> This behaviour finds its roots in the ideology of the simple citizen-farmers, the early Roman *rustici*. It was acceptable to show pride in

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<sup>4</sup> For the representation of children in art, see Rawson (2003), 15-93.

<sup>5</sup> Hallett (1984), 134-135.

<sup>6</sup> Hallett (1984), 134-135.

<sup>7</sup> Some scholars argue that we should not take for granted that the language of emotions is the same in the modern West as it was in ancient societies such as republican Rome. See Kaster (2005), 5- 7 on this point of view and his discussion of the way in which emotions reinforced cultural norms in the late Republic and early Roman empire. This approach uses cognitive theory to move away from a focus on lexical equivalents and instead look at the 'script' behind the emotion. That is, Kaster asks what the emotion does and how it works socially and psychologically. Other scholars who use a similar methodology include Braund and Gill (1997), Konstan (2001), and Harris (2001). On Greek emotions, see Cairns (1993).

<sup>8</sup> See McDonnell (2006) and Rosen and Sluiter (2003) on Roman manliness.

the achievements of a son, of course, but other emotions are not the focus of the surviving works.<sup>9</sup> For example, fathers were expected by the society in which they lived to face the death of children with fortitude.<sup>10</sup> This does not mean that they did not feel some form of grief and, indeed, instances in which fathers were said to have grieved for their sons will be addressed more fully at the end of this chapter. However the majority of the extant sources portray fathers as *exempla* who are famed for showing restraint in the face of bereavement, as custom demanded.<sup>11</sup> With daughters, there may have been more freedom to acknowledge a closer relationship when one takes into account the machismo present in Roman society.<sup>12</sup> Yet it does not follow that there was little interaction between father and son.

### Birth

In 63 BC, the father of Augustus was late for the senatorial debate on the Catilinarian crisis because his wife had gone into labour (Suet. *Aug.* 94.5). For members of the upper class, the birth of a son would have been a happy affair that would secure the continuity of the family line. Although an example from the imperial period, a letter from the younger Pliny to his wife's grandfather after the miscarriage of a child reassures the elder man. He states that, though their hopes were not met this time, the pregnancy was nevertheless evidence of Calpurnia's fertility. He goes on to mention that, when they did have a child, the reputation on Pliny's side and on that of the grandfather means that the son would have little problem securing magistracies (Plin. *Ep.* 8.10). This correspondence is particularly interesting for two reasons. First, it

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<sup>9</sup> Examples of fathers showing pride in their son's achievements include Scipio hailing his son Scipio Africanus as saviour before his army (Polyb.10.3) and Cato the Elder writing a letter praising his son's actions to retrieve his sword during the Battle of Pydna in 168 BC (Plut. *Cat. Mai.* 20.8, *Aem.* 21.1-5). Plutarch strongly emphasises the link between his father's legacy, expectation, and upbringing of the young man and the son's shame at the loss of his weapon (Plut. *Aem.* 21.1-5). There is also a strong emphasis on obligation, and the behaviour and valour that the son of Cato owed to his father in return for the education he had given him.

<sup>10</sup> See the discussion of grief in section 3 of this chapter.

<sup>11</sup> See the discussion by Wilcox (2005), 267-287 on Cicero's inability, due to the political climate, to publicly display composure and restraint after the death of Tullia.

<sup>12</sup> Hallett (1984), 134-5; McDonnell (2006), *passim*.



articulates the political advantage of lineage in Roman political life. Secondly, it is fascinating when compared to a second letter that was sent to Calpurnia's aunt, which focuses on the health of his wife and their hopes for a child rather than the importance of offspring in order to fulfil political, social, and testamentary aspirations (Plin. *Ep.* 8.11). The emphasis is clearly different depending on whether the recipient is male or female.

The birth of a child would most likely have occurred in the home, where most of the formative experiences of a Roman's childhood took place.<sup>13</sup> For the elite classes, the house was a symbol of the family's status and influence; it was also the seat of the *Lares* and the focus of domestic religious rites.<sup>14</sup> The *paterfamilias* would receive his *clientes* in the atrium of his home, and a child might make the acquaintance of his father's friends and allies there – potential political connections when the time came for a young man to begin his own public career.<sup>15</sup> As Rawson has pointed out, the history associated with the house and the family would have been important in creating an understanding of the child's place in society.<sup>16</sup> Births, birthdays, engagements, and weddings would have taken place there; likewise, the actual structure and decoration of the household would act as a physical reminder of famous *exempla*.<sup>17</sup> The lineage and the responsibilities which it entailed would have been physically embodied in the statues, inscriptions, reminders of triumphs, and, of

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<sup>13</sup> See Rawson (2003), 106, for more information on the traditions associated with the birth of a child. Family and friends might come to see the infant, but a naming day celebration would be held 8 or 9 days later.

<sup>14</sup> The spirit of the *pater* (*genius*) was also honoured at the household shrine. See Bakker (1994); Foss (1997); Bömer and Herz (1981); Wachsmuth (1980), 34-75.

<sup>15</sup> It should be noted that an aristocratic family would likely have had more than one property, perhaps a villa in the country where members of the household might spend large parts of their time. See Rawson (2003), 211.

<sup>16</sup> Rawson (2003), 212. See also the discussion of socialisation in Ch. IV, section 1.

<sup>17</sup> Cicero rebukes M. Antonius for daring to enter the home of Cn. Pompeius after his death – he refers to the household gods and the mementos of triumphs and wars on the walls (Cic. *Phil.* 2.68, 2.75).

course, the *imagines* themselves.<sup>18</sup> Being a *novus homo*, Cicero created a similar literary heritage for his son in the *De Officiis* with the same impetus to remind his son of his role and duty in society, and to provide a model for his conduct.<sup>19</sup>

The birth of a child to an elite household at Rome was a source of joy for the families involved. However, one aspect of Roman society – comparable to other ancient societies such as Egypt and the Greek city states – was the practice of exposure. Shaw attributes the decision of whether or not a child should be raised to the *paterfamilias*, but Rawson argues that the mother must have had some input.<sup>20</sup> Whatever the case, and it could be argued that this would vary from one family dynamic to another; Harris argues that the famous *vitae necisque potestas* was actually used in connection with the exposure of infants and not the power of life and death over adult children.<sup>21</sup>

However, exposure was often of more relevance to the poorer sections of Roman society than the elite classes discussed throughout this thesis. The possible motivations for a nobleman to reject an infant would have been the concern over splitting an inheritance, deformity or other birth defect, or suspicion of adultery. Unfortunately, there is little information available on these scenarios among the nobility, and our information on life for the lower classes in society is even scarcer, especially for the republican period.<sup>22</sup> In the empire, Plutarch (*Mor.* 497E) discusses fathers not raising children because they did not want to subject them to poverty, so

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<sup>18</sup> On the *imagines* and their effect, see Sallust (*Jug.* 4). For an in-depth analysis of their role in Roman culture, see Flower (1996). On the display of *spolia* in the houses of the elite, see Rawson (1991), 582-98. On reminders of the triumph in the household, see (2007), 29-30.

<sup>19</sup> See Ch. IV, section 1 for a more in-depth discussion of the *De Officiis*.

<sup>20</sup> Shaw (2001), 31-77 and Rawson (2003), 105.

<sup>21</sup> Harris (1986).

<sup>22</sup> There seems to have been a law included in the Twelve Tables which ordered that an especially deformed child should be killed (Cic. *Leg.* 3.8.19). The text of the MMS contains *legatus*, but this has been amended to read *necatus* and *delatus*. See Harris (1994), 5 for discussion.

financial constraints must have been an issue.<sup>23</sup> Appian similarly implies that the poor in Italy had found it difficult to raise their children before 133 BC, and therefore many were exposed (App. *B Civ.* 1.10.40). Harris does comment on the theme of exposure in republican comedy but concludes that the plots are so influenced by Greek New Comedy that they should not be used to reflect social reality in the Roman world.<sup>24</sup>

In an age with limited healthcare, labour also presented a serious danger for women and their unborn children. Similarly, infant mortality rates were high and this had led to a debate on the reactions of parents to the deaths of young children. A number of eminent scholars have taken the view that parents felt less grief on the death of their children because it was an unavoidable fact of their existence.<sup>25</sup> Stone argues that ‘to preserve their mental stability, parents were obliged to limit the degree of their psychological involvement with their infant children’.<sup>26</sup> In support of this point, it is true that full mourning was not viewed as necessary for children under the age of ten.<sup>27</sup>

However, Golden has written an influential article which brings together material and literary evidence from comparative societies with high infant mortality rates in order to show that:

Far from being indifferent, members of cultures in which children are at risk often make sure that their infants are in almost constant contact with a care-giver, quickly see to them when they cry, and feed them

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<sup>23</sup> In the unfinished text on the affection parents hold for their children (*De amore proliis*), Plutarch does not indicate whether it is Greeks or Romans who he is referring to when he talks of the poor men exposing their children to save them from poverty. Rather, the work generalises across the board from animals and humans regarding the emotions between the parent and his/her offspring.

<sup>24</sup> Harris (1994), 5. Those Roman plays which feature exposure include Plaut. *Amph.* 499-501, *Cas.* 39-44, *Cist.* 120-202, *Truc.* 399; Ter. *An.* 215-24, *Heaut.* 614-67, *Hec.* 400, *Phorm.* 647.

<sup>25</sup> Ariès (1960); Mitterauer and Sieder (1982); Pinchbeck and Hewitt (1969); Shorter (1975) and Stone (1977), 70.

<sup>26</sup> Stone (1977), 70.

<sup>27</sup> Rawson (2003), 104.

whenever they suspect they are hungry-precisely because they know the danger that they will die if they are not attended to.<sup>28</sup>

Moreover, there is a wealth of evidence, from tombstones and literary anecdotes, through to the existence of protective talismans and rituals that the safety of infants was a priority for their parents.<sup>29</sup> The celebration on the birth of a child and the bereavement felt by parents at its death is depicted in various literary accounts and is evidence against the theory of Stone. Moreover, the fact that a child represented the hope of the family is discussed by Cicero in his *Defence of Cluentius* (32.5) where he states that, through abortion, the wife had robbed her husband of his hopes for continuity, the family and household of an heir, and the state of a citizen. Admittedly, this is not an example in which the child had died from natural causes; nevertheless, it shows the value attached to an infant in Roman society. Furthermore, as it was a law-court speech, it shows what values Cicero expected his audience to have.

## Childhood

The theory that childhood is a later historical construction is an idea posited by Ariès in his famous work *Centuries of Childhood*, and it has been influential for a number of scholars since.<sup>30</sup> Likewise, DeMause has argued that children were neglected and subjected to abuse in earlier societies.<sup>31</sup> However, the evidence of parents and

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<sup>28</sup> Golden (1988), 155.

<sup>29</sup> For example, Plaut. *Men.* 34-6: father dies of grief over the loss of his 7 year old son; *Poen.* 65-9: father sick over son who is kidnapped; CIL 6.35769: inscription from a couple wish to die and join their child; Plin. *Ep.* 3.16: Fannia hiding her grief over the death of a child from her sick husband, Caecina Paetus. Again, see the study by Golden (1988), 152-163 which uses evidence from comparative cultures in order to oppose the view that societies with high levels of infant mortality did not feel grief on the death of their children. Also, refer to Mustakallio (2013), 237-251 on female lamentation and the policing of displays of mourning.

<sup>30</sup> Ariès (1960). Amongst those who follow this view are DeMause (1974); Finley (1981), 159; Shorter (1975), and Stone (1977). For contrasting views see Pollock (1983), Shahar, (1990), and Ozment (2001).

<sup>31</sup> DeMause (1974), 1, 51.

children presented so far in this thesis illustrates the flaws inherent in this view.<sup>32</sup> Evidence from republican and imperial Rome clearly shows that childhood was regarded as a separate stage of life. Roman boys wore the *bullā* – a pendant – along with the *toga praetexta* – a toga marked with a purple stripe – to signal the young age of the child in question, as a symbol of their legal and social status, and as a talisman of protection.<sup>33</sup> They would wear these necklaces from infancy through to the ceremony during which the *toga praetexta* was exchanged for the *toga virilis* – the white toga worn by all male citizens (Ov. *Fast.* 3.771-90). The donning of this toga marked the transition from boy to man for Roman citizens.<sup>34</sup> There would have been a private ceremony at home, followed by the public procession at the *Liberalia* when the men were formally enrolled on the *Census*.<sup>35</sup> McDonnell has commented that this ritual marked the passage from ‘the private sphere of the *familia*, to the public sphere of the *res publica*’.<sup>36</sup> It is worth mentioning the fact that it was usually the father who decided that his son should be officially enrolled on the *Census* as a Roman citizen,

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<sup>32</sup> In fact, Harlow and Laurence (2002), 35 state in the opening of their book that it is a view (that Roman parents were indifferent to their children) that will not be discussed any further owing to the interpretation of the evidence from the point of view of the ideal of family relationships present in the modern West.

<sup>33</sup> See Rawson (2003), 111 and Gardner (1986), 33. A Roman myth relates that an Etruscan king, Tarquinius Priscus, gave the *bullā* and *toga praetexta* to his young son after the boy had killed an enemy in battle (Plin. *HN* 33.10). As there is no mention of young girls wearing these pendants, it is unknown whether this was a custom pertaining solely to male children or not. There are, however, several representations of boys wearing the *bullā* including on the friezes of the Ara Pacis and the statue of a young boy wearing a toga and *bullā* (thought to be from the mid first century AD) now in the Louvre in Paris.

<sup>34</sup> The young men would begin wearing the white toga without the purple band signifying their age, they would take off the *bullā*, and their hair would be cut short: Mart. 1.31.6 and 10.42.2; Cic. *Agr.* 2.58, *Cael.* 33. A religious ritual would take place and then the young man would be accompanied by his father and his father’s friends to the *forum*: Cic. *Mur.* 69, Plut. *Brut.* 14, Suet. *Iul.* 84.4.

<sup>35</sup> On the rites of passage for young Romans, see Laes and Strubbe (2014), 55-60.

<sup>36</sup> McDonnell (2006), 178.

and he would go to the forum wearing the *toga virilis* for the first time accompanied by his father and the father's associates.<sup>37</sup>

Moreover, there is evidence of parents recognising and responding to the needs for protection and care of their children on account of their age. Plutarch relates that a colleague of Marcellus made inappropriate advances towards Marcellus' son, Marcus, a young man of modesty and good training (*Marc.* 2.3). The father immediately brought a charge against this colleague, and Marcus was summoned before the senate to denounce the individual in question (*Marc.* 2.4). As this example shows, concern over the physical and mental well-being of both sons and daughters can be identified in the extant sources. As Cicero states in *De Officiis* (1.12), nature made individuals love their offspring. In his list of situations in which the morally upright individual could break promises, he relates the hypothetical case of a patron who had agreed to speak in court. His son fell seriously ill at the same time and, though the man had a responsibility to his client, Cicero argues that his duty first and foremost was to his son (*Off.* 1.32).

Therefore, there is evidence of fathers caring about the well-being of their sons.<sup>38</sup> One form in which this can be found is in the care taken by parents over what young children were exposed to. Cato the Elder would not bathe with his son (Plut. *Cat. Mai.* 20.5; cf. Cic. *Off.* 1.126), took care with the language he used in his presence (Plu. *Cat. Mai.* 20.5), and was even said to have expelled Manilius from the senate as

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<sup>37</sup> Although outside our period, Harlow and Laurence (2002), 66-67 point out that, during the empire, this ceremony would take place in the Forum of Augustus in view of the Temple of Mars the Avenger (which was dedicated by Octavian in honour of his having avenged the death of his adopted father Julius Caesar). This forum also contained the statue of Augustus as *Pater Patriae* and thus emphasised duty to the country for the new citizens; likewise, representations of Aeneas would remind the viewer of filial *pietas* and the obligation owed to his family. Refer to the discussion of Augustan art and architecture in Galinsky (1996), 141-225.

<sup>38</sup> Another famous example is that of Aemilius Paullus and Scipio Aemilianus. The latter joins other soldiers in chasing the remains of the enemy after the battle of Pydna, and does not return to the camp. The episode portrays the father's despair over his belief that Scipio Aemilianus is dead and, in his grief, he orders his men to halt all festivities in order to search for his son (Plut. *Aem.* 22.9, Livy, 44.44).

he had kissed his wife in front of their daughter (Plut. *Cat. Mai.* 17.7). As Rawson has argued, the ‘concern over setting bad examples’ implies that parents and children, in general, spent enough time in one another’s presence that this would be an issue.<sup>39</sup> This seems an obvious point, but the elite of Rome had many options open to them in terms of childcare: nurses, tutors, and guardians were all readily available. Moreover, the family could rapidly change during a young Roman’s childhood: various care-givers and slaves would play a role in their everyday lives, there were high levels of divorce and re-marriage, the average life expectancy was very low, and elite fathers could be away on state business or on military campaigns for a large part of their children’s lives.<sup>40</sup>

It is thus likely that many children grew up without their fathers, as this was an unavoidable consequence of republican society.<sup>41</sup> Tying into the importance of the state discussed previously, there was a need to ensure continuity, not only in terms of having children, but in educating the next generation in Roman values and, for the elite, in the skills needed in political life. It is interesting that the lives of Plutarch portray a number of men as fulfilling the roles that modern audiences would commonly assume to be those of the father. The biographies often present a community of experienced statesmen who are willing to participate in the training of a young man in official or unofficial capacities in order to prepare them for their future roles. An important aspect of this is the alliances made by the fathers of these young men, and the need to have connections in order to succeed in the Roman political system; the other aspect is the need to equip younger men with the skills which would allow them to conduct public business efficiently and successfully.

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<sup>39</sup> Rawson (2003), 221-222.

<sup>40</sup> On whether these changing family patterns were disruptive or not, see Bradley (1987), 33-62 who talks of dislocation in the Roman family. On the other hand, see Rawson (2003), 218-9. Refer to the discussion of demography in the Introduction.

<sup>41</sup> The major work on this is Hübner and Ratzan (2009).

However, for many young men, the fathers who would have introduced them to political life were dead by the time they were of age.<sup>42</sup>

As a result, then, there are numerous examples of elder statesmen encouraging and taking an interest in the education and public careers of younger men in the community. Examples include Brutus who gained practical experience from his uncle and father-in-law, Cato the Younger (Plut. *Brut.* 3.1-4, 6.10, 13.3). The latter consistently showed a great amount of trust in the abilities of his nephew and the young man accompanied him to Cyprus when he set out against Pompey (Plut. *Brut.* 3.1). Similarly, Cato the Younger was brought up in the household of his own uncle, Livius Drusus; Plutarch portrays Sulla as being friendly to the boy on account of his father (Plut. *Cat. Min.* 3.2). There is also the example of Caelius Rufus whose education was provided by Cicero and Marcus Crassus (Cic. *Cael.* 9). This was also the case for Cato the Elder, who was first urged into public life by Valerius Flaccus where he was then mentored by Fabius Maximus (Plut. *Cat. Mai.* 3-4). Tiberius Gracchus was raised by his mother Cornelia after the death of his father, and was offered the daughter of Appius Claudius in marriage as well as, it can be assumed, the benefit from the link to such an influential statesman of the period on account of his worthiness and virtue. Plutarch relates how the father himself asked the young man to be his son-in-law (Plut. *Ti. Gracch.* 4.1). It is difficult to evaluate the extent to which the step-father of Marcus Antonius played a role in furthering his step-son's education and career, but Plutarch does state that his mother played an important role in his education. Moreover, the bond between step-father and son was such that Marcus Antonius bore a life-long grudge against Cicero for his role in having him put to death (Cic, *Phil.* 18; Plut. *Ant.* 2.1-3).

