

MARTIAL'S MARRIAGE

A new approach

Martial's marital status has long been debated,¹ and it might seem that there is nothing new to add. Discussions have concentrated on whether the poet had a wife at the time he was publishing his twelve Books of epigrams, but there is also the question of his matrimonial status in the years prior to this. On the first issue, opinion has been divided, the majority inclining to the view that the poet was unmarried. As to whether Martial was married in his earlier years, some would not discount the possibility,² others however view the poet as a confirmed bachelor who never married at any stage.³

This paper will pursue a new line of approach to this second question, leading to the conclusion that Martial almost certainly married in his youth, possibly more than once. As to the question of the poet's subsequent marital fortunes, it will agree with the majority opinion that he is likely to have remained without a wife during the period of publication of the epigrams but will take issue with some of the arguments often raised in supporting this thesis.

Lest it be objected that biographical realities cannot for the most part be settled and are thus not worth spending time on, it should be noted that the poet himself invites us to consider the question of his marital status by including mention of a 'wife' in a context that is overtly autobiographical, namely in a pair of epigrams in Book 2 on the subject of his receipt from Domitian of the *ius trium liberorum*. The poems, which are usually brought up in

1) See especially L. Ascher, Was Martial Really Unmarried?, CW 70, 1977, 441–4; J. P. Sullivan, Was Martial Really Married? A Reply, CW 72, 1979, 238–9 and by the same author, Martial: The Unexpected Classic (Cambridge 1991) 25–6.

2) E. g. Sullivan (n. 1 above).

3) E. g. P. Howell, A Commentary on Book One of the Epigrams of Martial (London 1980) 4 and his Martial Epigrams V (Warminster 1995) 1–2; N. M. Kay, Martial Book XI: A Commentary (London 1985) 276–7.

discussions about Martial and marriage, merit detailed consideration, for they carry implications about the poet's marital status both before and after the publication of his epigrams.

Martial tells us elsewhere that he was granted the *ius* by both emperors, i. e. Titus and Domitian (3,95,5; 9,97,5–6).⁴ Since imperial *beneficia* lapsed on an emperor's death, they needed to be renewed by his successor. In fact, Domitian ratified en bloc the *beneficia* bestowed by his brother Titus (Dio 67,2,1), obviating the need for personal petitions. Nevertheless, Martial gives us such a petition in verse form in 2,91:

*Rerum certa salus, terrarum gloria, Caesar,
sospite quo magnos credimus esse deos,
si festinatis totiens tibi lecta libellis
detinuere oculos carmina nostra tuos,
quod fortuna uetat fieri, permitte uideri,* 5
*natorum genitor credat ut esse trium.
haec, si displicui, fuerint solacia nobis;
haec fuerint nobis praemia, si placui.*

The epigram is followed by a companion piece in which the poet thanks the emperor for acceding to his request:

*Natorum mihi ius trium roganti
Musarum pretium dedit mearum
solus qui poterat. ualebis, uxor.
non debet domini perire munus.*

Probably Martial did make a formal request to Domitian to renew his grant of the *ius*.⁵ What we have in 2,91, however, is not the actual petition, which would have been in prose, but rather a poetic version, adapted to epigram by the inclusion of a witticism in the

4) For the identity of the emperors, see K. Prinz, *Martials Dreikinderrecht*, WS 49, 1931, 148–53.

5) See D. Daube, *Martial, Father of Three*, *AJAH* 1, 1976, 145–7. He suggests that Domitian's reign was a transitional stage before automatic en bloc renewal of the previous emperor's *beneficia* became the norm, so that petitions for renewal of *beneficia* by individuals may still have taken place. The other possibility, which he considers, is that Martial represents as a special favour what was in reality an en bloc grant. In that case, the epigram 2,91 would be a fiction designed to advertise in a dramatic way Martial's receipt of the *ius*.

final couplet.⁶ Moreover, whereas in the petition itself Martial would have mentioned that he had already received the *ius* from Titus,⁷ here the fact is omitted, for the poet is anxious to represent the occasion of Domitian's grant, not as the routine renewing of a *beneficium*, but as a special favour which the emperor bestowed on him because he had personally read and approved of Martial's poetry. Thus the epigram, along with its companion piece, both advertises Martial's favoured position vis à vis the emperor⁸ and eulogises Domitian for his beneficence.

