CHAPTER 6
LATE EMPIRE

The impact of Christianity

In the late Empire (the late third, fourth and fifth centuries AD), the custom of early AAFMs in both genders continued, as did the institution of paternal power and other factors that supported its persistence. Gradual changes were to be seen, such as the increasingly common practice of officially emancipating adult children, but the legal force of patria potestas remained unaltered. Justinian's Body of Civil Law, which summarized the Roman legal tradition, contains abundant references to patria potestas. Sometimes referred to as the Code of Justinian, this last great work in classical Latin was complete by 534 AD.

On the other hand, there were also innovations occasioned mainly by the advance of a new, rival ethic to the traditional Roman one, namely Christianity. Hopkins observed that Christian funerary inscriptions give higher overall AAFMs than pagan ones. While Christian epitaphs still show large numbers of females married below age 15 (35 out of a total of 180 in his sample) and especially at 14, the modal range has shifted upwards. Seventy five of the 180 were married at 15-18, while another 37 out of 180 married at 19-21. This suggests a departure, in line with Christian other-worldliness and aversion to sexuality, from the traditional Roman inclination to mate their children (especially the girls) as young as possible. Certainly, the phenomenon of people of both genders dedicating themselves to lives of chastity occurred under Christian influence on an unprecedented scale. Perhaps the most severe and enduring change effected by Christianity was the eventual banning of divorce.

Actual marriages in this period

The literary evidence for this period continues to provide examples of early AAFMs, consistent with the traditional pattern, but there are also innovations. Our Appendices contain fourteen male and nine female AAFMs from the fourth and fifth centuries. All but two of the males, Stilicho and Pinian, are from imperial families, as are eight of the nine females.

Two of the royal male marriages took place at an unusually young age: Gratian at 15 and Honorius at 13. For these, the hothouse atmosphere of dynastic
politics must have been responsible. Nine of the 14, however, had AAFMs in the normal range of 17-22: Crispus and Pinian at 17, Constantine II, Constantius II, Arcadius and Valentinian III at 18; Constantine and Stilicho at 19; and Theodosius II at 20. The inclusion of the two non-imperials within this group, Stilicho and Pinian, suggests that this range of AAFMs was not just a phenomenon confined to the imperial families but was a practice still general at least within the upper classes. Of the three delayed marriages, those of Gallus at 25 and Julian the Apostate at 23 are readily explained by the fact that they were kept under virtual house arrest by their cousin, the Emperor Constantius II. Upon their rehabilitation at court they were in turn married to a sister of Constantius. Once again, as with the Julio-Claudians, the Antonines, and the Severans, we see that imperial connections could sometimes unusually accelerate or delay the AAFM from the norm. The marriage of Theodosius I at age 29 may have been due to his need to attend to his career for many years before settling on a spouse, much as Septimius Severus did.

Among the females, six of the nine were married within the expected range of 12-15: Constantia at 12; Maria at 13; Fausta, Serena, and Melania at 14; and Licinia Eudoxia at 15. The mating of Melania with her cousin Pinian is particularly instructive. It shows that at the turn of the fifth century AD Roman senatorial families were still practicing the traditional kind of matchmaking which married a son in his late teens to a daughter in her early teens for the express purpose of preserving family property. Melania's father insisted on the marriage and refused to allow her to leave it for the ascetic life until he was on his deathbed. We might note also the infant deaths of the couple's two children, both born before Melania was 20. If she herself had died instead of going on to become a renowned Christian saint, she might well have joined the ranks of deceased teenage brides who went without commemoration.

Three women, however, were married at considerably advanced ages. Of Galla Placidia we can only surmise that her life was affected by the unusually chaotic conditions obtaining in Italy at the time. In 410 AD she was given by the Romans as a hostage to the Visigoths and was married to their King Athaulf some four years later. Since we know her birth year only as a range from 388 AD to 393 AD, she might have been 17-22 at the time of her abduction and 21-26 at the time of her marriage. She may have remained unmarried to an advanced age prior to 410 AD because no one in the Italian branch of the imperial family knew what to do with her. The emperor, Honorius, was only a teenager and known to be weak. Alternatively, her advanced age at the time
the Goths obtained her could be an example of Christian practices infiltrating the Roman aristocracy as they may also have been affecting the lower classes.