Similarly, there are several examples of young Romans who were mentored by elder senators or generals. Marius is described by Plutarch as having been the son of poor

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<sup>42</sup> Based on demographic data discussed by Saller (1994), 9-69.



parents, but raised with traditional Roman values (*Mar.* 3.1-2). He became a protégé of Scipio, gaining valuable practical experience from him, and went on to marry into the Julian family (*Mar.* 6.2). In turn, he built a large house near the forum where he was able to receive clients (32.1). The relationship between Marius and Scipio was that of patron and client, but this in itself was a connection that mimicked the bond between father and son: the client benefited from the protection of his patron and, in turn, owed the latter his allegiance.

In the case of Lucullus, it is difficult to determine the extent of Sulla's influence from the account given by Plutarch, but it is noted that the former dedicated his memoirs to Lucullus, and also appointed him guardian of his son in his will (*Luc.* 1.3, 4.4). Cicero, too, had an important friendship with Scaevola who encouraged his education in Roman law (3.2), and Plutarch depicts him as being urged into public life not only by his father, but his friends also (*Cic.* 5.3, 3.5).<sup>43</sup> In his later life, he devoted time to teaching young men who wanted to study philosophy (40.1, 44.7), thus passing on his own wisdom and experience. It is also possible to mention Cicero's relationship with Octavian here as Plutarch notes that he was known to call Cicero 'father' (45.2). By teaching the younger generations, Cicero created and maintained important relationships with the men who would – or were – becoming important statesmen.

The examples in the latter half of this section have focused on the relationships between members of the elite, or on the Roman system of patronage, rather than the behaviour of father and sons towards one another. However, these are important examples of the way in which Roman citizens were connected to one another in ways which mimicked family bonds. Furthermore, the institution of patronage once more portrays the way in which the structure of the family influenced the hierarchical nature of Roman society more widely.

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<sup>43</sup> See Van der Blom (2010) on Cicero's role models.

## Education

There is a poem by Horace which gives the reader a glimpse into Roman educational practices at the end of the republic; yet, it is the depiction of the father in the text which is most striking. The poet states that, if he is never accused of greed or shame, it is on account of his father (*Sat.* 1.6.68). He relates how the latter was not a rich man, though he was determined to send his son to a school in Rome where any nobleman might study; as a result, he writes:

nil me paeniteat sanum patris huius, eoque  
non, ut magna dolo factum negat esse suo pars,  
quod non ingenuos habeat clarosque parentes,  
sic me defendam.

Never while in my senses could I be ashamed of such a father, and so  
I will not defend myself, as would a goodly number, who say it is no  
fault of theirs that they have not free-born and famous parents. (*Sat.*  
1.6.89-92)

It is an interesting text both because of the relationship presented between father – himself a freedman – and son, and because it shows the lengths fathers were prepared to go to in order to provide their sons with a good education and greater possibilities for the future.<sup>44</sup> It seems, then, that fathers were typically aware of the benefits of education for their children's future. For the elite classes, it was crucial; but Horace's work shows that this could also be a legitimate concern for lower social classes.<sup>45</sup>

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<sup>44</sup> Although imperial, Quintilian (*Inst.* 6) mentions the grief over the death of a son who had already been adopted by another. There is the suggestion that the adoption had taken place because the link to a consular family would provide the child with a better education as well as greater opportunities in public life.

<sup>45</sup> The practice of children travelling to larger cities for education, or the possibility of employing teachers in rural areas highlights the concern over education.

However, the very concept of education itself does seem to have been a private concern in the republican period.<sup>46</sup> There was no official legislation until that of Vespasian in AD 75 and, apart from the decrees against Greek rhetoricians, the method of educating a child in this early period seems to have been a matter of family preference.<sup>47</sup> The Laws of the XII Tables (Cic. *Leg.* 2.59), and the translation of the *Odyssia* by Livius Andronicus in 233 BC (Hor. *Epist.* 2.1.69-71) became important texts for studying in schools.<sup>48</sup> In 230 BC, Spurius Carvilius established a secondary school where he accepted fees (Plut. *Quaest. Rom.* 59).<sup>49</sup> Otherwise, apart from Cicero's concept of education given in the *De Oratore*, there is almost no literature on education until Quintilian's important *Institutio Oratoria* in the imperial period.<sup>50</sup>

The ideal of exemplary behaviour was a key method of socialising the next generation in traditional Roman morality; as this has been discussed at a number of points throughout this thesis, it does not seem necessary to address it in any depth here.<sup>51</sup> As a boy at Rome, life also involved taking part in ritualised processions such as triumphs and funerals which would imprint the *mos maiorum* into the memories of

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<sup>46</sup> See Laes and Strubbe (2014), 70-103 for an overview of education in the Roman empire. They, in fact, argue that education continued to be a matter dealt with by wealthy benefactors or parents rather than the Roman state throughout the imperial period as well as the republican: Laes and Strubbe (2014), 85.

<sup>47</sup> In AD 75, Vespasian established an Imperial library. He also provided for the payment of salaries of grammarians and rhetoricians: Dio Chrys. *Or.* 32.60.

<sup>48</sup> On the use of the XII Tables in educational practices, see Too (2001), 275-277.

<sup>49</sup> Bloomer (2011), 10-11.

<sup>50</sup> On education practices and development, see Barrow (1976); Bonner (1977); Clarke (1971); Joyal, McDougall and Yardley (2009), and Too (2001).

<sup>51</sup> On the use of *exempla* in Livy, see Chaplin (2000) and, in literature more generally, Weidemann (2005), 517-532. On *exempla*, see Bücher (2006), David (1998), Roller (2004), Refer to Ch. III, section 1.

the young men.<sup>52</sup> Both of these spectacles are discussed in more detail in the following sections; however, they were significant in urging young Roman men on to attain the glory of their ancestors.<sup>53</sup> This way of thinking extends even in to imperial times: in Pliny's letters (*Ep.* 2.7) he talks about the statues that had recently been awarded to Vestricius Spurinna, and the son who had died while his father was away:

acuent ad bonas artes iuventutem adolescentibus quoque, digni sint modo, tanta praemia constituta; acuent principes viros ad liberos suscipiendos et gaudia ex superstibus et ex amissis tam gloriosa solacia.

The granting of such high rewards to the young, provided that they are worthy of them, will spur on our young men to virtue; and with a prospect of happiness if their sons survive, and such splendid consolation if they die, our leading citizens will be encouraged to undertake the responsibility of children. (Plin. *Ep.* 2.7)<sup>54</sup>

Pliny here suggests that the statues of the father and son would help mould public opinion and inspire the younger generations to be try to be worthy of their fathers and their family. Vestircius Spurinna himself is contrasted with those individuals who, having never seen a battle, were honoured with triumphal statues – it is thus fitting that his grief – *dolori patris* – be assauged through the honour granted to him

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<sup>52</sup> On triumphs and funeral processions as spectacle in republican Rome, see Beacham (1999), 17-24; Bell (2004), 156-7, 207 (on triumphs), 25, 81, 207-8 (on funerals); Brilliant (1999), 221-231 (on triumphs); and Bodel (1999), 259-282 (on funerals). On the power of spectacle in the ancient world, refer to Bergmann and Kondoleon (1999). On rituals and festivals, see Harmon (1978), 1592-603 (family festivals), Porte (2001), and Schilling (1964), 44-56. On memory-centred culture more generally, see Braun, Haltenhoff, and Mutschler (2000), Linke and Stemmler (2000), Walter (2001, 2004), Pina Polo (2004), 286-304 (on authority and public speaking), and Flower (2003), 39-52.

<sup>53</sup> The Roman triumph is discussed and the Roman funeral are both discussed in section 3 of this chapter.

<sup>54</sup> Vistricius Spurinna is described by Pliny as an individual who had fought hard for his honours: *verum ut illis, qui decus istud' sudore et sanguine' et factis adsequebantur* (Plin. *Ep.* 2.7). While the father was abroad on public business, his son had died. The senate later decreed the statues on the suggestion of the emperor (Nerva). Pliny gives little more information on the event, except to say that he himself had been fond of the boy and would seek consolation from the statue of the boy in the same way that individuals took comfort from the busts of the dead which were placed in the atrium of the house: *etenim si defunctorum imagines domi positae dolorem nostrum levant, quanto magis hae quibus in celeberrimo loco non modo species et vultus illorum, sed honor etiam et gloria refertur!* (Plin. *Ep.* 2.7).

and his child. Therefore, together the father and son represent the ideal father and son relationship, and this is emphasised by the fact that the statues are publicly displayed. This ritualised education or socialisation process was repeated in the public festivals and rituals of the city of Rome herself. The games, theatres, triumphs, monuments, displays, and religious festivals were all important in creating a sense of self for the community as a whole. As Rawson points out, these occasions created a community of shared ideals which served to reinforce the idea of Roman identity for all their spectators.<sup>55</sup> Likewise, the shared experiences of these public events contributed to a sense of a common past.<sup>56</sup>

So, the father was regarded as the ideal primary educator and role model for his sons throughout the middle and late Republic. Although it is likely that Pliny idealises the past to some extent, a letter of his makes it clear that there was a belief that fathers fulfilled the role of teacher for their son in earlier periods. This fits with the evidence discussed above which provides a similar point of view of the father's role:

suus cuique parens pro magistro aut, cui parens non erat, maximus quisque et vetustissimus pro parente. quae potestas referentibus, quod censentibus ius, quae vis magistratibus, quae ceteris libertas, ubi cedendum, ubi resistendum, quod silendi tempus, quis dicendi modus, quae distinctio pugnantium sententiarum quae exsecutio prioribus aliquid addentium, omnem denique senatorium morem, quod fidissimum praecipendi genus, exemplis docebantur.

Everyone had a teacher in his own father, or, if he was fatherless, in some older man of distinction who took his father's place. Thus men learned by example (the surest method of instruction) the powers of the proposer, the rights of expressing an opinion, the authority of office, and the privileges of ordinary members; they learned when to give way and when to stand firm, how long to speak and when to keep silence, how to distinguish between conflicting proposals and how to introduce an amendment, in short the whole of senatorial procedure. (Plin. *Ep.* 8.14)

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<sup>55</sup> Rawson (2003), 210-11.

<sup>56</sup> On ideas of memory, see Braun, Haltenhoff and Mutschler (2000), Linke and Stemmler (2000), Walter (2001, 2004), Pina Polo (2004), 286-304, and Flower (2006).

Bernstein has commented upon the filiation theme in Roman literature, and points out that Pliny references the ideal that fathers be the teachers of their sons.<sup>57</sup> Yet, he states that those men who would personally teach their children were rare, and Bloomer has argued that the aristocratic Roman father would have viewed this as labour for his slaves.<sup>58</sup> Yet, Cicero cites both parents and nurses as crucial in the formation of a child's earliest sense of the world (*Leg.* 1.47), and there are a number of examples of famous mothers and fathers who contributed directly to their children's education: Aemilius Paullus, Cornelia, Aurelia, Atia, Cato the Elder, Cicero, Seneca, the father of Horace, Lucius Apuleius, Aulus Gellius, and Statius.<sup>59</sup>

Moreover, the household could be a hub of intellectual activity which would have greatly influenced and expanded a child's experiences. The Scipio family was famous for their love of Greek culture, and their connections with famous philosophers and rhetoricians. There was an explosion of intellectual discourse in the middle Republic and, as Rawson points out, there was a 'common thread of intellectual interests in natal and marital homes'.<sup>60</sup> Connections between like-minded, upper-class individuals who shared an interest in intellectual pursuits seems probable. As in early European countries, it seems likely that upper-class families fostered an elite education in common that the lower social classes rarely had access to.

As Chaplin points out, learning through example also took place in all aspects of Roman life and young men benefitted from their father's and his friends' experience

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<sup>57</sup> Bernstein (2008), 20.

<sup>58</sup> Bloomer (2006), 72-73. See Bradley (1991), 13-102; Dixon (1988), 146-55 on child-minders and tutors.

<sup>59</sup> On Paullus: Plut. *Aem.* 6.8-10; Polyb. 31.25.8. Cornelia: Plut. *Ti. Gracch.* 1.6-7; Cic. *Brut.* 210-211, *De or.* 1.38; cf. Plin. *HN* 34.31. On Aurelia (Caesar's mother) and Atia (Augustus' mother): Tac. *Dial.* 28.4-6. On Cato the Elder: Plut. *Cato Mai.* 20.5, 20.8, 24.6; Plin. *HN* 29.13-14; Plut. *Cato Mai.* 20.7. On Horace: *Sat.* 1.6.68-92 (see p. 183-184 above). M. Porcius Cato dedicated *Ad Marcum filium*, M. Tullius Cicero dedicated *Partitiones* and *De Officiis*, L. Annaeus Seneca dedicated *Controversiae* and *Suasoriae*, Lucius Apuleius dedicated *De Platone et eius dogmate* and *De Mundo*, and Aulus Gellius dedicated *Noctes Atticae*. For a more complete list, refer to LeMoine (1991), 343.

<sup>60</sup> Rawson (2003), 154-5.

in order to advance their own training.<sup>61</sup> Cicero, as governor of Cilicia in 51-50 BC, took his teenage nephew and son with him so that the young men could experience provincial governance while still students (Cic. *Att.* 5.17; *Fam.* 16.1). Those just beginning their careers learned from accompanying senators to the forum – the *tirocinium fori* – while a young man might take part in the *tirocinium militiae* as part of his military education. In his life of T. Quinctius Flamininus, Plutarch relates that young men would serve in the army in order to learn how to command (*Flam.* 1.4; cf. Plin. *Ep.* 8.14.5).<sup>62</sup> For those young men involved in such posts, it could perhaps represent an opportunity to escape the authority of the *paterfamilias*

Rhetorical education, in particular, was a significant part of the educational process for those young men who were being educated to fulfil specific roles in public life. Prospective orators were expected to be able to use *exempla* effectively in declamation exercises in order to show what actions should be imitated or avoided.<sup>63</sup> It was the culmination of the Roman boy's education, and he usually began this study in their mid-teens. As seen in the focus on teaching by example, there was a strong ethical consideration to Roman education in general and especially in the training of the orator. *Vir bonus dicendi peritus* is a phrase attributed to the Elder Cato (Quint. *Inst.* 12.1) and one need only read through the first pages of Cicero's *De Officiis* to see these themes coming through. Skill in speaking was essential for any individual who wanted to succeed in the republican system, and there progressively became more of a demand for studying philosophy or rhetoric in Greece, or for learning more complex systems of rhetoric from a Greek living in Rome. Thus we see the attempts to limit the exposure of the young to these individuals during the middle Republic

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<sup>61</sup> Chaplin (2000), 26.

<sup>62</sup> In the late Republic, it was common to serve as a member of the general's staff as part of the *tirocinium militiae*: Cic. *Off.* 2.46; Mayer (1991), 143-144. On the *tirocinium fori*: Tacitus, *Dialogus de oratoribus* 34.1-6; Cic. *Lael.* 1,1; cf. Cic. *De or.* 3.74-75.

<sup>63</sup> On declamation more generally, see Beard (1993). On the theme of parent-child relationships in declamation exercises, see Kennedy (1972), 334. On rhetoric more generally, the key republican text is the *Rhetorica Ad Herennium*, once thought to be a work of Cicero.

change to a system whereby the focus on Greek studies became the norm in the late Republic.<sup>64</sup>

Yet, as many of these declamatory exercises address the theme of domestic authority, and Sussman has argued that the content of such rhetorical exercises reflects family relationships at Rome, in particular the resentment felt by sons towards their fathers.<sup>65</sup> Before considering this view in any depth, an example of this practice is helpful. The story is presented as follows: a man is captured by pirates and wrote to his father for a ransom; this was refused. However, the pirate chief agreed that the man should be freed if he married his daughter. This was done and the young man returned to his father and married the girl. The father then demands that the son divorce his own wife and marry an orphan girl instead; he refuses and is subsequently disinherited (*Sen. Cont.* 1.6). With this as the background, young men would debate both points of view. Against Sussman's argument that these declamations present hostility between father and son, however, I would comment that the very nature of such exercises required difficult conflicts and choices; otherwise, they would have been useless for training future orators. Likewise, as Sussman points out himself, there are a number of examples which stress *pietas* or present affectionate relationships between the characters in the *Major Declamations* ascribed to Quintilian (4, 6, 20, 21, 22, 24). Moreover, Corbeill takes the opposing viewpoint and argues that though these speeches debate paternal authority, there is no question of its importance to Roman society as a whole.<sup>66</sup> It seems that, rather than challenging the institution of domestic power, the problem of resolving conflicting loyalties is the focus of the debates.

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<sup>64</sup> See Plin. *HN* 7.112-113; Quint. *Inst.* 12.1.35. Suetonius (*Rhet.* 1) and Gellius (15.11) for the expulsion of the Greek philosophers and rhetoricians in 161 BC. The issue arose again with the censors of 92 BC, Crassus and Domitius Ahenobarbus, who ordered the closure of Plotius Gallus' school of Latin oratory: Gell. 15.11.1-2. Cicero also talks of the dangers of departing from tradition in the *De Oratore* (3.93-5). See Laes and Strubbe (2014), 82 for a discussion of the changing attitude towards schools of oratory in the first century BC.

<sup>65</sup> Sussman (1995), 179-192.

<sup>66</sup> Corbeill (2010), 77-78.



## Section 2: Roman Fathers and Adult Sons

The passage of Dionysius of Halicarnassus which is most often cited in a discussion of father and son interactions at Rome depicts children as possessions of the *paterfamilias* (2.26).<sup>67</sup> However, a variety of other sources present a quite different picture. A kind of reciprocal duty, or *pietas*, between fathers and sons was the expectation for this relationship according to Roman law. Gaius (*Inst.* 4.78) writes that neither son nor father was allowed to prosecute or give evidence against the other. Plutarch's biographies often show fathers and sons as companions, colleagues, and allies in their public offices and private lives.<sup>68</sup> Perhaps this, more than anything else, discredits an interpretation based solely on the legal powers of the father as the ultimate symbol of Roman social relations. More often than not, the *Lives* depict fathers and sons in a relationship based on give and take, mutual encouragement, and support. Livy's narrative, although its focus is not on personal relationships or individual biographies, equally includes a number of examples which portray interactions between famous fathers and sons. Then there are the letters of Cicero which provide indispensable information towards the lives of these individuals

### Literary Depictions

As we have seen in our discussion of Roman childhood, parents and children could often be separated for long periods of time. Divorce, re-marriage, the demands of public office, and high early mortality rates should be kept in mind when analysing father and son relationships in the Republic. Nevertheless, family bonds did exist, and parents took care to behave towards their children in ways which were considered appropriate. Cato the Elder married again in his old age because his son

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<sup>67</sup> See Ch. II, section 1.

<sup>68</sup> See Ch. II, p. 79, n. 13 on the comparison between Dionysius of Halicarnassus and Plutarch. Also, note the fact that Plutarch is writing under the empire in the Second Century AD when Roman rule was more wide-spread and Roman custom would have been better known in those areas under her control.

lived together with his wife in his home, and both are said to have been displeased at the presence of a slave girl who would visit his room (24.1-4). There are two points worth noting in this anecdote. The fact that the grown man, though married, still shared a house with his father supports the argument that there were close connections between parents and children.<sup>69</sup> An explanation for this may be that the son was still under the father's *potestas*, but if so this still supports the idea that parents and children spent a notable amount of time with one another. The second point is that the father altered his own behaviour in order to appease his son, and in order to act in a way which was more appropriate in a household containing a married couple. It shows that the discomfort of his son and daughter-in-law was a valid enough reason for him to alter his own lifestyle.

Plutarch's depiction of the last days of Cato the Younger is one of the best illustrations of a father showing obvious consideration for the emotional well-being of a son. He allowed the young man to stay with him even though he had sent the rest of his family away to safety and he is reported as having said that it did not seem right to forcibly separate a son from his father (*Cat. Min.* 65.4). The night before his suicide was spent in the company of his son and friends. The son suspected his father's intentions and took the sword from his room in an attempt to change his mind; when Cato the Younger demanded that the sword be returned, he begged his father not to kill himself (*Cat. Min.* 68-69). This scene very clearly depicts an interaction between father and son in which an emotional bond of some kind is in evidence. Having realised that his words had failed to sway the resolve of his father, the son is described as leaving the room in tears (*Cat. Min.* 69.1). Even if this story is apocryphal, it shows what was regarded as plausible – that a son should feel a degree of grief at the prospect of his father's suicide.