Before going on to discuss the implications of these epigrams for Martial's marital status, I would like to clear up a point which has in the past been treated inadequately or misleadingly.

It has been assumed that if the poet was married when he received the *ius trium liberorum*, he could have had up to two children, but not three.⁹ It seems more probable, however, that he had no children. The purpose of granting the right was to allow the childless to be counted as if they were parents for purposes of the Augustan marriage legislation, which rewarded those with offspring and penalised those without. Three fictional children were granted because it was that number which allowed full exploitation of the advantages granted by the legislation (e. g. excuse from acting as a tutor), but only one living child was sufficient to avoid the major penalty for a man¹⁰ under the law, that is prohibition from taking the full amount of legacies left by non-family members; in the case of Martial this would have been a significant source of income.¹¹ If Martial had one or two, but not three children, the main

6) Cf. Daube (n. 5 above) 146. It is however possible that Martial enclosed this epigram along with the petition as a means of reinforcing his request by giving evidence of his poetic skills.

7) Indeed Martial was proud of having received the *ius* from two emperors, and elsewhere (3,95,5; 9,97,5–6) mentions the fact in epigrams where he advertises his receipt of it.

8) Especially as Martial represents himself as petitioning Domitian directly: the *beneficium* was frequently obtained through a patron (cf. Pliny's request [Ep. 10,94] for the *ius* on behalf of Suetonius; his own grant of the *ius* was received through the help of Servianus: Ep. 2,1). See P. Saller, *Personal Patronage under the Early Empire* (Cambridge 1982) 68–9.

9) Cf. Ascher (n. 1 above) 444; H. C. Schnur, *CW* 72, 1978, 99.

10) The case of women was different, since they needed three children to obtain freedom from *tutela*.

11) A man who was married but childless could take half of these, though only 1/10 of his wife's estate. Possession of a child also allowed one to take *ca-*

practical advantage for him in receiving the *ius* would have been improved testamentary access to his freedmen.¹² In all likelihood, then, Martial's request for the *ius* carries the implication that, whether he was married or not, he had no living offspring.

Discussions of 2,91 and 92 concentrate on the second poem and in particular its concluding jest *ualebis, uxor. / non debet domini perire munus*. This has been interpreted several ways. If the poet was married, he is either divorcing his wife, or joking about doing so. Alternatively, if he did not have a wife, he might be saying 'farewell future wife', in other words declaring his intent of remaining a bachelor. But this would involve an unparalleled use of the future tense of *ualeo*,¹³ and it is more likely that if the poet was not married, the words 'farewell wife' are simply a joke and the wife a fiction devised for purposes of that joke.

This last suggestion seems the most reasonable explanation. Recent commentators have argued in fact that the joke is in such poor taste that it is sure proof that the poet did not have a wife. I would agree that Martial was almost certainly unmarried, but will do so for different reasons. On the other hand, I would also suggest that 2,91 and 92 can be used as evidence that Martial could not have remained a bachelor in the years prior to his publication of his poetry.

Let us take the second point first. It is often said that Domitian granted the *ius* to bachelors, but the only individual case cited is that of Martial himself.¹⁴ One of Statius' patrons, Julius

duca, i. e. legacies left to persons without children, which passed to other legatees.

12) The other main benefits of possessing three children were in the political sphere, which is clearly not applicable to Martial. On the grant of the *ius*, see especially A. N. Sherwin-White, *The Letters of Pliny: A Historical and Social Commentary* (Oxford 1966) 558 on Plin. Ep. 10,2,1; S. Treggiari, *Roman Marriage* (Oxford 1991) 72–3; T. A. J. McGinn, *Prostitution, Sexuality, and the Law in Ancient Rome* (New York/Oxford 1998) 76–7.

