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The Roman father, with his monopoly of property rights and power of life and death over his children, has been prominent in the formulation of the concept of patriarchy in European thought. However, the severe, authoritarian image, based on legal rules and legends, provides, according to Professor Saller, a misleading view of relations between the generations in Roman families. Starting from a demographic analysis, aided by computer simulation of the kinship universe, he shows how the family changed through a Roman's life course, leaving many children fatherless. Examination of the Roman language, *exempla* and symbolic behaviour of family relations reveals the mutuality of family obligation within the larger household in which children and slaves were differentiated by status marked by the whip. The concerned, loving father appears as a contrast to the exploitative master. An understanding of demography and cultural values, in turn, yields insights into the use of the sophisticated Roman legal institutions of inheritance, guardianship and dowry for the transmission of patrimony essential to the continuity of family status.

This book contains much of importance to scholars and students of ancient history and classics and also to those whose interests lie in the field of historical demography.

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*Patriarchy, property and death
in the Roman family*

RICHARD P. SALLER

*Professor of History and Classics,
University of Chicago*



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To my parents

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Preface

This book has taken shape gradually over the past decade, prompted initially by a sense that too little research had been done on the subject of the Roman family. Since the early 1980s a stream of valuable books and articles has appeared, many of them designed to bring the neglected people of the Roman empire, women and children, into the historical narrative. I have only a little to add to those works. Instead, I wish to return to the figure represented by (male) Roman authors as the center of the family and household, the *paterfamilias*, so familiar in his severe authority. The familiarity has bred neglect or the repetition of stereotypes. There is more to be said about Roman patriarchy, in my view, in order to appreciate the complexities of daily experience in the Roman household and to understand the nuances of paternal authority in Roman ideology.

Some of the basic themes of the following chapters have been presented in my articles, but none of the chapters is a reprint of those articles. I have substantially rewritten to take account of criticisms, to reformulate arguments, and to add new materials. Perhaps the most substantial change in my thinking from the earliest articles is an increased awareness of the need to distinguish between the normative order of Roman culture and the diffuse experiences and individual choices of daily social life. Failure to pursue that distinction, it seems to me, has left Roman historians arguing at cross-purposes about issues such as the “nuclear family,” which was at once central to the normative order and in practice often disrupted by death or divorce. My aim is to present an account of the Roman family experience that encompasses the normative order (Part II), the demographic vagaries of the life course (Part I), and, within the circumstances thus created, the strategic choices made by Romans in the transmission of their property (Part III).

During a decade of research, I have accumulated more debts than I can remember. Through the years, my old teachers and friends in Cambridge

have continued to provide support and guidance. Sir Moses Finley, who at first summarily dismissed the historical interest of the subject, generously read some early papers and gradually came to accept the Roman family as a useful field of research; I would like to believe that he would have been particularly interested in the conclusions of the chapters on whipping and guardianship, composed long after his death. John Crook and Peter Garnsey read many of the chapters and provided valuable suggestions: the influence of their ideas about law and society (though not their erudition) is evident in the following pages. I owe a particular debt of gratitude to my friend and colleague, Brent Shaw, whose collaboration over the years has stimulated my own work and broadened my perspective. David Johnston kindly gave me the benefit of his legal expertise by reading chapters 7–9 and saving me from at least some of the mistakes that a non-lawyer will inevitably make in discussing legal sources. I have also profited greatly from intellectual exchange with Bruce Frier, to whom I am grateful for permission to use his study of the Egyptian household census data in advance of publication.

An originally fortuitous connection with the Cambridge Group for the History of Population and Social Structure has ultimately had an immeasurable impact on the book. For a decade James Smith has generously incorporated a Roman model in his work on the microsimulation of historical kinship universes: the results can be found in the tables accompanying chapter 3, which are essential to a better understanding of the Roman life course. Jim Oeppen also provided valuable help in adapting the simulation to illuminate the Roman experience. Peter Laslett's keen personal interest and intellectual enthusiasm have pushed this project to completion.

Over the years I have presented much of the material to seminars and workshops around the world, and can only offer a general thanks to those who gave me comments and suggestions. My graduate students at Chicago (1984–93) and at Berkeley (1989) have helped me clarify my thinking through discussions in graduate seminars. Special thanks are due to my research assistants, Sara Gentili, Brian Messner, and Ilse Mueller, without whom the book would not yet be finished. In particular, I want to acknowledge Ilse Mueller's survey of the funerary inscriptions of *CIL* 6 compiled in Table 2.2.a, material which I omitted in my earlier study of men's age at marriage.

Several institutions have provided support over the years. The National Endowment for the Humanities and the Center for Advanced Studies in the Behavioral Sciences supported a leave in 1986–87. Trinity College, Cambridge, gave me the luxury of a term to write in marvellously hospitable surroundings in the autumn of 1991. The American Philosophical Society provided a grant to enable me to travel to Cambridge to work on the

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simulation. The University of Chicago and a Biomedical Research Support Grant, PHS 2 507 RR-07029-25, have made funds available to complete the research and to prepare the manuscript for publication. Finally, I am grateful to Linda Bree for her meticulous care in editing the typescript for publication.

Abbreviations

The abbreviations of titles of ancient works are the standard ones listed in the *Oxford Classical Dictionary*. Journal titles have been abbreviated in accordance with *L'Année Philologique*. The following abbreviations are used for standard reference works:

- CIL *Corpus Inscriptionum Latinarum*
FIRA *Fontes Iuris Romani Antejustiniani*. 3 vols. (1941–43)
ILS *Inscriptiones Latinae Selectae*, ed. H. Dessau (1892–1916)
PIR *Prosopographia Imperii Romani*
RE Pauly-Wissowa-Kroll, *Real-Encyclopaedie der classischen Altertumswissenschaft* (1894–)