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<sup>69</sup> As Saller and Shaw (1984), 137 have pointed out, sons from wealthy families could and did, in various examples, live in separate accommodation from their parents.

Just as fathers protected their children in terms of what they were exposed to in their younger years, there is also evidence of fathers protecting their sons from pressures in the political sphere. One way was by defending sons involved in prosecutions, and this was very much something which went both ways for fathers and sons. Caeso Quinctius, the son of L. Quinctius Cincinnatus, was falsely accused of murder by the tribune, Aulus Virginius. His family attempted to protect him, but he escaped from Rome and, in his absence, was condemned to death. His father, the future dictator, had to pay a fine which resulted in him retiring to a small farm (Livy, 3.11-14). Although the father lost a great deal during the prosecution (money, status, presence in the city), it is still a price that he paid in order to defend his son. Again, whether the depiction of this story is accurate or not – as the accuracy of early Roman history is, of course, often in doubt – it is important that the way in which it was portrayed was accepted and passed on.

Another example of a father who defended his son regardless of the cost or danger to himself was the father of Lucius Caesetius Flavius who is described by Valerius Maximus as having refused to disown his son at Caesar's order. This son was the tribune of the plebs who, along with Gaius Epidius Marcellus, had removed the diadem from the statue of Caesar and arrested those who hailed him as King (5.7.2).<sup>70</sup> Likewise, in 42 BC, Lucius Octavius Balbus put his own safety at risk in order to defend his son. Having been proscribed by the triumvirs, he was making his escape when he thought he heard his son being attacked. He turned back to help, and this delay resulted in his capture and subsequent execution (Cic. *Clu.* 38; *Verr.* 2.12; Val. Max. 5.7.3; App. *B Civ.* 4.2.1).

As mentioned, this was something that went both ways. The story of Scipio Africanus coming to his father's rescue in a fight against Hannibal's troops at the beginning of the second Punic war (218 BC) is told by Valerius Maximus (5.4.2) and

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<sup>70</sup> Cf. Plut. *Caes.* 61.5-10 and Livy, *Per.* 116. The father's role only appears in the account by Valerius Maximus.

Livy (21.46.7). Livy's account describes how the Elder Scipio was saved by his young son after being separated from his own troops, and emphasises that this was the young man who went on to achieve glory in his future career. A more detailed account is given by Polybius in a passage where he describes the character of Scipio. The Greek historian writes that the son tried to lead his troops to his father but the majority would not go; he advanced towards the enemy alone which forced his troops to follow, and saved his father's life. He cites Gaius Laelius, a close friend of Scipio Africanus, as the source for this story and tells how the father and consul hailed his son as his saviour before the entire army (Polyb. 10.3).

Finally, sons often protected their fathers in the political sphere, and, where necessary, sought vengeance on their behalf. Crassus set out to join Sulla in Spain after the death of his father and, after asking for an escort to be given him for a task he was to undertake, Sulla told him that he should take his dead father and friends with him (Plut. *Crass.* 6.3). The tendency to prosecute the man who had brought a case against an individual's father at Rome has also been discussed.<sup>71</sup> It could be useful for the political advancement of a young man, but it must also have included a desire for retribution on the part of the son (See Plut. *Cat. Mai.* 15.3).

However, a Roman son did not only seek to repair the reputation of a father. An individual conducting public business during the Republic was often accompanied by a circle of friends and family members which almost always contained his son, if he had one who was old enough. Of course, this was crucial in terms of a young man's education, but it can also be viewed as a way of supporting the father in his public life. For example, Cicero presents a son serving with his father's army as an example of *pietas* in the *Pro Murena* (11-12).<sup>72</sup> The sons of Marcellus, Fabius Maximus, and Crassus also accompanied their fathers on campaign, while the son of Cato the

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<sup>71</sup> See Ch. III, section 1.

<sup>72</sup> See Steel (2002), 139.

Younger fought in the battle of Philippi against Caesar and Antony.<sup>73</sup> Similarly, as commander at the battle of Pydna, Aemilius Paullus is described as being surrounded by a body of advisors and friends in which his sons and sons-in-law were members (Plut. *Aem.* 10.2). In the case of M. Licinius Crassus, the son is presented as a companion to his father, encouraging him with his own enthusiasm into the engagement with the Parthians in 53 BC which resulted in a terrible defeat (Plut. *Crass.* 23.5). Pompey was also known to have used the support of both his son and father-in-law, entrusting them to raise a fleet for him during the run up to the war with Caesar (Plut. *Pomp.* 62.2). Moreover, in his own younger years, he is depicted by Plutarch as trying to reconcile the soldiers to his father after they had deserted their commander (3.3).

Similarly, it appears to have been traditional for the children of a successful general to take part in their father's triumphal procession (Cic. *Mur.* 11).<sup>74</sup> This could be interpreted as a way of taking pride in a father's achievements while also displaying the continuity of the family line for the entire state to behold. Livy (45.40) narrates the triumph of Aemilius Paullus in which Scipio Aemilianus and Fabius Maximus – both adopted into other families by that time – took part in the procession. The historian points out that the young sons from Paullus' second marriage should also have been riding alongside their father had tragedy not struck the family. Therefore, just as in the funeral procession, which will be discussed more fully at the end of this chapter, the young men of the family took part in the ceremony. There are republican coins which show a triumphant general with his son beside him where the young man might have soaked up the glory and achievements of his father and dreamed of

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<sup>73</sup> Having been surrounded by the enemy during the battle, he is reported to have shouted that he was the son of Marcus Cato before he was killed (Plut. *Brut.* 49.9-10).

<sup>74</sup> Beard (2007), 224.

the day when he too might attain similar victories.<sup>75</sup> For example, C. Fundanius issued a coin in 101 BC which shows a child riding on one of the horses (*RRC* 326/1 and 326/2); the iconography suggests that the denarius relates to the victories of Marius over the Cimbri and Teutones.<sup>76</sup> Another coin depicts the triumph of Cn. Pompeius Magnus in 61 BC and it has a similar young boy riding on one of the horses (*RRC* 402/1a and b).

Of course, the practice of accompanying one's father during a triumph was also important in emphasising the role that sons should play in society, and encouraged the emulation of virtue and glory that would have been personified by the triumphant general. However, it was possible for this to go both ways. Valerius Maximus describes the example of Fabius Rullianus who is depicted accompanying, after 5 consulships, his son Fabius Gurges to finish a difficult war. Even though he was an influential and renowned statesman and general in his own right, he is presented as saying that it was a pleasure, not a hardship, to follow his son on horseback in the triumph (Val. Max. 5.7.1; Livy, *Per.* 11).<sup>77</sup> Although this is presented as an indulgence in the later source, this example clearly shows an aged father, after a long career, taking pride in the success of one of his children. Fabius Rullianus is portrayed as content that the traditional roles in the triumph have been reversed, and the achievements of the son now stand as a continuation of the glory of the family. It was not necessary for the old man to take part in the war or to follow behind his son in the triumph, when the natural order would have seen the son follow the father, but

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<sup>75</sup> Beard (2007) has stated that: 'It seems to have been, or become, the custom that the general's young children should travel in the chariot with him, or, if they were older, to ride horses alongside. We have already seen Germanicus sharing his chariot in 17 CE with five offspring. Appian claims that Scipio in 201 BCE was accompanied by 'boys and girls', while Livy laments the fact that in 167 BCE Aemilius Paullus' young sons could not – through death or sickness – travel with him, 'planning similar triumphs for themselves.', 224. On the Roman triumph more generally, see Brilliant (1999), 221-231.

<sup>76</sup> Crawford (1974), 145; cf. Beard (2007), 224.

<sup>77</sup> Coriolanus is also described as having taken great pride in his mother's happiness at his achievements, and always afforded her the honour due to her, and to his father who had died when he was young (Plut. *Cor.* 4.3-4).

he took pleasure in doing so nevertheless. For further examples of fathers showing pride in their son's achievements, there is the occasion when the Elder Scipio hailed his son, Scipio Africanus, as his saviour before the army (Polyb. 10.3). Cato the Elder also wrote a letter to his son after Cato Licinianus had fought to retrieve his lost sword during the battle of Pydna. The general, Aemilius Paullus, was impressed with the young man's actions, and his father praises his bravery in the letter (Plut. *Cat. Mai.* 20.8, *Aem.* 21.1-5).

The sources also present companionship as an important element of the relationship between father and son. Plutarch describes the reunion of Marius with his son before his death, depicting them embracing affectionately and discussing matters as they walked along the sea-shore (*Mar.* 40.6). Previously, the younger Marius had accompanied his father into exile after Sulla's march on Rome in 88 BC and had sought help against Sulla in Africa where he was taken hostage (*Mar.* 40.5). Both instances show the son supporting, and following in the footsteps, of his father.

Similarly, brothers acted as companions towards one another.<sup>78</sup> Livy, Plutarch, Polybius, and Valerius Maximus all comment on the close bond between Scipio Aemilianus Africanus and Fabius Maximus. Having been adopted into a wealthier family, the former gave half of his inheritance to his brother and both funded the lavish funeral games for their biological father, Aemilius Paullus (Val. Max. 6.7.1, 5.10.2; Livy, *Per.* 46; Polyb. 18.35-36, 31.26).<sup>79</sup> Equally, Crassus was well-known to have had great affection for his family. When his two brothers had married they all shared the same table with their parents, and Plutarch suggests that this was one of the main reasons for Crassus' moderate character (1.1). Moreover, when one of his brothers died, Crassus took his widow as his own wife and had his children with her (1.1).

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<sup>78</sup> On the relationship between brothers, see Bannon (1998).

<sup>79</sup> See the case study of Aemilius Paullus and his sons in Ch. IV, section 3.

Cato the Younger was another figure whose relationship with his brother was commented upon in the ancient sources. Plutarch tells how, when asked who his favourite was as a young boy, he had answered that he loved his brother Caepio most (*Cat. Min.* 3.5). He also took part in the Servile war because his brother was acting as a military tribune, and is described as having acted in a manner unbefitting his Stoic philosophy on the death of Caepio (*Cat. Min.* 11.1-4). Likewise, Lucullus displayed such affection for his younger brother that he refused to hold public office until his brother was old enough. This resulted in the people electing him aedile alongside his brother, even though he was outside of the city at the time (*Luc.* 1.6). These examples all depict close relationships between family members.

Cato the Elder and his son also lived together, even when the latter had married and begun his own family (Plut. *Cat. Mai.* 24). Likewise, Plutarch and Valerius Maximus both describe the co-resident married brothers, the Aelii Tuberones, living together peacefully (Plut. *Aem.* 5; Val. Max. 4.4.9). Companionship and support were clearly elements that could, and did, exist in father and son interactions. These examples all prove that family relationships could be complex. Tensions and conflicts could exist, but this section shows that there are numerous examples of fathers and sons working together.

## **Conflict**

In a time of disruptive civil wars, there were a number of potential causes of conflict between fathers and sons, and it is important to emphasise that the bond between the two could be complicated.<sup>80</sup> Eyben has collected instances which show conflict between father and son over a large expanse of time, and thus suggest a high frequency of everyday clashes. However, one must also take into account those sources which present a different picture while also bearing in mind the fact that

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<sup>80</sup> Refer to Eyben (1977), 526-40 (1991), 114-43 and (1993), 206-13 for a discussion of conflict between Roman fathers and sons in literary sources, especially the comedies of Plautus.



certain anecdotes appear in the sources because they are striking and unusual examples. As Chapter III and Chapter IV have shown, relatively cooperative father and son relationships were the social norm. Nevertheless, the absence of the father, as discussed by Bradley, could have significant consequences for the relationship. He states that, ‘contact between father and children might be not only temporarily broken but sometimes completely ruptured’.<sup>81</sup> However, scholars such as Dixon argue that the presence of different caregivers in the lives of young Romans should not necessarily be regarded negatively or from the point of view of modern Western societies.

At this point, it is important to revisit the *Pro Sex. Roscio Amerino* discussed in Chapter III. In Cicero’s defence of the son, he proposes a number of motives that might have led Roscius to kill his father. Their mention in his defence speech allows Cicero to present these potential accusations to his audience as absurd. However, their presence is significant as it does suggest that certain motivations might have been regarded as possible reasons for sons to plot against their fathers; for example, in the situation where a young man has built up a great deal of debt. However, it is important to point out that not one of the examples of conflict provided in the primary sources depicts fathers resorting to *patria potestas* in order to resolve the issue.<sup>82</sup> This makes it clear that even during disagreements, the legal powers of the father were rarely utilised, although the social consequences of elements such as the economic disability of the son might have generally made this unnecessary. However, Laes and Strubbe include a discussion of those issues which would limit conflict between father and son stemming from *patria potestas*.<sup>83</sup> These are similar to those factors, discussed in the Introduction, which mitigated the effects of the father’s legal powers: the fact that many men married older and so may not have

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<sup>81</sup> Bradley (1991), 56.

<sup>82</sup> In fact, one could also mention the point that nowhere in any of Cicero’s letters - where one might expect to find some reference - is *patria potestas* mentioned.

<sup>83</sup> Laes and Strubbe (2014), 153-4.

been alive while their sons were growing up; the existence of the *peculium*; the fact that it was in the interests of the entire *domus* for parents and children to cooperate with one another, and the fact that poorer parents may have depended on their children for care in old age.<sup>84</sup>

One way in which conflict is seen to come about in this period, then, is in terms of financial support for a son. It is in this area that the presence of *patria potestas* seems to have been felt. Sallust's *Bellum Catilinae* depicts young men who have used up their family wealth and turn to crime as a result; the young men are greedy and prepared to betray their families and the Republic as a result of their lust for power (16.4).<sup>85</sup> Catiline encourages the men to circumvent the normal methods for gaining power in the state, and this certainly implies that there could be frustration amongst younger individuals stemming from the concentration of power in the hands of the older generations. To reiterate, if a son with a living father wanted to stand for office, he required the financial and political support of the *paterfamilias*.<sup>86</sup> However, Saller's study in the demography of the imperial period can be mentioned here: he argues that one third of Roman sons would have lost their fathers by the time they had reached puberty.<sup>87</sup> For those who were still under the control of the father when all of their contemporaries were free to make their own decisions, the powers of the Roman *pater* may have seemed a heavy burden. However, Daube argues that such a situation would only have seemed stifling for the elite.<sup>88</sup> More problematic for all aristocratic young men was the fact there was a minimum age requirement to stand for magistracies put in place by the Sullan regime.<sup>89</sup> It was not until Pompey's special command against M. Aemilius Lepidus in 77 BC that this rule was

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<sup>84</sup> This latter point regarding the dependence of elderly parents is raised in Harlow and Laurence (2002), 118, and Saller (1994), 110 and 126.

<sup>85</sup> See Laes and Strubbe (2014), 151.

<sup>86</sup> Watson (1971), 29.

<sup>87</sup> Saller (1994), 188.

<sup>88</sup> Daube (1969), 81-82.

<sup>89</sup> See Introduction, p. 12, n. 4, and Ch. I, p. 73, n. 186.

contravened, and this led to a more remarkable position held at a junior age: the consulship in 70 BC.

Thus, the behaviour of the young men in depictions of the Catilinarian conspiracy provides an extreme picture of the possibilities for conflict between fathers and sons, and between the young and old in Roman society more generally. Yet, Sallust's depiction of the Catilinarian conspiracy could hardly be described as a neutral account, given his central thesis regarding the moral decline of the Republic. However, Cicero in the *Pro Sex. Roscio Amerino* argues against the claim of the opposition that the son killed his father because of money-lenders and debt, which does imply that this was a plausible motive (14.39, 18.52, 19.54, 21.58; cf. Cic. *Phil.* 2.46).<sup>90</sup> Furthermore, the passing of the *Senatus Consultum Macedonianum* by the emperor Vespasian (Ulpian, *Dig.*14.6.1), which prohibited loans borrowed against the son's inheritance, shows how young men might accrue huge debts while waiting for their father's patrimony. Moreover, many of the *controversiae* presented in the schools of rhetoric also focused on father and son conflict, often the problems created by the economic situation of the son (Quint. *Instit.* 7. 4.10-11).<sup>91</sup> Similarly, on a less extreme level, in his letters to Atticus, Cicero stresses that his son must be seen to have enough money. It is important that Marcus is supported by his father, but Cicero also displays a clear anxiety that the young man make use of the opportunities presented to him and focus on his education (*Att.* 6.1.12, 13.1.1, 16.3.2, 16.1.5; cf. *Fam.* 16.21.6).<sup>92</sup> It seems likely that such instances of a son who squandered the allowance granted to him on alcohol and diversions while he ought to

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<sup>90</sup> The theme of sons plotting to kill their fathers appears, as mentioned in the introduction, in the works of late republican writers, but there is little evidence of this occurring in middle or late republican Rome: Cic. *Cat.* 2.8.1-4; *Att.* 6.3.9; cf. Val. Max. 5.9.3; Sall. *Cat.* 43. For the argument in favour of an obsession with parricide in Roman culture, see Cantarella (2003), 298, and Veyne (1987), 29. On the punishment for parricide: Cic. *Rosc. Am.* 61-73; see Ch. III, p. 154, n. 395.

<sup>91</sup> Vesley (2003) has concluded that a large proportion of *controversiae* focus on father-son conflict. Other sources which reference the problems between fathers and sons with regard to money include the following: Plin. *Ep.* 9.12; Cic. *Att.*8.3; Ps.-Plutarch, *De lib. educ.* 12b (16).

<sup>92</sup> See the discussion of Cicero and his son in Ch. III, section 1.

be studying could also be sources of frustration for the father, and might perhaps lead to conflict.

However, it seems that sons who rail against their fathers, or fathers who bewail the choices of their children, are found more as the stock characters in comedy than as concrete examples of conflict between family members across a wide range of source. As Dixon points out, 'there is a strong literary tradition of generation conflict at Rome but a dearth of attested examples'.<sup>93</sup> Our best documentation is the relationship between Cicero's brother and his nephew (Cic. *Att.* 13.41, 42; 14.10, 19; 15.26); otherwise, there tends to be general accounts like that of Horace who depicts old men mourning the good old days when young men behaved as they should (Horace, *Ars Poetica*, 173-4).

### **Generational Conflict**

Bertman wrote a general study on generational conflict in ancient societies, and a number of scholars have debated its existence in Rome of the middle and late Republic.<sup>94</sup> Those in favour of this interpretation include Segal, Eyben, Reinhold, Dettenhofer, and Bonnefond.<sup>95</sup> The central thesis of Eyben's work was that a unique period between childhood and adulthood existed for the Romans, and that it was characterised by restlessness. Pleket was the first scholar to oppose this view using an approach which took into account epigraphic data and evidence from comparative periods.<sup>96</sup> He was followed by Kleijwegt who maintained that there are similarities between Rome and other pre-industrial societies, but none between ideas of adolescence in modern societies and Rome.<sup>97</sup> Laes and Strubbe have argued that:

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<sup>93</sup> Dixon (1992), 148.

<sup>94</sup> Bertman (1976). See Strauss (1993) for comparative literature on Athens during the Peloponnesian War.

<sup>95</sup> Segal (1987), Eyben (1993), Reinhold (1970), Dettenhofer (1992), Bonnefond (1982).

<sup>96</sup> Pleket (1979).

<sup>97</sup> Kleijwegt (1991).