13) The future tense instead of the present imperative is often used as a simple valedictory formula, e. g. Cic. Att. 6,5,4 *ualebis igitur et puellae salutem Atticulae dices nostraeque Piliae*; Mart. 6,78,5 *ridens Phryx oculo, ualebis* 'inquit; Stat. Silu. 4,9,53 with Coleman ad loc.

14) An exception is Sherwin-White (n. 12 above) on Plin. Ep. 10,2 who says the grant was for married persons without issue. McGinn (n. 12 above) argues that the *ius* was commonly available to anyone, and points out that Claudius had awarded it to groups such as soldiers and those who financed the building of merchant ships. Some of these might well have been bachelors, but this does not prove that the same applied in the case of individuals.

Menecrates, might have received the *ius* as an unmarried man: Statius (Siluae 4,8) congratulates him on the birth of his third child, a happy confirmation of the omen implicit in his earlier grant of the *ius trium liberorum*. It is not known whether Menecrates' marriage had taken place at the time he received the grant from Domitian, but regardless of that, he must have been a young man when he was granted the privilege,¹⁵ in other words he had plenty of time to turn his fictive children into reality. Martial, on the other hand, was round 40 when he first received the *ius* from Titus and in his mid or late 40's when Book 2 was published:¹⁶ if he had never been married he could be regarded as a confirmed bachelor. Now I find it hard to believe that an emperor, especially Domitian, who was to enforce the Augustan laws with increased vigour, would grant the *ius liberorum* to a person who had by choice acted contrary to the spirit of legislation designed to promote marriage. To do so would have been, theoretically at least, to make a mockery of the whole thing, allowing a person to escape penalties which they had deliberately invited. But instead of tactfully passing over this point, as he might have been expected to do if he were indeed a bachelor, Martial turns the receipt of the *ius* into an excuse for not having a wife (2,92,3–4), a joke which would be in particularly bad taste if he had in reality held such an attitude to marriage.

There is, however, an even more cogent and I think clinching argument. In poem 2,91, Martial not only underlines the reason why he should be granted the honour – his poetry – but specifies why it was necessary for him to ask for it – that fortune had not granted him children (*quod fortuna vetat fieri, permitte videri* 5). This can only refer to an infertile marriage (or marriages), not to the state of a bachelor: a Roman man who was still a *caelebs* in mid-

15) Even after the birth of Menecrates' third child (c. 92 AD) Statius can still refer to him several times as *iunuenis* (Silu. 4 Preface; 4,8,14,26). On Menecrates, see Vessey, AC 43, 1974, 257–66.

16) Though 2,91 and 92 may date from earlier if the *beneficia* of Titus were renewed shortly after Domitian's succession in 82: see M. Citroni, *Pubblicazione e dediche dei libri in Marziale*, Maia 40, 1988, 3–39 at 4–5. Martial's age can be determined from 10,24, which announces the poet's 57th birthday: the book as we have it is the 2nd edition published in 98 but the poem might have been in the first edition published in 95. Thus Martial was born between 38 and 41. The right was first received from Titus probably in recognition of the *De Spectaculis*, celebrating the opening of the Colosseum in 80 AD.

dle age would have remained so by choice, not bad luck.¹⁷ It is likely that Martial's poetic version of his request to the emperor reflected the wording of a real petition: on this compare Pliny's plea for the *ius* on behalf of Suetonius (Ep. 10,94) *parum felix matrimonium expertus est, impetrandumque a bonitate tua per nos habet quod illi fortunae malignitas denegauit*. Likewise, in his letter (Ep. 10,2) thanking Trajan for his own receipt of the *ius*, Pliny emphasises his desire to have real children, even under Domitian (as shown by his two marriages in that reign), and now especially under the new emperor. This is not mere flattery of Trajan, but rather a way of pointing out that Pliny's failure to produce children was not through any lack of desire to do so. Given that the *ius* was meant to be a compensation granted to worthy individuals allowing them to avoid the penalty for something beyond their control, it is likely that persons applying for the right would have routinely pointed out that they had undertaken a marriage which had proved infertile – in other words, they had tried to comply with the spirit of the Augustan legislation.