In the case of Pulcheria and Honoria we run squarely into the novel Christian phenomenon of consecrated virgins. Pulcheria was, in fact, slated for a marriage of the traditional type. Born in 399 AD, she was the eldest of Arcadius's orphans and fast approaching marriageable age in 412 AD, when the eunuch Antiochus and the prefect Anthemius conspired to mate her with (probably) Anthemius's 17-year-old grandson or grandnephew. This would have been another teenage match like that of Melania and Pinian and so many others we have seen before. Pulcheria, however, managed to evade her intended fate by taking control of the imperial household and guidance of her younger brother, Theodosius II. She dismissed the eunuch and the prefect and, before her 14th birthday, publicly dedicated herself to virginity.

What is unusual about this case is not the intended arrangement but the fact that it was frustrated by the absence of a parent or other elder on the bride's side who could enforce it against the unexpectedly determined character of the intended bride, a girl who had the will, authority, and means to resist it. In most such arranged matches the teenagers did not resist. Altogether, the episode is very rich in implications. It shows, indirectly, not only the persistence of traditional thinking in arranging marriages but also the effect that Christianity was having on the society. Pagan Rome had its Vestal Virgins, but the number of girls who could benefit from this option was always extremely limited. With the establishment of Christian values and institutions, an alternative to teenage marriage was becoming a reality for many women.

Pulcheria's kinswoman Honoria was also apparently consecrated to virginity. But while Pulcheria remained devoted to her chosen condition, Honoria seems not to have been, and may have had sexual relations around age 16. This may be evidence for a girl relegated to virginity against her will – the chastity option in its negative guise, so to speak, or a non-option. She seems to have been officially married around age 32. In any event, this late AAFM cannot in any sense be regarded as usual. Likewise, Pulcheria's "marriage" to Marcian in 451 AD at age 52 with the stipulation that her virginity would be respected has no bearing on the discussion of average Roman female AAFMs.

The one person in this section of the Appendix who does not have an AAFM is Constans, the youngest son of Constantine the Great. The career of Constans nevertheless shows possible interaction between old Roman and new Christian
attitudes to marriage, as well as implications about the legal interaction of marriage with property transfers. Unlike his brothers, whom their father had married off at young ages before his own death, Constans was engaged to the daughter of the powerful Roman administrator and courtier Ablabius, but not yet married when his father died. When Ablabius died the next year, Constans proclaimed the girl as his bride and brought her to live in his palace (he was 15 at the time), but there the matter remained until his own death. Why? It has hitherto been assumed the girl had not yet reached marriageable age, but by 350 AD she had to be at least 13 and clearly marriageable under Roman law, even if she had been a newborn at betrothal.

Perhaps we see at play here a combination of old Roman and new Christian sensibilities regarding marriage. As suggested by Hopkins, Christian custom tended to delay the marriage of females until at least 15, hence – the house of Constantine being nominally Christian and Ablabius himself ostentatiously so – the sacrament of marriage might have awaited the girl's reaching an age appropriate to church sensibilities. It is possible, however, that Constans was also stretching a point in Roman inheritance law which says that for purposes of legacies contingent upon marriage "the condition is treated as satisfied as soon as she is taken to wife, even though she has not yet entered her husband's bedchamber; for it is consent, not sleeping together, which makes a marriage." If the girl's taking up residence at his court can be reconciled with the concept of “married but not yet consummated” then perhaps Constans had found a way to satisfy the legal requirements of matrimony for purposes of controlling some part of Ablabius's fortune while (apparently) respecting Christian prejudices against deflowering prepubescent virgins. A simpler explanation would be that Constans, once independent, and heedless of family responsibility, was content to neglect the matter.

All in all, despite the changes being wrought in Roman society by the advance of Christian ideas and institutions during the late Empire, traditional Roman marriage practices, including early AAFMs are still ubiquitously in evidence. The divergences that begin to appear both in the epigraphic and the literary evidence only underscore the firmness and longevity of the earlier tradition.

Marriage and the overall life-course

We have attempted to show that various types of evidence over all the eras of Roman history from the early Republic to the late Empire converge to reveal a low normal AAFM for most classes of Romans at most times and most places.
Low AAFMs make sense considering the demographic pressures under which all Romans had to survive. The Romans themselves were aware of the risks inherent in the high-mortality regime and took steps to minimize them by marrying early. Tellingly, the one class of Romans – the senatorial aristocracy of the late Republic and early Empire – that became notorious for abandoning early and prolific marriages also became extinct.