The psychological features that Eyben considered typical of Roman youths have in fact nothing to do with a crisis of adolescence on the mental or moral level but with the commonplace complaint of elders about the impetuous attitude of youngsters (that is, everyone who is 'not yet old', not just adolescents). These complaints by no means imply a systematic demarcation or characterisation of a period of adolescence.<sup>98</sup>

An important contribution has been made by Parkin which interprets conflict in terms of two categories and argues that much of the modern discussion fails to acknowledge this fact:

The conflict within a family, between father and son (or mother and daughter, etc.), may be common to any family at any time; the potentially more serious conflict of the younger generation of a society with the elder members is a public one which breaks out in particular during times of crisis (...) The former, intrafamilial type of conflict in its extreme manifestation may result in family disintegration; the latter, more political dissension may lead to civil strife.<sup>99</sup>

This is a crucial point, and one which Isayev expands upon; she comments that modern scholars tend to analyse conflict in terms of groups which make no references to age limits.<sup>100</sup> Moreover, this also occurs in the ancient sources: certain works of Cicero and Sallust identify cases of conflict using terminology such as 'the young men' which does not define clear parameters regarding who is involved, and could include men in their twenties and thirties.<sup>101</sup> Isayev goes on to point out that this is not emphasised or even brought up in a number of works by modern scholars which instead aim to portray dissatisfaction on the part of these undefined 'young

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<sup>98</sup> Laes and Strubbe (2014), 16.

<sup>99</sup> Parkin (2003), 227; cf. Parkin (2003), 227.

<sup>100</sup> Isayev (2007), 4-5; cf. Laes and Strubbe (2014), 17-18.

<sup>101</sup> Laes and Strubbe (2014), 47: 'The image of youths in literature is indeed constructed by older men who precisely emphasise the differences between youth and maturity, and do not value them. These are often the well-known and almost stereotypical complaints made in every age – including our own – by the older generation which looks down pityingly on the behaviour of the younger generation and finds that everything went better 'in the good old days'. The youths 'criticised' in such complaints are often in their late twenties or early thirties, not in the phase of life we call adolescence'.

men' being directed against older citizens. However, she makes it clear that it is important to ask the vital question of whether there was any like-minded consensus or consciousness based on age group among young men in this period.<sup>102</sup> Without further investigation of this point, it is difficult to support the notion of widespread generational conflict.

However, it is clear that there is an ideal of the advantages of age as opposed to youth in Latin literature. For example, there is the existence of minimum age requirements for magistracies and commands; the ideological correlation between fatherhood and leadership discussed in Chapter I, the emphasis upon the advantages of experience in Livy, Cicero, Sallust, and Valerius Maximus; and the reverence for the *mos maiorum*. Chaplin identifies this motif in her work on *exempla* in Livy.<sup>103</sup> He argues that: 'The gap between the older men who rely on history and the younger men who disregard it underlies one of Livy's paradigm narratives, which he periodically revisits and revises'.<sup>104</sup> This could be interpreted as generational conflict as it is understood by certain scholars when considering the father and son relationship at Rome. However, it could be more fittingly interpreted as a contrast between the impetuosity and inexperience of youth and the wisdom which comes with experience, not necessarily as evidence of a gulf between young and old at Rome.

Moreover, it is not just the father who prepares the son for public life. Young men at Rome took part in a kind of practical training in warfare, oratory, statesmanship and

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<sup>102</sup> For a discussion of this point, see Laes and Strubbe (2014).

<sup>103</sup> Chaplin (2000), 108.

<sup>104</sup> See, for example, the story of Fabius Rullianus, which follows the execution of Manlius Torquatus in Livy's history (8.29.8-8.35.12); cf. Chaplin (2000), 109-113. Another example is that of Q. Fabius Maximus Cunctator and M. Minucius Rufus (Livy, 22.8.5-18.10 and 23.1-30.10; Polyb. 3.87.6-94.10 and 100.1-105.11). Chaplin (2000), 115, also discusses this example: 'And the story as a whole reaffirms the importance of age and authority. After Fabius rescues Minucius, the latter hails him as pater and directs his soldiers to address him as their *patronus*. Desiring to point up the resumption of a proper relationship between age and authority, Livy reiterates these appellations in direct and indirect speech (22.29.10-30.2.26).'

law which was provided not only by the father but also his associates and friends. In the examples provided by Livy in which a young man disregards the examples put forward to him by his elders, the anecdote generally ends with him eventually seeing the error of his ways, be it through a military disaster that has occurred or because he has been saved in time by the same people who were advocating caution. For example, Fabius Maximus famously saves the overly-confident Minucius from the enemy after the young man goes against his own orders. The latter realises his own mistakes and hails Fabius Maximus as father (Livy, 22.29.20-30.2).<sup>105</sup>

Thus, even though Latin writers describe the ‘young men’ in vague terms, it is clear that there is a reverence for age ingrained in Roman social values more generally. Furthermore, the behaviour of individuals during the turmoil of the late Republic can be likened to a form of generational conflict; however, I believe it would be an exaggeration to claim that there was a concerted movement, or overall consensus amongst the young against the older generations. In the description of Catiline and his followers, Sallust’s overall themes and aims are significant: the focus of the narrative is on the loss of traditional values, and the breakdown of normal social behaviour.

### **Family Reputation**

Another potential source of conflict in the middle and late Roman Republic ties into the previous discussion of reputation. The possibility for tension existed in situations where a son had displeased his father or damaged the reputation of the household.<sup>106</sup> This relates closely to the importance placed by elite families on lineage and ancestry, and has been discussed in Chapter III. A great deal of the authority an aristocratic household had in the state was related to image and reputation.<sup>107</sup> The

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<sup>105</sup> See Ch. II, p. 113, n. 294.

<sup>106</sup> See the discussion on honour by Lendon (1997).

<sup>107</sup> See the discussion in in Ch. IV, section 1.

possibility of a son not living up to his ancestry was serious, and someone who was regarded as having dishonoured his family could be dealt with harshly.

Valerius Maximus gives examples of fathers who showed severity towards their sons and he argues that these were tragically harsh (5.8). He states that Brutus put off the role of father when he watched his sons being executed (5.8.1). The father of Spurius Cassius followed the example of Brutus when he condemned his son in response to the agrarian law he had put forward. He ordered the execution and then consecrated his son's property to Ceres (5.8.2). Finally, there was the story of Fulvius: his son left to follow Catiline but was brought back and put to death by his father (5.9.5; Sall. *Cat.* 39.5; Cass. Dio, 37.36.4). It should be emphasised that these examples all highlight the importance of safeguarding the state.

Valerius Maximus also discusses the example of T. Manlius Torquatus which has been explored in Chapter III. After being convicted by his father of mismanagement in Macedonia, D. Silanus hung himself. His father did not attend the funeral; instead, he looked upon the mask of Titus Manlius Imperiosus Torquatus (cos. 347, 344, 340 BC) in the hall where he sat (Val. Max. 5.8.3). The concepts of shame and dishonour which come through in this example can also be found in the story of the son of M. Scaurus, who was one of a number of horsemen who had deserted the consul Catulus in battle. When his father was told of the event, he sent a message to the son in which he stated that he would rather receive his son's bones than see him alive having acted in such a way. He wrote that if the son felt shame he would avoid the sight of his father and the young man subsequently killed himself (Val. Max. 5.8.4).<sup>108</sup>

However, Valerius Maximus does also discuss parents who showed moderation towards their suspected children. He begins with L. Gellius who, though sure his son was guilty of plotting against him, gave him the opportunity to defend himself and

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<sup>108</sup> Also see the story of Q. Fabius Maximus who had his son killed for a sexual misdeed, but was consequently exiled from Rome (Val. Max. 6.1.5). However, this story does show that the rights of the father were not absolute. Refer to Ch. II, p. 89; Introduction, p. 38, n. 103; Appendix, p. 280.



eventually acquitted him (Val. Max. 5.9.1). Q. Hortensius also showed patience towards his son although the young man was said to constantly disappoint him, and left him as his heir rather than his sister's son. He similarly defended him on a charge of electoral misconduct and argued that the claims of blood overcame all (Val. Max. 5.9.2). Likewise, Cicero tells how Q. Fulvius suspected his son of plotting parricide but still left him his estate (*Att.* 6.3.9, Val. Max. 5.9.3). Valerius Maximus also mentions an unknown son and father: the son plotted against the father and so the latter gave him the opportunity to commit the act. At this, the son saw sense and begged for his father's forgiveness (Val. Max. 5.9.4).

These instances show that it is not enough to accept one solid interpretation of father and son relationships during this period. Obviously, different individuals responded to their sons or fathers in different ways, and so it is possible to present a variety of pictures of father and son interactions. The relationship could be complex, and tensions did exist. Significantly, there were other ways for fathers to exert influence or pressure upon their sons when it was necessary, and it should be noted that all of these examples present this happening outside the legal framework. Shame and dishonour to the family could have serious consequences, and disinheritance was always a possibility. For a Roman aristocrat, however, the knowledge that one's actions had shamed the family name could be destructive. The two young men above are examples of individuals who obviously felt that the only option available to them in the face of their father's disappointment was suicide. In terms of the family reputation and honour to the state, then, the harsh characteristics traditionally associated with the Roman father do come through in some examples. However, there is also evidence of fathers being lenient with their wayward sons even in moments of severe conflict. The very presence of such contrasting examples proves that the picture is more complicated than has been previously accepted, and that an interpretation of father and son relationships which takes both sides into account is needed.

### Section 3: Death and Its Implications

No matter the relationship between fathers and sons throughout their childhood and adult life, the life cycle necessitates that there would come a time when one faced the loss of the other. Saller has published an influential study based on epigraphic material which found that a large number of fathers would be dead by the time their sons had reached adulthood.<sup>109</sup> This had far-reaching consequences on the study of family relationships, and was important in providing a contrasting argument to scholarship supporting the idea of a severe Roman father and powerless son. Rawson, too, has commented on early mortality rates, divorce and re-marriage, public business, poverty, and slavery as factors which acted against parents and children forming close relationships.<sup>110</sup> Although I would argue that the evidence provided throughout this chapter shows that close relationships were possible, it is true that early death and its implications were an important part of Roman life.<sup>111</sup>

The following discussion picks up on three important areas which arise from a study of father and son relationships. The primary analysis of grief in the household shows that, although there was an expectation that the death of children ought to be borne with fortitude, there is clear evidence of parents mourning the deaths of their sons. At the same time, the issue of continuity was a constant concern for the republican elite; it will therefore be shown that offspring were valued for the future they represented for the family line as a whole. The death of a son was mourned not only because of the affection parents felt for their children, but also because his loss represented a blow to the family line as a whole, and the loss of a citizen for the state.

The aristocratic funeral will then be addressed with regard to its socialising role in society and its emphasis on re-creating Roman identity for its viewers and participants. It operated by both re-enacting the past glory of the family and state, as

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<sup>109</sup> Saller (1994).

<sup>110</sup> Rawson (2003), 220.

<sup>111</sup> See Hübner and Ratzan (2009).

well as representing the future of the household through the *laudatio funebris* which would, if possible, be performed by a male heir. The final study of continuity more generally supplements the analysis of grief and the Roman funeral, and shows that there was an expectation that the Roman son behave like his father. I will also argue that the will represented a responsibility on the part of the *paterfamilias* to provide for his family after his death.

## Grief

The household, dynasty and the continuity of both were of great importance to the Roman elite. There have been a number of modern studies which have attempted to evaluate the way in which early civilisations coped with high infant mortality rates and low life expectancy. The generalisations of Stone discussed above were based on 18<sup>th</sup> century English society and projected back onto antiquity. He argued that these types of societies necessarily had a low valuation of young children, exposed infants without regret and, as a result, people were hardened to loss.<sup>112</sup> However, Golden argued that evidence from antiquity displayed a range of emotions, and his cross-cultural study of grief showed that parents, in fact, took measures to more closely protect their children in those places where high early mortality rates exist.<sup>113</sup> Moreover, there is evidence from the literary sources that implies that Romans did not have the low valuation of young children suggested by certain scholars.<sup>114</sup>

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<sup>112</sup> The literature on the exposure of infants in the ancient world is extensive. See especially Eyben (1980); Brunt (1971), 148-54; Golden (1988); and Harris (1994). The article by Harris (1994) is a particularly useful study which addresses a number of issues including source problems, and cultural perceptions of exposure. Certain scholars such as Golden (1988) have also cast doubts on whether this was a practice commonly used. On the role of the *paterfamilias* in deciding whether to keep a child or not, see Shaw (2001). However, Rawson (2003) argues that the mother must have had some say also, 105.

<sup>113</sup> Golden (1988), 155-156 argues that among the Kalahari Desert San young children are almost constantly in contact with their care-givers; likewise, the Sarakatsani shepherds of central and northern Greece prioritise the needs of infants over all else.

<sup>114</sup> Plaut. *Men.* 34-6: father dies of grief over loss of 7 year old son; *Poen.* 65-9: father sick over son who is kidnapped; cf. CIL 6.35769: couple wish to die and join their child; Plin. *Ep.* 3.16: Fannia hiding grief over death of child from her sick husband, Caecina Paetus. See n. 29 above.

Hallett has also compared the way in which sons were mourned with that of daughters. She comments on the ‘ideal that son’s deaths be borne by fathers with tearless fortitude’ and uses Cicero as an example of this.<sup>115</sup> Sulpicius Rufus offers consolation to Cicero in which he attempts to put the death of the orator’s daughter into perspective by arguing that she had lived to see her father consul and she had married young men of high status (*Fam.* 4.5). Moreover, he argues that country, honour, and political distinction had been taken from Cicero – things that should be no less dear to him than his children. The response from Cicero is that his own grief is more painful than the similar death of sons (*Fam.* 4.6). In other works, he cites the examples of Fabius Maximus, Aemilius Paullus, and Cato the Elder as men who faced the death of their sons with restraint (*Fam.* 4.6.1, *Tusc.* 3.70).<sup>116</sup> Although Hallett, commenting on the later example of Pliny’s letter to Regulus writes that, ‘clearly Pliny assumes, and expects others to assume, that no Roman man would sorrow so extravagantly over the loss of a son’, both the example of Cicero and Pliny are taken from private letters.<sup>117</sup> At the same time, Cicero’s comment that his own grief is more painful must be understood as self-justification and is thus hardly reliable evidence for general social attitudes.<sup>118</sup>

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<sup>115</sup> Hallett (1984), 135.

<sup>116</sup> The son of Fabius Maximus died while consul and Plutarch mentions that he faced the death with equanimity and performed the eulogy for the young man before the people (Plut. *Fab.* 1.5, 24.4). Cato is said to have dedicated himself to public business after the death of his son, Cato Licinianus (Cic. *Tusc.* 3.70, *Sen.* 84; *Cato Mai.* 24.6). On the death of L. Aemilius Paullus’ two young sons: Diod. Sic. 31.11.1; *Sen. Ad Marc.* 13.3-4; Plut. *Aem.* 36.1-9; Livy, 45.41.7-12. See Ch. IV, section 3.

<sup>117</sup> Hallett (1984), 134. After the death of his son, Aquilius Regulus built a pyre designed to display his grief to all; he had *imagines* of the boy made in wax, bronze, silver, gold, ivory, and marble; he sent copies of the *laudatio* from the young man’s funeral throughout Italy (Plin. *Ep.* 4.2, 4.7).

<sup>118</sup> For a contrasting view on the value ascribed to sons and daughters, see Harris (1994), 3 ‘On the other hand children may die from neglect as well as from violence, and given the higher value that was ascribed to boys it is likely that some female children suffered the fatal results of neglect’. He continues (1994), 11: ‘Were notably more girls than boys exposed in the first place? So it is widely and reasonably believed (...) It is certainly hard to think that in the Roman Empire as a whole male infants were exposed as often as female ones. Indeed one of the reasons why the Romans relied heavily on child-exposure to control population was that, unlike contraception or abortion, it permitted them to choose the sex of their children’.

Furthermore, the comparison between Cicero's bereavement and those of Cato, Fabius Maximus, and Aemilius Paullus (*Fam.* 4.6), and the conclusions drawn there focus not so much on the depth of grief so much as the possibilities of an outlet for that grief.<sup>119</sup> The two statesmen from the Second Century BC had the advantage that they were able to bury their grief in service to their city and in politics (*Cic. Sen.* 84; *Diod. Sic.* 31.11.1; *Plut. Cato Mai.* 24.6; *Cic. Fam.* 4.6.1, *Sen.* 84; *Sen. Ad Marc.* 13.3-4; *Plut. Aem.* 36.1-9; *Livy*, 45.41.7-12); the same action was not possible for Cicero in this period (*Fam.* 4.6).<sup>120</sup> Moreover, the relationship between Cicero and his son is often presented as problematic whereas he is often portrayed as doting towards his daughter.<sup>121</sup> He even states that there was no one to inherit his world now that Tullia was dead, even though Marcus went on to outlive his father (*Att.* 13.23.3).

However, it is true that Roman fathers were expected to face the death of their children with restraint, and the sources present a number of examples in which this is illustrated.<sup>122</sup> The letter of consolation sent to Cicero by Lucius Luceius (*Fam.* 5.14) asks why the former had spent so much time away from Rome and then rebukes Cicero for hiding himself away in his pain. Similarly, *Livy* tells how P. Valerius Publicola and his new colleague, Horatius, drew lots on who was to dedicate the new temple of Jupiter in 509 BC. The friends of Publicola were annoyed when Horatius won the draw and so they told him, while he was conducting the dedication, that his

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<sup>119</sup> See Wilcox (2005) who argues that Cicero's writings after the death of Tullia can be read as a method of self-presentation and of earning *dignitas* which would usually have been achieved through a consolatory, public show of virtue.

<sup>120</sup> Cf. *Cic. Sen.* 84: Separation between Cato and his son would not be for long. *Diod. Sic.* 31.11.1: death of sons and Paullus' speech. *Plut. Cato Mai.* 24.6; *Cic. Fam.* 4.6.1, *Sen.* 84: Cato's bereavement is placed alongside the importance of the state, and the grieving father is depicted serving the state as vehemently as always. *Seneca, Ad Marc.* 13.3-4: Paullus congratulating self on death of children. *Plut. Aem.* 36.1-9; *Livy*, 45.41.7-12.

<sup>121</sup> See the discussion of Cicero and his children in Ch. 3, section 2.

<sup>122</sup> It has been argued by Gunnella (1995), 33 that the lower classes, for whom these avenues were less accessible, thus expressed grief more frankly and uninhibitedly. Roman sarcophagi whose scenes of mourning include parents and slave attendants do present the parents of a deceased child with a more 'subdued demeanour' than that of the slaves, who exhibit a more emotional 'distracted response': the parents seated by the funeral couch have a fixed stare or downcast eyes, whereas the slaves 'are shown gesticulating expressively, leaning towards the child's body, and reaching out to touch his face'. This art represented Romans of some standing, in attitudes of ideal composure.

son was dead so that he would be unable to finish the ceremony as a result of the religious pollution caused by a death in the family. The historian relates that no one knows whether he disbelieved the message or showed incredible restraint. He stopped only long enough to tell the messengers to burn the body and then returned to finish the dedication (2.8.6-8; Val. Max. 5.10.1; Cic. *Dom.* 139).<sup>123</sup> Aemilius Paullus also famously witnessed the death of one of his sons days before celebrating his triumph over Perseus of Macedon, and the death of the other days after (Val. Max. 5.10.2; Livy, 45.40.7). Finally, Q. Marcius Rex was the colleague of the elder Cato in the consulship who restrained his grief enough to convene the senate, as was his duty, on the day of his son's funeral (Val. Max. 5.10.3).

Excepting that of Cicero, in all of these examples the restraint shown by the fathers involved finds its expression in the attention they show towards their public duties. These are all statesmen whose role in political life is important. Just as Plutarch described the naming of the senators as those men who would act as fathers and protectors to the city and its people (Plut. *Rom.* 13.1-6; cf. Livy, 1.8.3), their obligations to the state are regarded by them as more deserving of their attention even than grief. However, the rejection of outward signs of emotion could also be understood as a consolatory way of meeting social expectations. Wilcox argues that the public choice not to grieve after bereavement was a 'ritual' action in itself. She states that 'what is honourable is consolatory; this unarticulated ideal underlay the regulation of the mourning period by gender and enabled the claim that innumerable fathers went from bier to business with nary a tear'.<sup>124</sup> For a member of the Roman senatorial class, doing what was honourable was synonymous with being involved in public business on behalf of the state. This is exactly the path that was closed to

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<sup>123</sup> Ogilvie (1965), 254 discusses the continuation of the ceremony: 'In normal circumstances a death would render the whole family *funesta* and so unable, until purified, to perform religious acts (47.10; Varro, *Ling.* 5.23; Cicero, *Leg.* 2. 55; Gell. 4.6.8). But Horatius was excepted-presumably on the score that he had begun the ceremony before the news was brought and he, since it was a continuous act, was for the purposes of the ceremony *purus*'.