When Martial first received the *ius* from Titus, then, he was either still in a marriage of long standing which had failed to produce offspring, or else he had contracted in the past one or more marriages which were demonstrably unproductive. He may have been a widower, as Pliny was when he was granted the *ius* from Trajan after two infertile marriages.¹⁸ Martial's status at the time he had the privilege renewed by Domitian is less clear, but even if he was married when he first received it from Titus, it does not follow that Martial was married when he wrote 2,91–2. An earlier marriage could have lapsed through death or divorce in the interim.

I agreed earlier with the view that Martial was unmarried when he published 2,92. Scholars such as Sullivan who take this line

17) The notion of a person remaining single because they are not lucky enough to find a suitable partner is alien in a society where marriage was based on other considerations than mere love: in other words, any man in Martial's position who wanted to marry in order to produce children could do so. For the meanings of *fortuna*, see I. Kajanto, *Fortuna*, ANRW II.17.1 (1981) 502–558; for the association of *fortuna* with fertility or lack thereof cf. Plin. Ep. 10,94 cited below; *Laudatio Turiae* II,26–7 Wistrand *fuertunt optati liberi, quos aliquamdiu sors inuidevat. Si fortuna procedere esset passa solemnis inseruiens, quid utrique nostrum defuit?*

18) For Pliny's marriages, see Sherwin-White (n.12 above) 559–60 (on Ep. 10,2,2). Another possible widower who received the *ius* is Voconius Romanus: see Sherwin-White on Ep. 2,13,4.

have argued that the concluding joke would appear to be distasteful if the poet were known to be married, both insulting the wife and compromising the poet's knightly *dignitas*.¹⁹ Perhaps this is right: the poem's autobiographical character might invite the reader to think of Martial's real wife, if she existed. But another reason may be ventured. The thrust of 2,92 is, as we have seen, totally against the Augustan legislation. If Martial was married, his *ualebis uxor* might be taken seriously and he must rely on Domitian's having sufficient sense of humour to appreciate the non-seriousness of his proposed 'divorce'. If, on the other hand, he was unmarried at the time of writing, then the joking address to a fictitious wife could be more clearly seen for what it was.²⁰

The question remains of whether Martial remarried at a later stage. To earlier literal-minded generations Martial's several allusions to an *uxor* were seen as proof that he did so, a female patron such as Marcella being the obvious candidate for the rôle of spouse.²¹ Other epigrams used as evidence of the poet marrying include those where marriage is incorporated into Martial's ideal life such as 2,90 (*sit mihi uerna satur, sit non doctissima coniunx* 9) and 10,47 (*non tristis torus et tamen pudicus* 10), as well as eulogies of the married state, e. g. 10,35 and 38 and 7,69. Most of this evidence can be quickly dismissed. The last three epigrams cited are poems for a patron / friend, and prove nothing about the poet's own circumstances. As to the two descriptions of the ideal life in 2,90 and 10,47, I would suggest that the inclusion of a wife in 2,90 is designed to help offset any potentially subversive impact of 2,92 by making it clear that the poet's real opinion about the married state

19) Sullivan (n. 1 above), cf. Kay (n. 3 above).

20) I do not accept the view (e. g. J. Garthwaite, *Prudentia* 22, 1990, 13–22) that Martial was secretly critical of Domitian, but would argue rather that the poet combines flattery of his imperial patron with wit in such a way as to avoid offence. See L. C. Watson, *Martial* 8,21, literary *lusus*, and imperial panegyric, in: *Papers of the Leeds International Latin Seminar* 10, ed. F. Cairns and M. Heath (Leeds 1998) 359–72.

21) For Marcella as wife rather than patron, cf. F. A. Paley and W. H. Stone, *M. Val. Martialis Epigrammata Selecta* (London 1875) 413. Against: Sullivan (n. 1 above), Kay (n. 3 above). The uncritical autobiographical approach was adopted as recently as 1984 by A. A. Bell, Jr., *Martial's Daughter?*, *CW* 78, 1984, 21–4, who argues that Martial was divorced on the evidence of *ualebis uxor* (2,92,3) and remarried, with a daughter, on the basis of a reference to a wife and daughter at 7,95,7–8.

