THE JULIAN MARRIAGE LAWS

T. S. VIGORITA: *Casta domus. Un seminario sulla legislazione augustea*, 2nd edn. Pp. 192. Naples: Jovene Editore, 2002. Paper, €16.80. ISBN: 88-243-1427-8.

Tullio Spagnuolo Vigorita's *Casta domus* is a revised edition of two earlier monographs, the first written in 1997 and the second in 1998. In the 2002 version, one finds thirty-eight additional pages of text pertaining to Augustan marriage laws. Using the results taken from a Roman law seminar, the author sets out to frame for students the impetus behind these laws. The topic of Augustan marriage legislation has produced a plethora of monographs and articles over the years, so why has the author chosen to publish yet another revised edition? There are two reasons: first, this work aims to collect and document as many sources as possible that reflect the impact that these laws had from their inception up to the late antique period. Secondly, the author steps into murky waters to suggest that specific laws traditionally ascribed to a specific period in Augustan history could date as early as the inception of the principate. This edition then sets out to add material to the author's previously documented primary sources to trace the overall development of the Augustan legislation.

Following in the footsteps of the Roman legal historian Paul Jörs (1856–1925), V. advocates the importance of conveying both the social environment and historical setting of the times to facilitate our understanding of this particular legislation. The first half of the book, divided into twenty-three sections, provides a thorough analysis of the social and historical contexts that motivated Augustus' ideology concerning marriage (pp. 19–85). To back his claims, V. has collected varied literary and epigraphic sources that appear in the second half of the work (pp. 87–190).

The focus of this study is the effects that the Augustan marriage laws had on the house of Augustus and his literary circle. The laws in question were the *Lex Julia de maritandis ordinibus* and the *Lex Papia Poppaea*, of 18 B.C. and A.D. 9 respectively. Modern references to these laws frequently appear under the *Lex Julia et Papia Poppaea* (Julian and Papian Law), a modified version of the law promulgated in A.D. 9. After the civil wars, Rome faced a deficit in the senatorial class. To ease the problem, Augustus, through a set of marriage laws, set out to curtail marriages between senators and freedwomen, and penalize those who did not produce offspring. Disinheritance from a will was one such costly penalty for those non-law-abiding citizens.

Using the poet Propertius as a springboard for discussion, V. provocatively suggests that Augustus began his program to bolster marriage among the senatorial class as early as 28/27 B.C. The hypothesis that Augustus embarked on his sexual morality program at this early date is not new, but certain evidence that the author uses to corroborate his claim is. V. correctly exercises caution when making this assertion since the history behind the institution of the laws is not clear (p. 24). To support the point that Augustus embarked on his mission to tinker with the marriage laws around 28 B.C., the author first refers to Propertius 2.7, written *c.* 28 B.C. (pp. 12–15). Here, the poet laments a law that impeded the relationship between himself and his lover, Cynthia. During their relationship, this law was both legislated (edicta) and revoked (sublata). According to V., Propertius' reference to the law gives strong credence that Augustus possessed a mandate early in his career to curtail certain marriages. This law, in V.'s opinion, was much too severe to have any concrete effect on the population.

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Gradually, Augustus toned down and modified its content to reflect the *Lex Julia de maritandis ordinibus* recorded in 18 B.C.

The second half of the work documents the literary and epigraphic evidence to support the author's claims. V. has collected a total of 123 excerpts from Latin and Greek sources, as well as his own translations in Italian. Following each translation, a parenthetical reference guides the reader back to part one of the book where V. quotes the citation in question. Each author or epigraphic source comes with a brief biographical and contextual discussion of the material. For inscriptions the author has opted to omit editorial conventions for uncertain or fragmentary readings (e.g. *Res Gestae* or the *Tabula Larinas*). He also provides a select up-to-date bibliography at the end of the work that covers monographs on Augustus, as well as Augustan Roman law and social history.

Problems with this useful resource are few. As far as content goes, those who may have an interest in the ramifications that the marriage laws had on the freed slave will not find much information here (pp. 16, 24–25). This work focuses primarily on the house of Augustus. There are a few editorial quibbles. Unfortunately, there is no index of terms, subjects, or proper names to help the reader look up pertinent topics of interest. Sometimes a parenthetical reference is inserted into the text, yet there is no complete citation in the select bibliography (e.g. M. R. Gale, 1997, p. 15). In places, accent marks curiously appear on Latin legal terms (e.g. *bona cadúca*, *delàtor*, p. 17).

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EMPEROR WORSHIP

I. GRADEL: *Emperor Worship and Roman Religion*. Pp. xvii + 398, maps, ills. Oxford: Clarendon Press, 2002. Cased, £55. ISBN: 0-19-815275-2.

This is an important book in an essential area of Roman religion and politics. It is audacious and innovative, putting forward a straightforward but highly contentious theory: emperor worship in the city of Rome was perfectly in keeping with tradition. This is a bold step away from much of current discussion on emperor worship. Gradel's model is as simple as it is controversial: 'the man–god divide in the pagan context could also be taken to reflect a distinction in *status* between the respective beings, rather than a distinction between their respective natures' (p. 26). The question, as G. succinctly puts it, is one not of 'zoology', but of gradation within one 'species'. Worship was not given to honour divine nature, but to placate those who were of importance for the Roman state.

If G. is right, it changes the ground significantly. It was not because the concept of worshipping humans was abhorrent to the Roman mind that nobody was so honoured in the Republic, but simply because nobody was sufficiently important to warrant worship in the public sphere (Chapter 2). The only exception was the triumph—a leftover from an era in which kings did rule supreme (p. 35). Here G. chooses to ignore a relevant detail: the slave who went with the 'triumphator' reminded him: 'respice post te, hominem te esse memento' (Tert. *Apol.* 33.4). If the problem is not *being* a god, why then this reminder? Perhaps the answer is given in the emphasis G. places on the state cult. '*Publica sacra* . . . covers cults performed on behalf of the whole individual city . . . by city magistrates at city expense . . . In the case of Rome, such cults may be termed state cults or collectively the "state cult" ' (pp. 9–10). State cult was not given to

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