<sup>124</sup> Wilcox (2005), 272.

Cicero after the death of his daughter and one that would have been reinforced by the philosophical or rhetorical works which addressed mourning.

Moreover, it should be noted that not all Roman noblemen dealt with their grief in a way that was considered appropriate by their colleagues. Servius Sulpicius' letter of consolation to Cicero reads as a rather harsh call to order in which he states that the bereaved father should not make it look as though he were grieving more for his daughter than for the state of Rome itself (4.5). In the imperial period, Seneca writes to Lucilius on the grief of his friend Marullus (*Ep.* 99) over the death of his young son; this is a letter which stands as a counter-example to Hallett's argument discussed above.<sup>125</sup> He argues that it is not fitting for him to have given himself over to grief to such an extent although he concedes that it is natural to mourn the death.

Another important element in the consideration of grief, however, is the frustration of the expectations a family had for their children. The epitaph of a P. Cornelius Scipio, in the tomb of the Scipio family at Rome, commemorates the dead man as someone who would have achieved the things expected of him had he lived longer (*CIL* 6.37039= *ILS* 4 = *ILLRP* 311). Similarly, Cicero describes the son of Scipio Africanus and adoptive father of Scipio Aemilianus as one who would have more than met the high expectations of his family line had he not suffered ill health (*Sen.* 35). In Cicero's *De Amicitia* (9), Laelius argues that Cato the Elder's son died when he was an adult and had already achieved the reputation which his upbringing had prepared him for; the sons of Paullus had not.<sup>126</sup> Perhaps because it was seen as the natural order of things, there are very few allusions to the reactions of sons on the

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<sup>125</sup> Hallett (1984), 134. Hallett's argument that no one would mourn a son to any great extent was discussed on p. 237 of this chapter.

<sup>126</sup> This is cited as a major difference between Cato and Aemilius Paullus, whose youngest sons died before they could achieve the standing of their father: Livy, *Per.* 48; Plut. *Cato Mai.* 24.9; Cic. *Tusc.* 3.70; Gell. 13.20.9; Cic. *Amic.* 9, *Sen.* 68, 84; cf. Cic. *Fam.* 4.6.1: Death of Cato Licinianus. Livy, 45.40.7: death of Paullus' children; triumph; sons in triumph; Paullus' speech. Val. Max. 5.10.2: death of Paullus' sons; deals with it with equanimity. Livy, 13.39.3-7: Paullus addresses *contio* on death of children. Livy, 45.41.7-12: Paullus bereft of sons by adoption and death.

death of fathers.<sup>127</sup> The early death of a child meant the loss of expectations and the frustration of hope for the future that the individual in question would live up to the glory of his ancestors.

The grief that aristocratic Roman parents felt on the death of their children was, therefore, complicated by several issues. Fathers were expected to face their loss with composure and many made sure that they were seen returning to their public duties. This corresponds closely to the ideal of the statesman as the embodiment of Roman identity and virtue for the citizen body as a whole. Romulus named the senate *Patres* because they were supposed to look after their fellow citizens and to set an example for how they ought to behave.<sup>128</sup> Yet, several instances in which the grief of parents comes through in the sources shows that it would be misleading to assume that fathers did not mourn their sons. However, it is also apparent that the emotions felt on the death of a boy were also intertwined, for the elite, with the loss of that individual as a member who might have contributed to the glory of the family and as a citizen who would have benefitted his state.<sup>129</sup>

### **The Roman Funeral**

The Roman son was expected to mimic the behaviour of his father. Nowhere was this direct continuation between family members, and indeed between ancestors and their descendants, so emphasised and encouraged as during the aristocratic funeral. The event was often a spectacle; it was staged like a theatre show might be and designed

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<sup>127</sup> The discussion of continuity in Ch. V, section 3 will address family continuity after the death of the *paterfamilias*.

<sup>128</sup> This is discussed in Ch. I.

<sup>129</sup> This last theme is particularly notable if one considers the fact that Aemilius Paullus consoled the people on the death of his two young sons: the loss was not one felt only by the family, it was also a blow to the state (Livy, 45.41.8-10).



to create a lasting impression on both its audience and participants.<sup>130</sup> It consisted of the *pompa funebris*, the *laudatio funebris*, and the games (*ludi* and *munera*) as well as various religious rituals that would be performed on the body and at the tomb. Although there are numerous allusions to funerals in the Latin texts, the main source of evidence is found in the history of Polybius who, although a Greek writer, provides our only detailed description (6.53.1-6.54.3).<sup>131</sup> However, the account by Polybius gives his readers detailed information on only specific aspects of the funeral, namely those that suited his purpose:

Ὅταν γὰρ μεταλλάξῃ τις παρ' αὐτοῖς τῶν ἐπιφανῶν ἀνδρῶν, συντελουμένης τῆς ἐκφορᾶς κομίζεται μετὰ τοῦ λοιποῦ κόσμου πρὸς τοὺς καλουμένους ἐμβόλους εἰς τὴν ἀγορὰν ποτὲ μὲν ἐστῶς ἐναργῆς, σπανίως δὲ κατακεκλιμένος. περίξ δὲ παντὸς τοῦ δήμου στάντος, ἀναβάς ἐπὶ τοὺς ἐμβόλους, ἂν μὲν υἱὸς ἐν ἡλικίᾳ καταλείπηται καὶ τύχη παρῶν, οὗτος, εἰ δὲ μή, τῶν ἄλλων εἴ τις ἀπὸ γένους ὑπάρχει, λέγει περὶ τοῦ τετελευτηκότος τὰς ἀρετὰς καὶ τὰς ἐπιτετευγμένας ἐν τῷ ζῆν πράξεις. δι' ὧν συμβαίνει τοὺς πολλοὺς ἀναμνησκομένους καὶ λαμβάνοντας ὑπὸ τὴν ὄψιν τὰ γεγονότα, μὴ μόνον τοὺς κεκοινωνηκότας τῶν ἔργων, ἀλλὰ καὶ τοὺς ἐκτός, ἐπὶ τοσοῦτον γίνεσθαι συμπαθεῖς ὥστε μὴ τῶν κηδευόντων ἴδιον, ἀλλὰ κοινὸν τοῦ δήμου φαίνεσθαι τὸ σύμπτωμα.

Whenever any illustrious man dies, he is carried at his funeral into the forum to the so-called rostra, sometimes conspicuous in an upright posture and more rarely reclined. Here with all the people standing round, a grown-up son, if he has left one who happens to be present, or if not some other relative mounts the rostra and discourses on the virtues and successful achievements of the dead during his lifetime. As a consequence the multitude and not only those who had a part in these achievements, but those also who had none, when the facts are recalled to their minds and brought before

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<sup>130</sup> A great deal of scholarship has been done on the Roman funeral. On the theatrical aspect of the funeral, see Bodel (1999), 258-81 and Beacham (1999), 17-19, 37-39, 151-153; cf. Flower (2004), 331-337; Flower (1996), 91-157; Purcell (1999); Holliday (2002), 122-154; Flaig (1995); Flaig (2003) 49-68, 232-260; Sumi (2005), 16-46, 25-29, and 46.

<sup>131</sup> Literary references from the republican period: Val. Max. 2.4.7. (D. Junius Brutus Pera); Livy, 23.20.15 (M. Aemilius Lepidus); Livy, 31.50.4 (M. Valerius Laevinus); Livy, 39.46 (Publius Licinius); Livy, 41.28.11 (Flamininus); Livy, *Per.* 48 (son of M. Porcius Cato); Cic. *Leg.* 2.57, Livy *Per.* 90, Plin. *HN* 7.187, Plut. *Luc.* 43.3, Plut. *Sull.* 38.1-6, Plut. *Pomp.* 15.4, 81.3, Appian *B Civ.* 4.1.105-107 (Sulla); Suet. *Iul.* 6.1 (Caesar's aunt Julia). Cf. Flower (1996), 97.

their eyes, are moved to such sympathy that the loss seems to be not confined to the mourners, but a public one affecting the whole people. (6.53.1-4)

The aim of this passage is to show that Romans had institutions for encouraging courage among their young men; this means that Polybius is focussing on those aspects of the funeral relevant to this point. Similarly, Polybius is writing this to a Greek audience. As Flower points out, the Romans had no need to read about cultural institutions which were ingrained in the very fabric of their society.<sup>132</sup> Yet, Polybius is picking up on the role of *exempla* and imitation discussed previously, and the physical nature of this ritual corresponds with the ideas of socialisation and practical education discussed in the section on Roman childhood above.

However, if one reads between the lines of Polybius' narrative, it is also possible to see the ways in which elite funerals could be used in the political sphere. The very nature of the procession, speech, and games encouraged people to watch and admire. The methods of self-representation for an aristocratic family have been discussed in Chapter IV, but this occasion was one in which the household could dominate the *forum* and command the attention of all who were present. And it did not demand only that people watch the spectacle, it was also something to be heard. Thus, the funeral was directed towards displaying the glory of the family line and the achievements of its members.

The next step then is to supplement the description given by Polybius with evidence from actual funerals, keeping in mind the political and self-representational aspect of these events all the while. First, on the event of a death within the family, it was the duty of the parents to organise the funeral. If they had already passed away, the responsibility fell upon the heir. As the body was viewed as a source of pollution, burial within the *pomerium* of the city was forbidden. The only exception to this was in the case of infants who were viewed, at least in Roman legal terms, as not yet fully

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<sup>132</sup> Flower (1996), 97.

a member of the community.<sup>133</sup> The body would be cleaned, dressed, and prepared for the procession which would take it through the city and outside the boundaries to the family tomb.

In the passage above, Polybius describes how the deceased would be carried upright from the house to the rostra in the forum. He goes on to state that when any other person of that same family died, this member's mask would be carried alongside his ancestors in the procession. It would have been a colourful and illustrious parade: individuals were dressed in the robes of office worn by the ancestors when alive. As the account narrates, purple edging if consul or praetor, purple for the censors, and togas embroidered with gold for those who had held triumphs. The symbol of their magisterial power, the rods and axes, would be followed by the chariot carrying these busts. In his later treatment of the funeral of L. Aemilius Paullus, Diodorus Siculus describes how actors depicted the deceased at an event that was remarkable for the size of its audience (31.25.2). Plutarch (*Aem.* 39.6-8) also relates that even the conquered enemies of L. Aemilius Paullus joined the procession and helped carry the bier.

After the procession, Polybius turns to the *laudatio funebris*:<sup>134</sup>

πλὴν ὃ γε λέγων ὑπὲρ τοῦ θάπτεσθαι μέλλοντος, ἐπὶ διέλθῃ τὸν περὶ τούτου λόγον, ἄρχεται τῶν ἄλλων ἀπὸ τοῦ προγενεστάτου τῶν παρόντων, καὶ λέγει τὰς ἐπιτυχίας ἐκάστου καὶ τὰς πράξεις. ἐξ ὧν καινοποιουμένης ἀεὶ τῶν ἀγαθῶν ἀνδρῶν τῆς ἐπ' ἀρετῇ φήμης ἀθανατίζεται μὲν ἢ τῶν καλόν τι διαπραξαμένων εὐκλεία, γνῶριμος δὲ τοῖς πολλοῖς καὶ παραδόσιμος τοῖς ἐπιγινομένοις ἢ τῶν εὐεργετησάντων τὴν πατρίδα γίνεται δόξα

Besides, he who makes the oration over the man about to be buried, when he has finished speaking of him recounts the successes and

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<sup>133</sup> Rawson (2003), 344 points out that they were also 'memorialized less frequently than were other children'.

<sup>134</sup> The funeral speech is said to have developed from the oration given by Valerius at the funeral of Brutus: (Plut. *Publ.* 9.7).

exploits of the rest whose images are present, beginning from the most ancient. By this means, by this constant renewal of the good report of brave men, the celebrity of those who performed noble deeds is rendered immortal, while at the same time the fame of those who did good service to their country becomes known to the people and a heritage for future generations. (6.54.1-4)

Thus, the family history that has been visually related to its audience in the *pompa funebris* is retold on the *rostra*. The funeral oration was the responsibility of the son, if the individual had left one. It was therefore an important opportunity for a young man to make an impression on his audience. One of the only funeral speeches to have survived is the opening of Caesar's oration on the death of his aunt, the wife of Marius. This is recorded in Suetonius and makes reference to the divine origins of the family (Suet. *Iul.* 6.1). It was also notable because of the use of images of Marius within the funeral procession. After some individuals argued that he should be brought down from the *rostra*, the mass of the people watching shouted their support (Plut. *Caes.* 5.3).

The final part of the funeral involved the games, but there is little information which gives an indication of when and where these would have been staged; Polybius writes nothing on what happened after the *oratio funebris*. What is known is that these could be costly ventures. To show their devotion to their father and to their family, Polybius relates that Scipio Aemilianus and Fabius Maximus paid a great amount for the gladiatorial games (31.28.5-7; Diod. Sic. 31.25.1). As Polybius was close to Scipio Aemilianus and was most likely present at the funeral of Aemilius Paullus, his account is significant. Moreover, it should be pointed out that these two sons were both now legally members of different families, having been adopted after the birth of Paullus' younger sons. Two interpretations are possible here: close links remained with their biological family after their adoption into their new households, or the two sons were trying to display their connection to the family lineage by publicly providing the funds for the event. However, given the discussion of adoption in the previous chapter, and the fact that bonds remained between the two

brothers and with their mother and biological sisters, it seems likely that close links remained with their father.<sup>135</sup>

The final aspect of a Roman funeral was the tomb itself. An animal would have been sacrificed and its meat allocated to the gods, to the deceased, and for the family feast. Roman tombs often had rooms in which the living could feast on days of remembrance or during the *Parentalia*.<sup>136</sup> The placement and importance of the monument in the glorification of the family line has been discussed in the previous chapter. It symbolised the continuity of the *domus*, its religious rites, and its customs; as this was the case, it was carefully maintained by subsequent generations.

### **Continuity**

In the previous discussion of grief, extant sources meant that the focus was generally on the reactions of parents on the death of their children. In contrast, this section will focus more on the consequences of the death of the *paterfamilias*, when any living sons would become the independent head of his own family.

To begin, in Roman culture there was an ideal that the son would behave like his father, that there was a close similarity between the identity of family members which was reflected by the fact that the first born son would inherit the social and domestic world of his father. On the death of the *paterfamilias*, the *filius familias* would take on the role of his father including his property (which might have to be divided amongst other siblings) and his social connections. One could argue that this concept relates closely to the importance of imitating exemplary behaviour in Roman society more widely. Van der Bloom comments that:

Since the ancestors had been favoured by the gods, an imitation of the ancestors and their actions would secure the continuation of this

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<sup>135</sup> See Ch. IV, section 3 for an in-depth discussion of adoption.

<sup>136</sup> See the discussion in Ch. IV, p. 174, n. 44.

favour. This expectation led to a moralizing character of the accounts of the ancestral actions and customs.<sup>137</sup>

Polybius also relates that Scipio Aemilianus was personally invited to settle disputes in Macedon because of the reputation of his father (Polyb. 35.4) and there are numerous similar examples of a son being expected to take on his father's virtuous characteristics and legacy, reflected in the fact that (for the first born son at least) the boy would take on his father's name.<sup>138</sup> This was important in creating and maintaining social connections. Furthermore, there were certain qualities associated with specific families in republican society. Thus, the Bruti were known for their hatred of kings and the Clodii were recognised for their arrogance and pride.<sup>139</sup>

One of the most obvious issues on the death of the father, however, was the continuity of the family line. As Cicero (*Leg.* 2.22) points out, each *domus* had its own rites which would have been passed down from father to son and there was a great concern in Roman society that an heir was available to continue this family line. Cicero's speech on the destruction of his house encapsulates many of the themes central to continuity including the reputation and *auctoritas* linked to the physical structure itself, and the role of adoption in securing the continuity of the family line.<sup>140</sup> The speech, given to the College of Pontiffs in 57 BC highlights the way in which one area of land becomes central to the power struggle between Cicero and Clodius. Following the events of the Catilinarian conspiracy, Clodius, as Tribune in July 59 BC, introduced a bill which called for interdiction by fire and water for any who had put to death an un-condemned Roman citizen. Flower points out that 'memory in Roman culture could be found in three essential media: monument, text,

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<sup>137</sup> Van der Blom (2010), 14.

<sup>138</sup> See the example of T. Manlius Torquatus and his son discussed in Ch. II, section 2. In this case, the repetition of the famous deeds of the father resulted in the punishment of the younger Torquatus. However, there are key differences in the battles fought by father and by son which thus resulted in the tragic outcome.

<sup>139</sup> Van der Blom (2010), 98.

<sup>140</sup> See Ch. IV on these themes.

and ritual', and Clodius targets each of these areas in his laws.<sup>141</sup> The tribune first symbolises Cicero's disgrace and loss of position by the confiscation and destruction of his property, an action that must have spoken louder than words for the Roman people. The physical alteration of the landscape in this way was, in essence, a strike against the continuity of Cicero's reputation and influence in the state.<sup>142</sup>

The continuity of the *sacra* of the *gens* is also arguably the key consideration in adoption. In *De Domo Sua*, Cicero condemns Clodius for allowing his family line to die out in order to achieve his own ends. Through *adrogatio*, Clodius had been adopted into a plebeian family and was therefore able to become tribune. However, the cost of this venture was the end of his own, renowned, family line. The very fact that *adrogatio* was decided before the Pontiffs – who presided over matters of religious significance – highlights the importance of the household gods and rites, as well as duties to their ancestors. Cicero (*Dom.* 109) outlines the danger of creating a precedent for manipulating religion in order to gratify the aims of an individual, and he appeals to the nature of the home as the religious and familial heart of Roman culture: *hic arae sunt, hic foci, hic di penates, hic sacra religiones caerimoniae continentur; hoc perfugium est ita sanctum omnibus ut inde abripi neminem fas sit.* Cicero evokes the home as the centre of cultural and religious beliefs and traditions, and thus the centre of the community; as a consequence, Clodius is now depicted as the enemy of Roman society itself.

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<sup>141</sup> Flower (2006), 276.

<sup>142</sup> On damaging houses: Seneca, *Ira.* 3.2.4; Cic. *Phil.* 2.48, *Pis.* 61; *Att.* 4.5.2; *Dom.* 101-2; Val. Max. 6.3.1; Plut. *Publ.* 10.2-4. Cicero's house itself had belonged to Marcus Livius Drusus, and Cicero had acquired it from Crassus in 62 BC. As Flower (2006), 50 states it was 'a symbol of his position as a man of consular rank in Roman society'. Therefore, the actions of Clodius and his allies was a symbolic destruction of his political and social position within the state. The destruction of the house of a well-known individual in such a prominent position in the city was a clear and bold statement towards the Roman people of his political disgrace and it is interesting to note that such an action was not common. Flower (2006), 50 points out that, although this was a punishment inflicted on certain early Republican traitors, 'it is hard to imagine that many of these inherited *domus* were destroyed by order of the senate or of a magistrate as a result of a crime committed by a single family member. Such a penalty would have been a serious blow to the financial and social position of the whole *gens*'. See also Edwards (1993), 155-7.

Marriage could also ensure continuity, and it could mean advancement into the ranks of the aristocracy for those just outside. Cato the Elder emphasised the fact that he could not depend on the illustrious lineage of individuals such as Aemilius Paullus or Scipio (Plut. *Cato Mai.* 11.2).<sup>143</sup> It was his marriage to Licinia that allowed him access to the upper classes of Roman society, and he took care to find an equally advantageous match for his son (Plut. *Cato Mai.* 20.2; Plin. *HN* 7.62; Plut. *Cato Mai.* 1.1, 15.5 and 20.1., Cic. *Sen.* 15 and 82). It is also interesting to note that, as a *novus homo*, Cato's second marriage to the daughter of a client contrasts with his original care over high birth reflected in the choice of bride in his first marriage. as a *novus homo* (Plut. *Cato Mai.* 20.1).