is politically correct and that what he says in 2,92 is merely opportunistic wit. In 10,47 Martial's picture of the ideal life includes a *cas-tus torus*, which sounds like an allusion to marriage,²² but the poem is a set-piece, Epicurean in character, and in the Roman version of Epicureanism, at least, marriage was part of that ideal.²³

Of greater potential significance might be epigrams where a wife is casually mentioned in passing, such as 7,95, a satiric attack on the kisser Linus who persists even in the depths of winter when even a family's kisses would be unwelcome: *hoc me frigore basiet nec uxor / blandis filia nec rudis labellis* 7–8. The introduction by the poet of a wife and daughter is so casual that it might be supposed to be based on reality.²⁴ If this were the case, however, it is strange that 12,18, Martial's description of retirement in Bilbilis, makes no mention of either. If they had existed in 92 (the publication date of Book 7) but died in the interim one might have expected commemoration in the form of one or two epitaphs, a type of epigram for which Martial had a fondness. The only possibility is that Martial had a wife in 92 but was divorced before the retirement, and the daughter either stayed with the wife or was married by that time. On balance, though, it is at least as likely that the wife and daughter of 7,95 are a fiction.

Three major groups of evidence have been generally used to demonstrate the likelihood that the epigrammatist was unmarried during the period while his poems were being published: 1) disparaging references to a 'wife', which would be highly offensive if the poet were in reality married; 2) poems where he attacks a married man for requesting the *ius trium liberorum* (8,31; 9,66), which might seem hypocritical if Martial himself received the *ius* when married; 3) his avowed preference for young boy slaves as sexual partners, together with his frequently enunciated misogyny.

In connection with the first point, in epigrams like 4,24 (*omnes quas habuit, Fabiane, Lycoris amicas / extulit: uxori fiat amica meae*), the *uxor*, as in modern 'mother-in-law' jokes, is most rea-

22) Though Sullivan (n. 1 above: 1991) 216 says it could equally refer to a relationship with a slave boy.

23) Cf. Lucret. 3,894–6 *iam iam non domus accipiet te laeta neque uxor / optima, nec dulces occurrent oscula nati / praeripere et tacita pectus dulcedine tangent.*

24) Cf. 6,27,10, where Martial advises his friend and neighbour Nepos that fathers can enjoy life as well as *orbi: possunt et patres uiuere, crede mihi*: the addition of *crede mihi* might suggest that his remark is based on personal experience.

sonably viewed as a literary construct invented for humorous purposes, but it tells us nothing in reality about the poet's marital state.²⁵ A grossly sexual epigram like 11,104 is more difficult, as it purports to give advice to the poet's wife on private matters, though the Saturnalian spirit of the book could be invoked to argue that, as in 4,24, the reality of the wife is irrelevant. As for 8,31 and 9,66, ridiculing married men who ask for the *ius trium liberorum*, the point here, implicit in the first and explicit in the second, is that these men need to ask for the *ius* because they are impotent and cannot father children naturally. And in the case of Dento, at least (8,31), he has only recently married,²⁶ so that his request for the *ius* before testing the fertility of his marriage arouses suspicion.

The third argument which has been adduced in support of Martial's being unmarried – his apparent sexual preference for boys – must be handled carefully. First, discussions of the question tend to focus on those poems where this 'orientation' is spelt out. But love poems to *pueri delicati* (e. g. 3,65) stand firmly in the epigrammatic tradition²⁷ as well as reflecting the fact that in real life, as has frequently been pointed out,²⁸ it was perhaps normal for a Roman male to be bisexual, in the sense of having sexual relations with both women and with boy slaves, with both of whom he assumed the 'manly' dominant rôle.²⁹ In this sense, Martial fits the pattern, since nowhere does he represent himself as a passive sexual partner and he fiercely condemns 'unmanly' practices such as *fellatio*, *cunnilingus* and being anally penetrated. More important

25) The same applies to poems such as 10,8 *nubere Paula cupit nobis; ego ducere Paulam / nolo: anus est. uellem, si magis esset anus*; these are no more indicative of reality than, say the poem (8,23) in which Martial depicts himself as beating his cook.