Early marriages for both males and females also dovetailed with the typical life-course of the individual Roman, a course that was rather different from the modern western one. The normal AAFM must be understood within the context of the other stages of life, or rites of passage, prescribed by the culture in question. As a young child, a Roman boy wore the toga praetexta and remained under the tutelage of adults regardless of whether he was under paternal authority. Infancy extended from birth to about age seven, whereupon, for example, a ward or under-age orphan, though still in tutelage, gained some voice in directing his own affairs. A much more important stage was reached at 14, marked by the ceremonial donning of the man's garment, the toga virilis, which seems to have occurred most commonly during the first year of eligibility. If he was not under paternal authority, the ward now left tutelage and (in early times) directly became a youth handling his own affairs or (starting in the early second century BC) continued as a minor under the oversight of a guardian until 25. The 14-year-old could legally marry and set up house; if he were under paternal authority his father would have to approve and grant his son an allowance for living expenses, but he continued under the financial custody of a guardian. Also, until the “first shavings”, he now became more vulnerable to homosexual advances. At 17 the young man became liable for military service, and usually actually began to serve, in various circumstances depending on class. By 18-19 he was qualified to bring cases in court on his own. At 24 he could legally stand for public office and at 25 he assumed full responsibility for his property unless his father (or grandfather) was still alive. If so, he remained financially dependent even then.

In Roman culture the young male was expected to take advantage of opportunities to acquire hands-on experience in both military (see the many examples above) and civil spheres (Licinius Crassus and Dolabella are examples of young men whose debut was in court rather than in the field) as soon as they were able, with few restrictions. Indeed there are cases where a youth is inducted into the military (Commodus) or married (Gaius Sempronius Gracchus and Gaius Marius the Younger) immediately upon assuming his toga virilis. In the majority of cases presented here, the young man had done something to
test and prove himself by his early twenties and was usually married by then as well. Marriage, including the political capital and connections it could bring and the establishment of family life, belonged to the preparations undertaken before attaining full majority at 25, when the level of competence expected of him in both private and public life advanced another full step.

For females, the life course as defined legally was somewhat less complex. The daughter would become a wife at an early age, usually no later than the mid-teens. Thus soon after puberty she took up her role as child-bearer, with all its attendant risks. Along with marriage she also gained access to the adult social world. A female who survived her teens might well grow to exert considerable influence in her household and even on politics, though the latter was always through the medium of a male person. There is no record in all the centuries of Roman history of a woman ever holding a political office. From the late Republic onwards, however, many women gained considerable freedom of action in conducting their own financial affairs. Augustus's law exempting freeborn women from tutelage if they had given birth to three children (four in the case of freed slave women) is a major sign of legal progress in this respect. Frequent remarriage due to divorce and widowhood stood always in the background of all her other activities.

The outline of the stages through which a Roman passed from birth to maturity shows that many opportunities and responsibilities came at an age younger than is common in the West today. Some were reserved for an age later than 21, the widespread standard in modern times, at least until very recently. Others, such as the availability of slaves for sex and the semi-institutionalized homosexual aspects of Roman life, accentuate even further to what degree this society was in many respects significantly different from our own. The reluctance to accept the reality of early marriage for Romans of both genders and the sometimes heroic efforts to construe a different reality may stem from the discomfort many feel at admitting that historical social norms have included practices which today are considered child-abusive, unacceptable, and illegal. As Hopkins noted regarding the work on prepubescent marriage among Romans done by Marcel Durry in the 1950s: "His findings ran counter to deeply rooted ideas." For a parallel prejudice, one need only recall how long any meaningful discussion of pederasty and other forms of homosexuality was excluded from classical scholarship, even though these phenomena are in fact central to the understanding of some phases of Greek civilization.

Conclusion
The high mortality in ancient societies alone would, under most circumstances, argue for early AAFMs. Hopkins effectively summarized the circumstances and emotional outlook of a female in Roman times which – especially with respect to her choice of career and marriage, and expectations regarding her own mortality and those of her family – were very different from those of today and, therefore, apt to be amenable to family practices many today find unthinkable. The Roman male was similarly affected. Saller and Shaw follow others who seek to identify broad patterns of family structuring such as the Mediterranean type. But if, as Parkin announces, "it is the nuclear triad of father, mother, and children, with a Mediterranean pattern of females marrying at a comparatively young age, males on the average some eight to ten years older, that is now the focus of serious scholarship," the theorists should explain at least what economic, demographic, or environmental conditions would make such an arrangement sensible for the Romans to adopt.

The overall shape of the available evidence, even though it does not allow us to fix the ages of first marriage with extreme precision, strongly suggests that most Romans opted for a course based on early marriages for both males and females, a course much more consonant with the demands of a high-mortality regime and the intricately gradated social challenges which typified their existence. Virtually all other ancient Mediterranean societies and indeed most other monogamous societies both primitive and literate (except for the Greeks, exceptional in so many other ways) have also done so. There is no sensible reason to postulate that the Romans alone should have done otherwise.