Any discussion of continuity must also discuss the importance of wills in Roman culture.<sup>144</sup> As the focus of this thesis is on the relationship of fathers and sons, the enormous field of Roman testamentary practices will be no more than touched upon here.<sup>145</sup> Yet, to demonstrate its significance, Champlin points out that 'some 60 to 70 percent of all Roman civil litigation seems to have arisen over problems connected with succession on death'.<sup>146</sup> Aristocratic families took enormous care in dictating exactly what should happen to their possessions.<sup>147</sup> Under the traditional laws of intestate succession at Rome, individuals were unable to specify the finer details of their wishes. As Champlin points out, the will allowed greater freedom to punish or

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<sup>143</sup> Cf. The speech of Marius (Sall. *Iug* 85.10) in which he argued that Roman parents wanted good children who would ennoble their family line rather than disgrace an inherited nobility.

<sup>144</sup> For their development from a public ceremony before the *comitia calata*, see Champlin (1991). For the devolution of property, see Saller (1994), 155-160.

<sup>145</sup> Boyer (1950); Bryant (1974/5); Champlin (1986, 1987, 1989); Corbier (1985); Daube (1965, 1969); Eck (1978); La Pira (1930), Schmitthenner (1973); Syme (1988); Watson (1971).

<sup>146</sup> Champlin (1991), 7. See also Kelly (1976), 71-92 and Frier (1985), 37-38.

<sup>147</sup> The younger Pliny even allowed his slaves to make *quasi testamenta*: *Ep.* 8.16.1-2. See Champlin (1991), 5-29; Daube (1969), 71-75.



reward as one saw fit.<sup>148</sup> Lucian records the saying of a Greek philosopher (Nigrinus):

μετὰ δὲ ταῦτα ἑτέρου δράματος ἤπτετο τῶν ἀμφὶ τὴν νέκυιάν τε καὶ διαθήκας καλινδουμένων, προστιθεὶς ὅτι μίαν φωνὴν οἱ Ῥωμαίων παῖδες ἀληθῆ παρ' ὅλον τὸν βίον προίενται, τὴν ἐν ταῖς διαθήκαις λέγων, ἵνα μὴ ἀπολαύσωσι τῆς σφετέρας ἀληθείας.

Next he touched upon another human comedy, played by the people who occupy themselves with life beyond the grave and with last wills, adding that sons of Rome speak the truth only once in their whole lives (meaning in their wills), in order that they may not reap the fruits of their truthfulness! (*Nigr.* 30).

However, the very act of ensuring inheritance in this way reflects the duty of the *paterfamilias* towards his dependants as discussed in Chapter IV.<sup>149</sup> As the representative and care-taker of the family and all that entailed, the importance of making a will in Roman culture was not just about having an opportunity to provide a favourite with more of the family estate than another, it was one of the greatest responsibilities of the father.<sup>150</sup>

Moreover, the inheritance from father to son did not only include the physical and financial legacy. The future Augustus was first included in Julius Caesar's will as his heir, yet a later posthumous adoption also took place. As Lindsay points out, 'what Octavian wanted, it seems, was not the Julian name, but above all the link directly with Caesar'.<sup>151</sup> The later ceremony consolidated his status as the true heir to the

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<sup>148</sup> Champlin (1991), 8-9. Ensuring their place in the will, then, must have been a significant impetus for sons to maintain, wherever possible, a good relationship with their fathers; cf. Laes and Strubbe (2014), 154.

<sup>149</sup> The father had the responsibility to provide for his dependants after his death through the inheritance: Cicero comments on the fact that M. Antonius did not receive an inheritance from his own father, yet received several from others who he did not know well (*Phil.* 2.42).

<sup>150</sup> Maine (1861) stated that the Romans had a 'horror of intestacy'. Though an exaggeration, the Romans did view making a will as a duty that ought to be fulfilled: Champlin (1991), 4.

<sup>151</sup> Lindsay (2009), 89. On Augustus maintaining the connection to the memory of C. Julius Caesar in the design of the *forum*, see Galinsky (1996), 208.

property, position and supporters of Caesar.<sup>152</sup> Going back to the original point that there was an assumed similarity between fathers and sons and their behaviour in Roman thought, this adoption created a connection whereby Octavian could place himself within the father and son context with Caesar himself, and benefit from all that meant.

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<sup>152</sup> For further discussion of Caesar's will, see Schmitthenner (1973); Gardner (1998), 128-9; Prevost (1949), 49-54; and Lindsay (2009), 182-189.

## Conclusion

This chapter shows that an analysis of fathers and sons as presented across a variety of primary sources provides an insight into the relationship between the two which has been largely neglected in current scholarship. This survey has shown that the literary texts contain examples which cover a range of concepts from companionship and affection through to disobedience and shame.<sup>153</sup> The examples discussed in this chapter show that traditional values, dynastic considerations, and social ideals often exerted a significant pressure upon family members to cooperate with one another for the good of all. This is most clearly presented when one considers how Roman fathers dealt with conflict: the literary sources more often present parents who are indulgent rather than harsh towards their children. Although also a Greek writing about Rome, overall Plutarch's biographies of influential Roman men present a different picture than that of Dionysius of Halicarnassus and show the variation possible in this relationship.<sup>154</sup>

The first section of this chapter looked at the upbringing of the Roman son in order to show that an emotional bond of some kind was present between fathers and their children. Furthermore, the birth of a son was also important for the family as a whole and for the community. In terms of education, it was clear that children learned traditional values from an early age within the household, and that the socialisation of children took place in the household as well as through the festivals of republican Rome. Section II then focused on the relationship between the *paterfamilias* and his

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<sup>153</sup> One possible form of punishment for the disobedient son might be banishment: Cicero discusses the father of Curio who is said to have disapproved of the relationship between his son and M. Antonius (Cic. *Phil.*2.46).

<sup>154</sup> See Ch. V, p. 216, n. 68 on the comparison between Dionysius of Halicarnassus and Plutarch. Also, note the fact that Plutarch is writing under the empire in the Second Century AD when Roman rule was more wide-spread and Roman custom would have been better known in those areas under her control. One might also emphasise the fact that Plutarch's description of Roman men provides variation in how fathers and sons relate to one another which neither presents the dynamic between the two as full of conflict or as completely harmonious. This is important as no one model of father and son relationships should be taken as illustrative of the norm for all families in any historical period.

adult sons with the aim of showing that there is evidence of this connection being mutually supportive and harmonious, and also full of conflict. As this is the case, variation in such a bond must be appreciated. In the third section on death and the family, it was clear that sons represented a future not only for the family, but also for the society as a whole. The way in which fathers dealt with grief at the death of their children was also considered; this shows the internalisation of Roman values. If the state was considered the ultimate parent-figure, the death of future citizens was a blow to the entire society. Thus, the fathers of such individuals threw their energy into service to the state.

These conclusions enhance our understanding of Roman family life in general – there existed a whole world of emotions, sentiments, and feelings which come through in many literary sources. It is also clear that there was a strong sense of duty in this period, and this could be a source of conflict for some fathers and sons. The next chapter will pick up on the ideological correlation of the ideal father-statesman, and move on to consider the legendary accounts of Romulus and Aeneid.

## VI

### The Ideal of the Roman Father

The metaphorical use of the term *pater* and its derivatives was discussed in Chapter 1. It was seen that fatherhood was highly valued in Roman culture as a whole, so much so, in fact, that there is evidence of the qualities associated with this status being used to attain influence. Expressions which relate to the term for father were used for key public institutions, and the family was used as a model for hierarchical relationships in Republican society more generally. This discussion of terms related to father and fatherhood gives an insight into those qualities expected to be exhibited by the father and the statesman: duty to the state, *auctoritas*, to act as an *exemplum* of those qualities which should be passed on to the next generations, to act as role model and educator, and to provide protection and guidance to those under his power (be they citizens if statesman, *clientes* if patron, and children if father).

This correlation between statesman and father is something that can be identified in Cicero's *De Officiis* also. There is an element of maintaining an influence or rapport with the younger members of the state fulfilled by taking on the persona of a father.<sup>1</sup> The reverence with which Roman culture held fatherhood was closely intertwined and reflected by the reverence with which it held the wisdom and experience of age. One of the ways of holding onto this concentration of power was by acting as mentor to young men just beginning their political careers. Dyck identifies this notion in Cicero's *De Officiis* by pointing out that: 'one of his concerns was to strengthen his influence with the younger generation and thus secure his posthumous fame'.<sup>2</sup> Thus, Cicero is writing primarily for his son, but also for the young more generally (Cic.

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<sup>1</sup> Refer back to Ch. I, and Ch. IV, section 1 on literary dedications.

<sup>2</sup> Dyck (1996), 10-11.

*Off.* 2.45).<sup>3</sup> Cicero's essay places him in the position of father educating his son, and also statesman educating the younger generations. In the *De Officiis*, Cicero becomes the epitome of the father-statesman: he is an educator, he fulfils his duties to the state, and he teaches his own dependants how they should serve their country. In short, he embodies the characteristics of traditional Roman virtues that Marcus should aim to emulate and the entire text is about how to conduct oneself in public.

This chapter works to frame the discussion on the relationship between fathers and sons by picking up on the image of the ideal father-statesman introduced in Chapter 1. The present chapter focuses, primarily, on the legendary founders of Rome who can be identified as representative of the ideal father-statesman through their depiction in later literary and material sources. This culminates in a discussion of the *Aeneid* which argues that the focus on the relationship between fathers and sons in this text has its roots in the special status of the bond in the middle and late Roman Republic. Alongside the high valuation of fatherhood throughout this period, these cultural ideals anticipated the emphasis upon family under the rule of Augustus. It will be argued that the supremacy of the imperial family, and the methods used in promoting this organisation, had its roots in the role of the aristocratic *paterfamilias* of the middle and late Republic.

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<sup>3</sup> Walsh (2000), 27.

## Republican Fathers

There are no records for the legendary accounts of early Rome; yet the popularity of myths such as those we will address in this section say more about the culture of the late Republic and imperial periods than about the foundation of Rome itself. The very fact that these became so ingrained in Roman ideas of their own identity highlights the importance of fatherhood in this later period. The linguistic use of *pater* for various institutions suggest that there was always an emphasis on the role of the *paterfamilias* and an insistence on the status of this individual, but there is little more that can be adduced about these earlier periods. Similarly, although the *vitae necisque potestas* of the father is one of the *leges regiae* said to be from the monarchical period (Dion. Hal. *Ant. Rom.* 2.26), little can really be known about its beginnings.<sup>4</sup>

Furthermore, it is clear that there existed a certain similarity between the characteristics and behaviour expected of the Roman father, and those of the ideal statesman. This correspondence comes through in the role of the *paterfamilias* who had both a public and a private role in Republican Rome. However, it is necessary for our understanding of the relationship between father and son and its place in Roman culture to explore more fully the nature and origin of this father-statesman in greater depth.

The use of the honorific title *Pater* has already been mentioned; it was clear that fatherhood became an idiom for expressing a number of relationships in Roman public life as well as private. The connotations of protection and defence are clear in the etymology of *Patres* for the Roman Senate and this, I would argue, is one of the forerunners for the use of *Pater Patriae* by emperors from Augustus onward and ties closely into the usage discussed in Chapter 1. This focus on fatherhood is reflected in the story of Aeneas which shows an intersection between the notion of rulers and

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<sup>4</sup> See the discussion of the *leges regiae* in Ch. II, p. 88, n. 225.

fathers reflected in the mythical father-king Ascanius, son of Aeneas, and king of Alba Longa.

The coming together of the responsibilities of fatherhood and the leader is reflected in those episodes where the Roman people hailed a general or statesman as saviour.<sup>5</sup> We have already discussed, in the previous chapter, the episode in which the experienced commander Fabius Maximus was named *pater* by Minucius, depicted as young and impetuous in Livy's account, and as *patronus* by the latter's troops after saving them in battle (22.29.20-30.2; cf. Plut. *Fab.* 13; Plin. *HN* 22.10; Val. Max. 5.2.4).<sup>6</sup> Fabius Maximus acted as father and saviour to Minucius and his troops in 217 BC. However, it is interesting to note that he also exhibited mercy in his dealings with the master of the horse.

Another responsibility of the *paterfamilias* and the statesman alike was that of protection, as has been shown by the hailing of saviours as fathers of the state. This assimilation of the idea of fatherhood and defence is also reflected in the fact that a citizen who had been saved by another was expected to behave as if in a father-son relationship with his defender. Polybius states that: *σέβεται δὲ τοῦτον καὶ παρ' ὅλον τὸν βίον ὁ σωθεὶς ὡς πατέρα, καὶ πάντα δεῖ τούτῳ ποιεῖν αὐτὸν ὡς τῷ γονεῖ* (6.39.7; cf. Cic. *Planc.* 72; Livy, 6.14.4-8; Gell. 5.6.8). This simile also does more than just show the gratitude of the individual towards the person who had saved him; it also placed that individual under a debt towards this father figure in the same way as a son owed duty towards the *paterfamilias*. A final aspect of the assimilation between father and statesman might be identified by the fact that popular political figures, such as Brutus and P. Valerius Publicola, are described as having been mourned for a

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<sup>5</sup> Romulus (Livy, 1.16.3, 16.6; Cic. *Div.* 1.3); M. Furius Camillus (Livy, 5.49.7; 7.1.10; Plut. *Cam.* 1.1; 10.5-6); M. Tullius Cicero (Plin. *HN* 7.117; Cic. *Sest.* 121; Juv. 8.243-244; Plut. *Cic.* 23.3).

<sup>6</sup> See the discussion of this in Ch. II, p. 117-118. Chaplin (2000), 115 also writes on the relationship between generations addressed by this episode.



long time (Plut. *Publ.* 2.7.4, 2.16.7-2.16.8).<sup>7</sup> Similarly, Agrippa Menenius was loved by both the patricians and the plebeians. On his death he had no money for the funeral; as this was the case, each man contributed towards the cost (Livy, 2.33.10-11).

Finally, there was often a direct correlation created between a father and statesman in the use of the parent-child relationship in public life. In the *De Oratore* (3.3), Cicero states that a consul and the Senate should be like father and son, and there are several occasions in which he makes similar comparisons (Cic. *Verr.* 1.61-62; *Fam.* 13.10.1; cf. Plin. *Ep.* 4.1.5). This reinforced the hierarchy of political power in Republican Rome and articulated public relationships using terminology relating to the family. This shows the centrality of this idea in Roman thought. By using the metaphor of father and sons, those individuals holding a lower magistracy were also placed under a kind of obligation similar to sons and those individuals who owed their lives to others.

Yet, even the natural bonds within the family could be affected by the position granted to those holding political power at Rome. One day, after the son of Fabius Maximus had become consul, his father rode towards him on his horse (Plut. *Fab.* 24.1). When the son saw his father, he sent his lictor over to command him to dismount and approach on foot if he needed to speak to the consul. Even though the audience were offended at the young man's behaviour towards his father, the latter hugged his son and praised his conduct:

καὶ τοὺς μὲν ἄλλους ἠνίασε τὸ ἐπίταγμα, καὶ σιωπῇ πρὸς τὸν Φάβιον ὡς ἀνάξια πάσχοντα τῆς δόξης ἀπέβλεψαν· αὐτὸς δ' ἐκεῖνος ἀποπηδήσας κατὰ τάχος, θᾶπτον ἢ βᾶδην πρὸς τὸν υἱὸν ἐπειχθεὶς καὶ περιβαλὼν καὶ ἀσπασάμενος· „εὐ γε” εἶπεν „ὦ παῖ φρονεῖς καὶ πράττεις, αἰσθόμενος τίνων ἄρχεις καὶ πηλίκης μέγεθος ἀνείληφας

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<sup>7</sup> It is also important to note the heroic death of P. Valerius Publicola in single combat with Rome's enemy commander (Plut. *Publ.* 16.1).

ἀρχῆς. οὕτω καὶ ἡμεῖς καὶ οἱ πρόγονοι τὴν Ῥώμην ἠϋξήσαμεν, ἐν δευτέρῳ καὶ γονεῖς καὶ παῖδας ἀεὶ τῶν τῆς πατρίδος καλῶν τιθέμενοι.

All the rest were offended at this command, and implied by their silent gaze at Fabius that this treatment of him was unworthy of his high position. But Fabius himself sprang quickly from his horse, almost ran to his son, and embraced him affectionately. ‘My son,’ he said, ‘you are right in thought and act. You understand what a people has made you its officer, and what a high office you have received from them. It was in this spirit that our fathers and we ourselves have exalted Rome, a spirit which makes parents and children ever secondary to our country’s good.’ (Plut. *Fab.* 24.3-6)<sup>8</sup>

Similarly Plutarch relates that an ancestor of these same individuals, who had been consul five times, was content to go to war with his son as commander, and rode behind him during the triumph.<sup>9</sup> He writes that the man, though his son was under his *patria potestas*, took pride in the fact that he was following the laws and customs of his city (*Fab.* 24.3). Thus, the state herself was always regarded as the ultimate father-figure in Roman culture.

### **Romulus**<sup>10</sup>

Although there are tensions in accounts given of the life of Romulus – namely the incident in which his brother is killed – he is always represented as the original father (Enn. *Ann.* 113; Livy, 1.16 Ov. *Fast.* 5.563-6).<sup>11</sup> Ennius, writing at the end of the third century and the start of the Second Century BC, makes one of the earliest references to Romulus as father of Rome in his *Annales* (113). Having given his

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<sup>8</sup> In Livy’s account, the consul Fabius had set out for Apulia: Pater filio legatus ad Suessulam in castra venit. Cum obviam filius progrediretur lictoresque verecundia maiestatis eius taciti anteirent, praeter undecim fasces equo praevectus senex, ut consul animadvertere proximum lictozem iussit et is ut descenderet ex equo inclamavit, tum demum desiliens ‘Experiri’ inquit ‘volui, fili, satin’ scires consulem te esse.’ (Livy, 24.4; cf. Gell. 2.2.13)

<sup>9</sup> See the discussion in Ch. V, section 2.

<sup>10</sup> Although a Greek writer, Plutarch’s account of Romulus is used in this section because it presents an extensive version of the legend which supports the mentions of Romulus in Latin literature. Furthermore, it could be argued that Plutarch, as an outside observer, sees fatherhood as a particularly important feature of Roman society.

<sup>11</sup> See Severy (2003), 173. On the depiction of Romulus celebrating the first triumph in the Augustan forum, see Zanker (1990), 202-3.

name to the city as its founder, he created the very character and traditions of Rome itself. For example, there is mention of divine lineage in his blood (Livy, 1.15; Plut. *Rom.* 3.4), and the power the city will go on to have is explained by divine favour (Livy, 1.9; Plut. *Rom.* 8.7).<sup>12</sup> This notion of Roman supremacy as planned by the gods was an important part of their identity.

The most detailed portrayal of Romulus is given in the account of Plutarch. The genre and aims of the *Parallel Lives* have been discussed to some extent in the Introduction. However, it is necessary to say a few more words about the sources used in the description of Rome's legendary founder. Because there was a great deal of speculation on the early days of the city, Plutarch cites several possible series of events (Plut. *Rom.* 1-2). Also, unusually, he directly references a number of sources including Varro, Juba, and Antigonus. He also draws heavily upon the works of Fabius Pictor, Acilius, Piso, Paulus Clodius, Valerius Antias, and Galba.<sup>13</sup> As Cornell et al. point out, it seems that Plutarch read widely amongst the available accounts and then picked out the most suitable account to use.<sup>14</sup>

With regard to the incident between Romulus and Remus in which the former killed his brother during an argument over the site of the new city, it is possible to return to a theme discussed throughout this thesis. Having jumped over the city walls, Remus could be said to have disrespected the sanctity of the new city, in which case Romulus may be viewed as having sought justice for his brother's actions.<sup>15</sup> Again, the message is that the state must be protected before all things, even family (Livy, 1.7.2; Plut. *Rom.* 10.1). However, at the same time, Romulus instituted laws which made it clear that, alongside duty to the state, belief in the sanctity of family bonds was an essential element of the early Roman character. There was no penalty for

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<sup>12</sup> Severy (2003), 173 points out that, 'The forum pointed to Augustus and his relatives as the culmination of Romulus' legacy, since here Augustus took over both the role of *pater* and of guarantor of victory'.