26) Cf. 2 *coniuge ... ducta iura paterna petis*.

27) Cf. AP 12 and Catullus' Iuvenius poems; of the other major Latin love poets Gallus, Tibullus, Horace, Ovid and Propertius, the last two – who do not address poems to boys – might be viewed as the exception rather than the rule.

28) E. g. B. C. Verstraete, Slavery and the social dynamics of male homosexual relations in ancient Rome, *Journal of Homosexuality* 5.3, 1980, 227–361; C. A. Williams, *Greek love at Rome*, CQ 45, 1995, 517–39 and the same author's *Roman Homosexuality: Ideologies of Masculinity in Classical Antiquity* (Oxford 1999) esp. 32–4.

29) Also the underlying assumption that Martial's readership would sympathise with such sentiments suggests that they regarded these as socially acceptable, if not normal.

than the frequent epigrams to boys, however, is a striking omission: there are no love poems addressed to women (i. e. nothing corresponding to the heterosexual erotic epigrams of AP 5). Epigrams where Martial, as the speaker, is involved with a female partner are invariably insulting in some way. This might suggest that the sexual orientation of the real Martial was primarily towards young male partners. The notion is reinforced by the unusual number of references to anal intercourse with women as a desirable activity (e. g. 9,67,3 *illud puerile poposci*; 11,104,17 [reproaching an *uxor*] *pedicare negas*) or as a poor substitute for pederasty (e. g. 11,43; 12,96,9–10).

It is possible, then, that the sexual preference of the real man was not for women. The assumption that this was indeed the case has been used as an argument that Martial was a bachelor throughout his life, but it has limited relevance to whether the poet ever married, since marriage in Rome was undertaken for reasons other than sexual fulfilment, and a husband who preferred slave boys to his wife had ready access to a household of slaves whose services he could call upon as he wished (cf. Aulus Pudens [Mart. 1,31; 4,13; 5,48; 5,28] who has a favourite boy slave as well as an idyllic marriage).

After the poet received the *ius*, however, there was no longer the same practical reason for marriage, and if he disliked women as sexual partners that would argue against his remarrying at that stage. It would also tie in with the ideal life described in 12,18. The epigram is addressed to Juvenal, still in Rome, and the delights of retirement include a *uilica* to tend for the poet's domestic needs (19–21) and a handsome *uenator* (22–3) and a long-haired *uilicus*,³⁰ presumably to tend for his sexual needs. The absence of a wife among these pleasures of the countryside might suggest that Martial was not at this stage married: given the tradi-

30) 24–5 *dispensat pueris rogatque longos / leuis ponere uilicus capillos*. The lines have been variously interpreted, but I disagree with Tränkle (Exegetisches zu Martial, WS 109, 1996, 143–4) that the *capilli* belong to the *pueri* rather than the *uilicus*. Martial is saying obliquely that the *uilicus* is of an ideal age for a sexual relationship with his master: he is still immature (*leuis*) but old enough to want to cut his hair (i. e. end his period as a catamite). For this as the optimum age for a *delicatus*, cf. Mart. 2,48,5–6 where the poet's ideal of happiness includes a *grandem puerum diuque leuem et caram puero meo puellam*, i. e. a boy who has not completed puberty but is sufficiently grown up to be interested in the opposite sex.

tional character of the piece, he might have been expected to include a wife, as in Horace, Epode 2, upon which the epigram is largely based.³¹ The fact that he does not might offer a clue as to his personal circumstances.

To conclude and summarise, Martial was almost certainly married in his early years. At the time of writing the poems (2,91 and 92) thanking Domitian for the grant of the *ius trium liberorum*, the poet was probably without a wife. That he remained so thereafter is likely, though one of the main arguments for this – what can be inferred about his sexual ‘orientation’ – is suggestive rather than provable.

Sydney

Patricia Watson

31) Hor. Epod. 2,37–8 *quodsi pudica mulier in partem iuuet / domum atque dulces liberos*; cf. Virg. Georg. 2,524 *casta pudicitiam seruat domus*. Martial himself mentions a wife in 10,47, much more a set piece than the purportedly autobiographical 12,18.