<sup>13</sup> For a discussion of these sources, see the Introduction.

<sup>14</sup> Cornell et al. (2013), 106.

<sup>15</sup> On the myth of Remus more generally, see Wiseman (1995), 1-13 and 129-150.

parricide itself, but all murder was referred to using this term (*Rom. 22.4*). The murder of a citizen, then, is described as a terrible thing, while the murder of parents is viewed as impossible. Therefore, the image of Rome is that of a society which used the model of family relationships for the bonds between all levels of society – with the state as ultimate father to all. If the murder of a fellow citizen is likened to the murder of a family member in such a society, the possibility of violence between those related to one another by blood is incomprehensible. Plutarch notes that this judgement seemed to have been justified for early Rome, as no one committed this unimaginable crime against parents until almost 600 years later. After the war with Hannibal, Lucius Hostius is said to have been the first (*Rom. 22.4*).<sup>16</sup> As this passage regards the legendary period of Roman history, it cannot be relied upon to provide accurate information. However, what is interesting is that Rome develops a mythology of this kind about itself and the way in which this mythology interacts with civic values.

Romulus was said to have founded the very social order of the Roman state itself. The battle-able men were divided into companies, the legions were formed, and the remainder of the people were named the *populus*. The most eminent of these were appointed councillors and were formed into a senate. These individuals were named the patricians and there are four possibilities cited in Plutarch – the most extensive account – for the origin of this name. The first is that these were all fathers of lawful children (Livy, 1.8-7; Plut. *Rom.* 13.1); the second that these were men who could say who their own father was, which not many could do in a city populated by refugees; the third that the title came from a companion who had come to Italy with Evander, named Patron, and was a protector of those in need.<sup>17</sup> Finally, Romulus thought it the duty of the most influential and powerful citizens to watch over and guide the others in a way that a father would his sons, while also teaching the people

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<sup>16</sup> On parricide, see the discussion in Ch. III, section 2.

<sup>17</sup> See Ch. I.

not to envy the senatorial class, but to look on and address them as fathers (Livy, 1.8.3; Plut. *Rom.* 13.3-13.4). This is a key point and important for understanding Plutarch's presentation of famous Romans in later lives.<sup>18</sup>

However, as shown by the death of Remus, there are tensions in the account of Rome's founder. As the biography reaches its end, Romulus is depicted as becoming more like a monarch (*Rom.* 26.1). Fortune, an important catalyst in Plutarch's *Lives*, is blamed for bringing too much good luck and there are stories surrounding his disappearance that suggest the senators had acted against him. Therefore, even the intolerance of monarchy which comes up in the lives of Publicola and Brutus, finds its root in that of Romulus.

Depictions of Romulus, then, present him as the founder not only of the city, but of Roman identity. The articulation of what it is to be Roman is described in terms of family. This is a theme that comes up several times in Plutarch's portrayals and shows that the Rome depicted after the disappearance of Romulus, a society mourning the loss of its father, can be interpreted on a number of levels. It is not just Rome that Romulus had created, but the Roman people themselves. Furthermore, Romulus becomes the deity Quirinus (Livy, 1.16.3; Plut. *Rom.* 29.1-2), and this reinforces the mythological and religious connections through which the power of Rome was explained.

### **The *Aeneid***

With the beginning of the imperial period, Roman society still consisted of a number of powerful families with a *paterfamilias* at their head, but there was now one family that was above all of these and whose paternal role extended beyond Rome and across the entire empire. Now, there was one family, and it became the model for Roman identity, behaviour, and morality from the institution of the Principate

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<sup>18</sup> For a discussion of Plutarch's method in his Roman Lives, see Pelling (2011), 1-45.

through to the fall of the Empire.<sup>19</sup> The very structures which had made up the framework of the Republic had changed dramatically, yet the language of that culture continued to be used and adapted to the new hierarchy. The legend of Aeneas is evidenced as existing in earlier periods, but the version that has become the canon for later periods was very much a product of its times.<sup>20</sup> Vergil's *Aeneid*, written between 29 BC and 19 BC, has become so ingrained in modern conceptions of Roman foundation stories that it is difficult to estimate the extent to which this was commonly accepted in the Republican period.<sup>21</sup>

Nevertheless, the *Aeneid* is a particularly interesting text for a study of this kind because it is full of relationships between fathers and sons.<sup>22</sup> As discussed in Chapter I, Augustus was granted the title of *Pater Patriae*. However, as Lee points out, the father and son relationships within his own life were complicated.<sup>23</sup> It is interesting to note the way in which, as Octavian, he had pursued revenge for his adoptive father.<sup>24</sup> During the proscriptions, he swore to find and kill all who had played a part in Caesar's assassination.<sup>25</sup> Moreover, Augustus' adoptive son and heir, Marcellus, had died when just a young man. It is possible that these facts may have contributed in some way to the focus on father and son relationships within the text.

In any case, the following analysis will show that many of the significant points which arise with regard to family connections in the *Aeneid* tie closely into the

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<sup>19</sup> On the family in the Augustan period, see Severy (2003); on Augustan culture more generally, Galinsky (1996).

<sup>20</sup> There has been much debate on the propaganda element of the *Aeneid*. This will not be discussed at any length within this chapter, but it is still the popular consensus that Vergil was writing under Augustus' direction: Duff (1952), 317-8, Mendell (1965), 61-2, 97; Quinn (1968), 26-34. On contrasting views, see Williams (1972), 13.

<sup>21</sup> Different accounts appear in Dionysius of Halicarnassus (1.49-65) and Livy (1.1-3). For the significance of the myth of Troy from the Greek perspective, see Erskine (2003).

<sup>22</sup> The key text here is Lee (1979).

<sup>23</sup> Lee (1979), 15-17.

<sup>24</sup> On Augustus maintaining the connection to the memory of C. Julius Caesar in the design of his *forum*, see Galinsky (1996), 208.

<sup>25</sup> Suetonius relates that, after the capture of Perusia, he executed three hundred prisoners, on the Ides of March, at an altar to the deified Julius Caesar (*Iul.* 15).

material already discussed in this thesis as a whole. The focus is on Anchises, Aeneas, and Ascanius, the grandfather-father-son trio at the centre of the epic. However, there are numerous references to personal bonds more generally throughout the text. In his opening speech, Aeneas recounts seeing sons die before their parent's eyes (*ante ora parentum*) during the destruction of Troy. There is Pyrrhus, the son of Achilles, who kills the son of Priam in front of his father (*Aen.* 2.531-35). Before the king himself is murdered, he compares the conduct of Achilles to that of his own son, Pyrrhus (*Aen.* 2.539-544).<sup>26</sup> Then there is the meeting between Andromache and Aeneas in which she talks of the resemblance between Ascanius and her dead son, Astyanax (*Aen.* 3.335-40). Laocoon, too, tries to save his sons before he is also killed by the serpent. Brutus and Titus Manlius Torquatus are both alluded to in the underworld section (*Aen.* 6.817-23); while the meeting of Turnus and Pallas in Book Ten begins with the former wishing that Pallas' father were present to witness what was about to happen (*Aen.* 10.441-43).<sup>27</sup> Yet it is Hercules who, unable to help, watches from Olympus and is comforted by his own father, Jupiter, as Turnus kills the young man and takes the belt that will eventually lead to his own death (*Aen.* 10.466-71). Fittingly, the belt shows the death of the fifty sons of Aegyptus.<sup>28</sup> Lee argues that this scene reflects the central themes of the *Aeneid* as a whole: the success of the *pius* hero is dependent upon the death of numerous 'surrogate sons' throughout the epic who he is not able to save.<sup>29</sup> Finally, the fact that Book Six is dedicated to the funeral games for Anchises, though it will not be discussed in detail here, also shows the importance of the themes of family and duty throughout the *Aeneid*. At the same time, all of these examples present strong

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<sup>26</sup> This is an interesting comparison as Pyrrhus is one of the few examples in the text of sons who categorically do not take after their fathers. Priam points out that the son of Achilles lacks the compassion and mercy shown by his father after his defeat of Hector (*Aen.* 2.540-43). See Lee (1979), 38-39.

<sup>27</sup> Lee (1979), 4 argues that the death of Pallas before he could reach his potential is an allusion to the death of young Roman men in the civil wars. See *Aen.* 8.574-76 for Evander's prayers that his son might return.

<sup>28</sup> Lee (1979), 6 points out that, 'This reaches outwards to the larger design of Book 10, where many of the men who fall in battle are delineated in relation to their fathers'.

<sup>29</sup> Lee (1979), 6.

emotions and relationships between fathers and sons, both mortal and divine. Furthermore, several of the key themes discussed in previous chapters are illustrated in the poem. For example: parents protect their children, they teach them, they grieve for their loss, sons take after their fathers, and both display loyalty and *pietas* towards those close to them.

### **Father Anchises**

The character of Anchises acts as a source of wisdom and guidance for his son throughout the *Aeneid*. In many ways, he embodies the traditional ideal of the Roman *paterfamilias* and is the main figure of authority for all of the Trojan people fleeing their city up until his death. The reader is first introduced to Anchises in Aeneas' recounting of the fall of Troy to Dido (*Aen.* 1.636-40). Although his city is burning around him, he orders his son to flee while he himself refuses to abandon Troy. His resolve to die with his city echoes the ethos of a number of famous early republican figures, and the idea that the city was the centre of religious focus and should be protected at all costs.

It is only when Anchises realises that they have received omens from the gods that he agrees to leave the city with his son. The ring which appears around the head of his grandson, Ascanius, shows the old man that the future of the Trojan race will be assured through his own family line (*Aen.* 1.672-731). This results in one of the most famous episodes of the *Aeneid*: the scene in which Aeneas carries his father on his back from Troy while holding his son's hand. However, the gods have decided that it is not the fate of his wife Creusa, who is following them from the city, to survive (*Aen.* 1.731-799). As the reader will realise later, this is so that Aeneas will marry an Italian princess and found the Roman line. It is also important that Anchises carries the religious *penates* of Troy itself, and thus ensures their continuation through the Roman people.



*Pietas* is crucial to this scene in the *Aeneid* and throughout the epic as a whole: our hero himself is continually referred to as *pius* Aeneas within the poem (*Aen.* 1.10, 1.544-45, 6.403). The depiction of Aeneas and Anchises as they flee from the destruction of Troy demonstrates a fitting piety and sense of obligation in the relationship between father and son similar to what has been discussed in previous chapters. (*Aen.* 1.725-731).<sup>30</sup> The *pietas* of Aeneas towards his father is also something which can be identified in the extensive funeral games held for Anchises. In another version of the story, the Greeks were so impressed by Aeneas' bravery that they told him he could take the one thing he valued most from Troy. They admired his choice of Anchises so much that they gave him another choice and he picked the statues of his city's gods (Diod. Sic. 7.4.1; Xen. *Cyn.* 1.15). This is a characteristic of Aeneas which is reflected in the imagery of both Republican and imperial periods: Caesar used Aeneas to reflect his divine ancestry in a number of coins, one of which shows the latter fleeing the city of Troy (*RRC* 458). Likewise, Augustus used the image of Aeneas on both the *Ara Pacis*, and as one of the statues of the Roman ancestors displayed in the *forum*.<sup>31</sup> In the latter example, Aeneas holds the hand of his son and carries his father on his back.<sup>32</sup>

So, Anchises is depicted as a character who is owed the duty and care of his son and, while he is alive, he is the original leader of the group of exiles. He displays all of the ideal characteristics of the *paterfamilias* that have been discussed throughout this thesis as a whole:

uix prima inceperat aestas  
 et pater Anchises dare fati uela iubebat,  
 litora cum patriae lacrimans portusque relinquo

<sup>30</sup> On *pietas*, see Galinsky (1996), Heinze (1957), 29; Bailey (1935), Saller (1994), 102-130.

<sup>31</sup> See Galinsky (1996), 141-213 for the representation of this theme in art. Early examples from the fifth century BC include a terracotta model from Veii in the Villa Giulia in Rome and an Etruscan amphora in the Antikensammlung in Munich. Aeneas is also mentioned in the *Iliad*: 13.483-502, 13.460-475, 17.320-335, 17.753-760, 20.159-200, and 20.270-285. These are just a selection of the references to Aeneas within the text. See Severy (2003), 104-112 on family imagery on the *Ara Pacis*.

<sup>32</sup> See Laes and Strubbe (2014), 56-7.

et campos ubi Troia fuit. Feror exul in altum  
cum sociis natoque penatibus et magnis dis.

Scarcely had the beginning of summer come when my father Anchises bade us spread sails to Fate, and then with tears I quit my native shores and harbours, and the plains, where once was Troy, An exile, I fare forth upon the deep, with my comrades and son, my household gods and the great deities. (*Aen.* 3.8-12)

As this passage makes clear, Anchises is the *paterfamilias* of the group and he also represents the wish of the gods. Thus, from the escape from Troy through to the death of his father, Aeneas is a *filius familias* and could be said to act as such. In the beginning, Anchises is the source of courage and guidance to the men, as when the queen of the furies describes the future that is in store for the Trojan wanderers. While the people are terrified and call on the Harpies, Anchises offers sacrifice:

et pater Anchises passis de litore palmis  
numina magna uocat meritosque indicit honores:  
'di, prohibete minas; di, talem auertite casum  
Et placidi seruate pios!'

And father Anchises, with hands outstretched, from the beach calls upon the mighty gods, and proclaims the sacrifices due: 'O gods, stay their threats! Gods, turn aside this misfortune and graciously save the pious!' (*Aen.* 3.263-266)

He therefore quiets the fear of his people, and also combines the qualities of fatherhood and ideal statesman. Like the *Patres*, and like the father in the home, Anchises maintains the relationship with the gods throughout the journey from Troy to Italy. He carries the relics from Troy, he offers sacrifice to the gods when the Trojan people are threatened by the Harpies, he pours the libation when they land in Italy and the result is the renewing of the winds for their sails (*Aen.* 3.510-30). His dedication to religious requirements ensures the survival of the Trojan people and reflects the idea that Rome herself flourished because of the favour of the gods.

He also provides the experience of the elderly to the young, in much the same way as father figures, whether actual fathers or role models, did in the Republican period:

et pater Anchises: 'nimirum haec illa Charybdis:  
hos Helenus scopulos, haec saxa horrenda canebat.  
eripite, o socii, pariterque insurgite remis.'

Then father Anchises: 'Surely here is that Charybdis; these are the crags, these the dread rocks Helenus foretold. To the rescue, comrades, and rise together over the oars!' (*Aen.* 3.558-560)

The importance of the elders in Roman society providing the voice of experience to the younger, perhaps impetuous, generations has been discussed in Chapter V. It is a theme that comes up time and again, and the knowledge of Anchises at this point in the *Aeneid* saves the lives of all of those on board.

Finally, Anchises is crucial to the narrative of the epic poem because he remains a source of guidance for his son throughout the text. Although Aeneas becomes the *paterfamilias* on his father's death, in many ways Anchises retains this role. In his speech to Dido, the protagonist speaks of his own desires had he not been charged with founding the Roman race (*Aen.* 4.336-433). He states that he would return to Troy and rebuild the city, if he had not been told to continue to Italy. Moreover, there are instances in the earlier part of the *Aeneid* during which Aeneas shows reluctance to fulfil his destiny. The section of the poem which Aeneas spends in Carthage is full of signs that he must move on, but he passes longer than he should with Dido and even begins building programmes in Carthage rather than continuing on his journey. It is at this point that his own father returns to lead his son to the right path:

Me patris Anchisae, quotiens umentibus umbris  
Nox operit terras, quotiens astra ignea surgunt,  
Admonet in somnis et turbida terret imago.

Each time the night with dewy shades veils the earth, each time the starry fires arise, in my dreams my father Anchises' troubled ghost brings me warning and terror. (*Aen.* 4.351-353)

So, alongside messages from the gods, the ghost of Anchises himself castigates Aeneas for his choices. It could be argued then, at this point, Aeneas has not fully

taken on the role of *paterfamilias*. His father is dead, but his guidance is still needed to ensure the future of the Roman people.

The final meeting between Anchises and Aeneas occurs in the underworld during which the former tells his son the history of Rome from its foundation through to the coming of Augustus. He begins by recounting the worry he had felt at the hardships Aeneas had to face before reaching his destination. It is an emotional meeting in which Aeneas is unable to embrace his father's spectral form, but he learns of the future of his race (*Aen.* 6.677-708). Moreover, the theme of country over all else is picked up again in Anchises' description of the death of the Bruti who he explains will be executed for freedom (*Aen.* 6.820-21). He goes on to state that Brutus broke the pious laws, but the deed was done for the good of the city and it is the consul, not the father, who will order their execution.

Thus, the role of Anchises in the *Aeneid* is closely intertwined with the ideal of the father figure in Roman culture. He is the focus of religious duty, education, experience, and wisdom to his son throughout the text. Moreover, he also represents these things to the Trojan survivors themselves. Hence, there is a close comparison between the Roman father and the Roman statesman that begins with the characterisation of Anchises and continues with the development of the character of Aeneas himself.

### **Father Aeneas**

When Evander meets Aeneas, he remarks on the similarities between father and son:

'ut te, fortissimo Teucrum  
accipio agnoscoque libens! Ut uerba parentis  
et uocem Anchisae magni uultumque recordor!

'Bravest of the Teucrians, how gladly I receive and recognize you!  
How I recall your father's words and the voice and features of great  
Anchises!' (*Aen.* 8.154-156)

This draws upon the idea of a similarity between father and son mentioned in Chapter V. The son was expected to represent continuity in all senses: he would inherit the property, alliances, and both the physical and psychological qualities of his father. It should be emphasised here that sons were also traditionally named after their fathers, thus creating a direct link between the father's legacy and the son. In essence, the son was the younger representative of the father himself.

So, Aeneas, as the son of Anchises, was known for his *pietas*. There is even a moment when he reflects upon the image of his father and labels himself as *pius*. He embodies many of the ideals of the son in his displays of duty, courage, and reverence for the decisions of the *paterfamilias*. Moreover, the language of Aeneas throughout the text reflects the importance of family relationships to his character.<sup>33</sup> Fittingly, given his epithet of *pius*, the duty owed to family is a common theme in the speech of Aeneas. In his description of the destruction of Troy, he begins by telling how Priam had paid to have the body of Hector brought back to him.<sup>34</sup> His language is particularly emotive as he recounts how another son, Polites, was killed by Pyrrhus in front of his father. Recalling the scene, Aeneas goes on:

at me tum primum saeuus circumstetit horror.  
obstupui; subiit cari genitoris imago,  
ut regem aequaeuum crudeli uulnere vidi  
uitam exhalantem; subiit deserta Creusa  
et direpta domus et parui casus Iuli.

Then first an awful horror encompassed me. I stood aghast, and there rose before me the form of my dear father, as I looked upon the king, of like age, gasping away his life under a cruel wound. There rose forlorn Creusa, the pillaged house, and the fate of little Iulus. (*Aen.* 2.559-563)

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<sup>33</sup> Lee (1979), 32 argues that 'Aeneas' first words, especially the phrase *ante ora patrum* which will recur like a leitmotif, mark him as a man who in the face of death thinks of the love of father for son'.

<sup>34</sup> Aeneas also cries when he sees the frieze depicting Priam watching the death of Hector (*Aen.* 1.462-5).

This particular image is one that will haunt Aeneas throughout the text; he makes reference to it a number of times. It is clear, then, that Aeneas is different from the more common epic hero. As Pöschl points out:

Odysseus grieves because he must forego glory and burial honours; he does not mention love. Aeneas' wish (...) expresses not only longing for glory but also for love and warmth of home.<sup>35</sup>

However, Aeneas also displays some of the more negative qualities associated with the younger generations. He needs the guidance of Anchises to urge him on, he is reluctant to fulfil his destiny at points, and he loses himself at Carthage and forgets his quest to found the Roman race. Thus, the *Aeneid* primarily portrays the journey of the Trojan survivors to Italy, but it also charts the progression of Aeneas himself from *filius familias* to *paterfamilias*.

As a father to Ascanius, however, Aeneas is predominantly depicted as loving and kind towards his son. In the first scene, when Aeneas had failed to convince his father to flee, he resolves to die fighting and turns to leave the house. It is only when Creusa holds his young son out to him that the gods intervene to show them all that they must escape. It is significant, however, that his wife draws his attention to Ascanius as a way of changing his mind (*Aen.* 2.663-695). *Pius* Aeneas, *pater* Anchises, and *puer* Ascanius flee from the city together. Moreover, the affection felt by the father towards the son is reflected in Ascanius' behaviour towards Aeneas. While Aeneas is in the underworld, Ascanius talks to Nisus and Euryalus who believe they can get through enemy territory to his father:

‘immo ego uos, cui sola salus genitore reducto,’  
excipit Ascanius ‘per magnos, Nise, penates  
Assaracique larem et canae penetralia Vestae  
obtestor: quaecumque mihi fortuna fidesque est,  
in uestris pono gremiis. Reuocate parentem  
reddite conspectum: nihil illo triste receptor.

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<sup>35</sup> Pöschl (1986), 35.

‘No,’ breaks in Ascanius, ‘rather I, whole sole safety lies in my father’s return, adjure you both, Nisus, by the great gods of the house, by the Lar of Assaracus, and by hoary Vesta’s shrine – all my fortune, all my hope, I lay upon your knees; recall my father, give back the sight of him; if he is recovered all grief vanishes.’ (*Aen.* 9.257-262)

So, Aeneas protects and nurtures his son throughout the *Aeneid*. It is also the idea of robbing Ascanius of his due fate that holds him to the quest to found the Roman race. In his speech to Dido, Aeneas remarks:

Me puer Ascanius capitisque iniuria cari,  
quem regno Hesperiae fraudo et fatalibus aruis.

The thought of young Ascanius comes to me and the wrong done to one so dear, whom I am cheating of a Hesperian kingdom and predestined lands. (*Aen.* 4.354-5)

Though it goes against his own desires, his duty to his own father, son, and gods (and the idea of his future country) compels Aeneas to continue on his journey. These represent the allegiances of *pietas* which are continually emphasised throughout the *Aeneid*, and in republican definitions of *pietas*.<sup>36</sup> During the escape from Troy, it is this triad that he saves from the burning city.

With the guidance of his own father in the course of the poem, then, the character of Aeneas develops to take on the role of leader.<sup>37</sup> It is also clear that the future of the Roman race is dependent upon the actions of Aeneas. After the death of Anchises, he holds a paternal responsibility for all of the Trojan survivors as well as the future of the race.<sup>38</sup> There are numerous examples in which other characters comment upon this: Helenus and Andromache both remark on the passing on of traditions and religious purity to his descendants (*Aen.* 3.88). Aeneas is the leader and father of the

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<sup>36</sup> See the discussion of *pietas* in Ch. III, section 1.

<sup>37</sup> Lloyd (1957).

<sup>38</sup> The Trojan survivors are called *Aeneidae* by Vergil during the storm (*Aen.* 3.1-10), and even before the death of Anchises. It is not until after his father’s death, however, that Aeneas assumes full responsibility in his role as leader.

race and he symbolises the progression from ideal son to ideal father-statesman in Roman culture. The fact that Vergil emphasises the sympathetic nature of this character throughout the epic serves to clearly portray the sacrifices necessary to fulfil his destiny. In the future described by Anchises, Aeneas' own son will become leader and *paterfamilias* in turn as the founder and priest-king of Alba Longa (*Aen.* 1.255-289).<sup>39</sup>

As a final note, it is necessary to point out the possible comparison between Aeneas as father of the race as a whole, and Augustus as *Pater Patriae* of the city. As Lee comments, paternal authority and the hierarchy this imposes upon the world is emphasised from the first lines of the poem.<sup>40</sup> The storm sent by Juno against the Trojan survivors is done without the knowledge or the authority of the king of the gods himself, Jupiter. It is Neptune who finally stops the storm and who watches his seas like a father (*prospiciens genitor*) (*Aen.* 1.121-152).<sup>41</sup> Moreover, a direct link is created in the other name that Vergil uses for Ascanius – Iulus. This reinforces the connection between Troy and Rome and between Aeneas, Ascanius, and the Julian line. As the adoptive son of Julius Caesar, it also established Augustus as a legitimate descendant of the founders of the Roman race. Ultimately, this served to reinforce the emperor's position as rightful father of the state.

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<sup>39</sup> See Hallett (1984), 25 on this. She too links Ascanius with the high valuation of fatherhood at Rome, commenting that he was an 'arguably symbolic father-figure'.

<sup>40</sup> Lee (1979), 31.

<sup>41</sup> This is particularly interesting as the simile used to describe Neptune calming the seas both likens the god to a father, and likens his arrival to that of a statesman who calms a political situation through his *auctoritas*: Galinsky (1996), 21.



## Conclusion

This thesis began by displaying the high valuation of fatherhood present in Roman society in the middle and late Republic. This was crucial because the nature of the relationships between aristocratic fathers and their sons was heavily influenced by the status of the *paterfamilias*. It was found that the hierarchy of Roman society mimicked the structure of the family, and that there was a close correlation between those characteristics associated with the father and those associated with the ideal statesman. Thus, as Chapter 4 showed, the qualities associated with fatherhood could be manipulated by various individuals. In particular, emperors and political leaders could cast themselves in the guise of *pater* in order to lend their position a natural authority.

The study of Rome's founders conducted in this chapter reinforced the identification between the ideal statesman and the ideal father figure in Roman culture. Qualities such as being a model of exemplary Roman virtue for the younger generation, valuing the state above all things, and possessing both *auctoritas* and *dignitas* were expected of the *paterfamilias* in public and private life. Furthermore, because public relationships were articulated using the terminology of the parent-child bond, political leaders were expected to exhibit qualities of the father such as authority, protection, and defence.

Furthermore, this chapter has shown that the father-statesman correlation was also rooted in legend. The myths surrounding Romulus and Aeneid that have been discussed are evidence of the way in which Roman social *mores* were internalised; they show the intersection between mythology and civic values. They also depict the practice of socialisation within the community and, as a result, the literary accounts of such figures say more about the times in which they were written than about early Rome.

In particular, the study of the *Aeneid* towards the end of this chapter was important in demonstrating that the qualities of the *pater* were similar to those expected of the leader. It is a crucial poem in a study of this kind because it emphasises the fact that relationships between fathers and sons were at the core of Rome's history. This, I would argue, is illustrative of the fact that these connections were central to the way in which Roman identity was articulated throughout the Republic and, as this chapter shows, into the empire.

## Conclusion

This study has examined the relationship between aristocratic fathers and sons in the middle and late Republic. In particular, I have argued that traditional values, dynastic considerations, and social ideals exerted a significant pressure upon family members to remain mutually assistive and cooperative in both public and private life.<sup>1</sup> I do not claim that these were the only aspects of republican society that affected the behaviour of the *paterfamilias* towards his children, and vice versa, or that there was only one model for this relationship; however, an examination of the literary and material sources has shown that these three areas represented the norm for elite father and son relationships throughout the republican period. Furthermore, these aspects promoted a sense of common identity and unity within the household. The discussion has also made it clear that there is a certain degree of overlap amongst these: for example, the ideal of the father-statesmen incorporated the traditional values present in the notion of the morally upright, early Roman people alongside the wider social expectation that the father ought to display certain characteristics. At the same time, the hierarchical nature of republican society also mimicked the structure of the family itself.

Nevertheless, there are several potential methods for considering family relationships during this period, and there are numerous themes which could be discussed at length.<sup>2</sup> The creation of family identity, as well as the political prominence of specific family groups at any one time, is a further topic for analysis. I have focussed

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<sup>1</sup> In the introduction, the three categories were defined in the following way. Traditional values: duty towards one's immediate relations (*pietas*), the ideals of education, the use of ancestors as models of exemplary conduct, and the passing down of the way of the elders (*mos maiorum*) to following generations. Dynastic considerations: issues relating to the family cult, to the advertisement of the household, shared ambitions, marriage, adoption, and reputation. Social ideals: those issues relating to the expectations of the community including the valuation of fatherhood, the metaphorical use of parent-child bonds in republican culture more generally, and the supremacy of the state.

<sup>2</sup> For example, Saller and Shaw (1984), 124-156 used tombstones in order to identify kinship through commemoration patterns, while Champlin (1991) discussed the use of wills. See the Introduction for an in-depth discussion of recent development in the field of family studies.

on those issues which seem most relevant for providing an insight into the standard behaviour of the aristocratic *pater* and *filius*. The very nature of the family means that it pervaded all elements of society; it is therefore difficult to escape its influence. However, although it is always present, the family is rarely addressed directly in our source material. After all, for Latin writers themselves, there was little use in explaining the nature of a social component that was at once so fundamental and so ingrained in everyday life. As for Greeks writing about Rome, their accounts are important in explaining specific aspects of social relations, but the interpretation of the powers of the *paterfamilias* stemming from Dionysius of Halicarnassus shows that they must be approached with caution. Likewise, references to fathers and sons in Latin texts are often brief, or only present because the incident discussed is in some way out of the ordinary. Thus, the process throughout has been to compare and contrast the existing legal, literary, and material evidence in order to pinpoint those issues which come up time and again across the range of sources.

The analysis of these three concepts – traditional values, dynastic considerations, and social ideals – has resulted in my reaching several conclusions about the nature of family connections in the middle and late Republic.

First, the ideological importance of the family in Roman life has been examined at length throughout this thesis. Its identity as a microcosm of the state was shown to be important in Roman conceptions of their own culture: the hierarchical nature of the family was reflected in the framework of society more broadly. The state was the ultimate father figure to all, and an individual who had saved the city was referred to as *pater patriae* (Ch. 1). The high valuation of fatherhood was an important aspect of this, and it was shown that the father-son relationship was mimicked across a variety of key republican institutions including the connection between patrons and their clients, and between magistrates and the Roman people. I have argued that terms relating to *pater* emphasised protection, defence, and education. Authority was important, but in practice severity towards one's children could be regarded as

excessive and limited by the community.<sup>3</sup> Accordingly, there was a reverence for the ideal of the father in Roman society, and this is reflected in the bias towards the elderly that has come up several times in the discussion. The topos of impetuous young men who needed to be guided by the experience of the old reflects a preference for tradition in republican culture more widely; furthermore, the very nature of republican society ensured that power remained in the hands of more senior individuals.<sup>4</sup>

This consideration of the ideology of the *pater* also led on to a discussion of the portrayal of fatherhood from the Republic through to the imperial period, which was addressed in Chapter 6 in order to frame the overall analysis of father-son relationships. The depiction of Rome's legendary founders shows the internalisation of social values through mythology: by emphasising those qualities with which the community most identifies, such tales say a great deal about how traditional values were passed on through the generations in the republican and early imperial periods.

The depiction of Roman fathers in Greek and Roman sources was also explored, and it became clear that the latter often emphasised the contrast between family and duty in instances where fathers had sons killed, while the former focused more on the morality of the matter. I have also shown that the examples of sons being killed by their fathers are notorious on account of their scarcity and that those accounts in which this occur demonstrate the tension between duty towards the state and duty

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<sup>3</sup> See the discussion of Q. Fabius Maximus Eburnus in Ch. II, p. 89; cf. Appendix, p. 280.

<sup>4</sup> Laes and Strubbe (2014), 32 also point out that Roman law only considered a young man an adult after he had turned 25. It is argued that the *Lex Laetoria* of the Third Century BC ensured that, for those under this age, a commercial deal that was not in his best interests could be cancelled. See Ulp. *dig.* 4.4.1; Plaut. *Ps.* 303-4.

towards one's family (Ch. II).<sup>5</sup> Equally, in all but one example, the fathers give their orders as Roman officials protecting the city, not as fathers.<sup>6</sup>

It has also been shown that duty owed from one family member to another – *pietas* – provides a more accurate representation of standard family relations (Ch. III). Social expectations, as illustrated in the literary and material sources, more regularly reflect this aspect of family bonds than they do legal powers. Moreover, the legal texts themselves show an expectation that *pietas* should exist between relations.<sup>7</sup> At the same time, the importance of lineage for the elite classes exerted a significant pressure upon kin to remain essentially cooperative with one another in order to ensure family reputation and status. Thus, public prestige and the advertisement of the family were important responsibilities for the *paterfamilias*, as was the continuity of that line (Ch. IV).

There was also the ideal of the father as educator and role model for subsequent generations, no matter the extent to which republican fathers actually took an active part in raising their children or not (Ch. IV). This resulted in individuals casting themselves as fathers in literary dedications, or with regard to their roles as mentors to young men. For example, the *De Officiis* was written from father to son, but Cicero was also speaking to Marcus' generation, not just his son, in the ideas that he was passing down. At the same time, *exempla* played an important part in the socialisation of children at Rome: the *imagines* displayed in the *atrium* and mementos from battles or triumphs which decorated the aristocratic house would have constantly re-affirmed an individual's place in society and encouraged him to attain the glory of his ancestors. (Ch. V). This was crucial in passing on the ideal of *virtus* and the *mos maiorum* onto children.

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<sup>5</sup> See the Appendix on p. 280.

<sup>6</sup> The exception is the Aulus Fulvius killed by his father for joining Catiline (Sall. *Cat.* 39.5 and Val. Max. 5.8.5) mentioned at several points in the thesis: Ch. I, p. 66, Ch. II, p. 90, Ch. III, p. 133, n. 336.

<sup>7</sup> See the discussion of *pietas* in Ch. III, section 1.

At the same time, a study of fathers and sons which does not take into account the emotional bonds between the two would present a limited portrayal of the middle and late Republic (Ch. V). Though there is a certain degree of dispute over how one analyses the emotions of a culture so far removed in time from our own, it is clear that the connections between *pater* and *filius* were often complex; one model cannot be used to reflect all Roman fathers and sons. This discussion has addressed affection, companionship, pride, grief, and conflict with the aim of portraying these as normal aspects of kinship. It must also be remembered that these relationships were not static and the life course resulted in sons who grew up without fathers, some who died before their fathers, and others who remained in their father's power into adulthood. As a result, I have focussed on those aspects which can be seen as representative of aristocratic father and son relationships in order to evaluate those issues which most affected or influenced normal life for these individuals. The discussion has concluded that emotional connections are one of the most important areas for discussion with regard to father and son relationships (or even family relationships more generally), and their significance with relation to interactions between kin in all areas of society should not be underestimated.

Therefore, this thesis has presented a variety of relationships which reflects the range of interactions between aristocratic fathers and sons portrayed in the sources. As the individuals discussed were the major statesmen of the day, it is a study which has ramifications for the way in which we discuss republican politics. Moreover, the work done on fathers and sons has been, to date, limited, and such a study thus enriches our understanding of family life and social relations throughout this period.

On a final note, the beginning of the imperial period saw huge changes in the hierarchical framework of Roman society. The discussion has focussed on the middle and late Republic because father and son relationships were the building blocks of Roman society itself throughout this period. It was a time unlike any other, as evidenced by the singularity of *patria potestas*, and it was a time when political

power was located with the heads of aristocratic households. This situation was altered by the rise of the imperial family. Nevertheless, the very language used by Augustus to describe the new regime related closely to what had come before: the comparison of the ideal statesman with the qualities of the father discussed above was picked up and applied by Augustus when he became sole ruler. It was a new framework for Roman social relations, but it was cloaked in the rhetoric of the elite republican family, and the idealised father and son relationship.



## Appendix

### A Register of Possible Cases

#### of the *ius vitae necisque*

	Date	Reason for Killing	References
The sons of L. Junius Brutus	509 BC	As consul, L. Brutus had his two sons executed for conspiring to return the Tarquins to power.	Verg. <i>Aen.</i> 6.819-22; Livy, 2.5.5; Val. Max. 5.8.1; Polyb. 3.22.1.
Sp. Cassius	485 BC	Sp. Cassius seems to have been executed for attempting to seize power in Rome. There is some disagreement in the ancient sources whether he was tried by two quaestors for <i>perduellio</i> or whether he was judged by his father and killed. Some accounts also discuss a <i>domesticum iudicium</i> .	Dion. Hal. <i>Ant. Rom.</i> 8.77-80; Livy, 2.41.10-12; Cicero, <i>Balb.</i> 23, <i>Rep.</i> 2.27, <i>Phil.</i> 2.87, 2.44, <i>Dom.</i> 38; Val. Max. 5.8.2. On the <i>domesticum iudicium</i> , refer to the account in Livy and Valerius Maximus.
Son of A. Postumius Tubertus	431 BC	As dictator, A. Postumius Tubertus had his son put to death for desertion.	Livy, 4.29.6 (who refused to believe the story); Val. Max. 2.7.6; Gell. 1.13.7; Diod. Sic. 12.64.3.
T. Manlius Torquatus	340 BC	As consul, T. Manlius Torquatus had his son put to death for disobeying the military command not to	Livy, 8.7.19; Val. Max. 2.7.6 (who both emphasise the father's consulship).

		engage the enemy in single combat. Although the son was victorious, he was executed on his return to camp.	
M. Fabius Buteo	221-219 BC	The censor of 241 is said to have executed his son as a result of a charge of theft.	Oros. 4.13.18. As Harris points out, this is not mentioned in Valerius Maximus, who records every other pre-Augustan example. <sup>1</sup>
Q. Fabius Maximus	End of the second century BC	Q. Fabius Maximus Eburnus (consul in 116, censor in 108) killed his son for an unidentified sexual indiscretion. He was consequently exiled for his actions.	Ps.-Quint. <i>Decl. mai.</i> 3.17; Val. Max. 6.1.5; Oros. 5.16.8; Cic. <i>Balb.</i> 28.
L. Sergius Catilina	Mid-first century BC	Sallust relates that Catiline killed his own son in order to marry a woman he had become infatuated with.	Sall. <i>Cat.</i> 15-16.
A. Fulvius	63 BC	A. Fulvius killed his son (of the same name) after the young man had set out to join Catiline.	Cass. Dio. 37.36; Sall. <i>Cat.</i> 39.5; Val. Max. 5.8.5.
Tricho	During the reign of	In an obscure example, a Roman knight named Tricho is	Sen. <i>Clem.</i> 1.15.1;

<sup>1</sup> Harris (1986), 84.

	Augustus	said to have flogged his son to death for an unknown reason. He was subsequently attacked by the people in the forum and only saved by the authority of Augustus.	
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Harris also includes the examples of D. Iunius Silanus (praetor in 141 BC) and Aemilius Scaurus who committed suicide after the harsh judgements of their respective fathers.<sup>2</sup> I have not included these cases as they cannot represent an occasion in which the *ius vitae necisque* may have been used, although I do take Harris' point that the sons were meant to feel disgrace of the kind that might lead to suicide.

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<sup>2</sup> Harris (1986), 85-86. D. Iunius Silanus was accused of having taken bribes from allies during his governorship of Macedonia. His biological father, T. Manlius Torquatus (consul in 165 BC), judged him unworthy of his house after investigating the case. See Ch. III, p. 139-141. Aemilius Scaurus was the son of M. Aemilius Scaurus (consul of 115 BC). After deserting the consul, Catulus, during the battle against the Cimbri, the father sent a letter detailing the shame he felt at his son's actions. See Ch. V, p. 232.

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