

*BENE MERENTI*: AN EPIGRAPHIC DISPLAY OF SOCIAL IDENTITY AND  
EXPECTATIONAL DIFFERENCE BETWEEN ROMAN FREEBORN AND FREED WOMEN

A Thesis by

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Submitted to the Department of History  
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The following faculty members have examined the final copy of this thesis for form and content, and recommend that it be accepted in partial fulfillment of the requirement for the degree of Master of Arts with a major in History.

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Ariel Loftus, Committee Chair

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Travis Bruce, Committee Member

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Peer H. Moore-Jansen, Committee Member

## **DEDICATION**

To my husband, my daughter, and my parents

*O quam multarum egregia opera in obscure iacent!*<sup>1</sup>

*Quid procreation liberorum, quid propagation nominis, quid adoptiones filiorum,  
quid testamentorum diligentia, quid ipsa sepulcrorum monumenta elogia  
significant nisi nos future etiam cogitare?*<sup>2</sup>

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<sup>1</sup> Seneca, *Consolatio ad Helviam* 19.5.

<sup>2</sup> Cicero, *Tusc. Disp.* 1. 31, M. Pohlenz, ed. (Teubner, 1965).

## ACKNOWLEDGEMENTS

I would like to acknowledge my great debt to Dr. Ariel Loftus for her generous support and guidance. I am truly indebted to Dr. Loftus, at her suggestion I undertook this investigation the beginning of my second year of graduate school. I originally came to Wichita State having a thesis topic in mind concerning Roman martyr, but after discussion Dr. Loftus's area of interest and listening to her suggestions we settled on a variation of the topic at hand. Originally, and what would become my GRASP (Graduate Research and Scholarly Projects Symposium) presentation, the idea for this thesis was to chart the streams of continuity and change of attitudes towards Roman women through the time of Augustus to fourth century C.E. However, due to Dr. Loftus's understanding and trust she allowed me to explore further the question that was plaguing my earlier research, why was I finding more epitaphs using the epithet *bene merenti* in relation to free-born Roman women than freed, and from there the current thesis was born. Her advice and criticism has been invaluable during the course of writing this thesis.

I would like to thank the Wichita State Department of History. There simply is not space to name everyone, but I would like to mention Dr. Jay Price who, as Graduate Chair, supported my application to the program and providing me with guidance when problems arose. I would also like to thank him and the rest of the department for accepting my applications to become a graduate teaching assistant. I would also like to thank Dr. Bruce for lending his expertise on matters of medieval history, challenging me to think differently and look at numerous new sources, and agreeing to serve on my committee. I would like to thank the members of my committee, Dr. Bruce and Dr. Moore-Jansen of the Anthropology department, for their interest in my research, their continual support, and thoughtful comments regarding the drafting of this thesis. All members of the department, as well some external professors, have been exceptionally supportive on both a professional and personal level.

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Last, but not least, my family deserves more mention than space allows. My husband, Allen, who late at night would read over my latest writing section to proofread and make suggestions, even when I was frustrated with my results. His continued support and pushing gave me strength to continue through all the difficulties of research and writing. I want to thank my daughter, Brooklynn, for brightening up my life and giving me more of an incentive to not only finish, but to produce my very best.

## ABSTRACT

The overall concern of this thesis is to examine the difference in social identity and its formation processes and the expectations placed upon free-born and freed Roman women within specific roles using epigraphic evidence and the parameter of the epithet *bene merenti* meaning “well-deserving” and/or “meritorious.” In the current investigation of epitaphs coupled with the epithet, it became apparent that birth status and family relationships, particularly in relation to men, were of some considerable relevance in the choice to use *bene merenti* to describe the deceased and its intended meaning. After analyzing 6,000 epitaphs, it was found that more free-born women were assigned the epithet *bene merenti* than their freed counterparts. The results of this study suggest a subtle division between free-born and freed women’s social statuses and categorization by role-based identities. All of the female epitaphs examined focused upon the woman’s role within the *familia* and household, defining the deceased’s existence based on her role as wife and mother. The disparity in *bene merenti*’s usage lends itself to the conclusion that it was paramount for a free-born woman to fulfill traditional Roman roles and be identified as a “well-deserving” and “meritorious” wife and mother, even at times lending itself to highly impact their man’s reputation and identity as *paterfamilias*, head of household, and competent political leader, more so than their freed counterparts. Concerning freed women, *bene merenti* suggests the continuation of an ambiguous state of social existence, because of a contrasting previous sexual identity resulting in their slave status with their newly granted freedom that expects, to the point of requirement, chasteness and sexual purity that comes only with respect and influence of social status. The decision to use *bene merenti* in describing Roman women alludes to its extension beyond that of simple funerary formula to a meaningful social analysis of identity, role fulfillment, and expectations of gender.

## TABLE OF CONTENTS

Chapter	Page
Introduction.....	1
1. <i>Historiography and Methodology</i> .....	6
I. Epigraphic Information	
II. Methodology	
1. Epitaphs	
2. Literature	
3. Social identity theory	
2. <i>Bene Merenti: Beyond Epigraphic Formula</i> .....	22
I. Traditional Usage in Light of Literary Sources	
Chapter 3. <i>Social Identity and Expectational Difference</i> .....	39
I. Similar Characteristics in <i>Bene Merenti</i> Epitaphs Showing Role-Identity	
II. Freed <i>Bene Merenti</i>	
1. Epigraphic Evidence of Freed Identity	
III. Free-Born <i>Bene Merenti</i>	
IV. Expectation Differences	
Conclusion.....	64
I. Further Considerations	
Bibliography.....	70
Appendix A.....	79

## LIST OF TABLES

Table	Page
Table A: Bene Merenti Variations Found in Latin Epitaphs.....	23
Table B: Frequency of Terms Denoting Wife and Mother Coupled with Bene Merenti.....	42

## ABBREVIATIONS

AE	L'Année Épigraphique, published in Revue Archéologique and separately (Paris, 1888—)
AJP	American Journal of Philology
CIG	Corpus Inscriptionum Graecarum
CIL	Corpus Inscriptionum Latinarum (Berlin, 1863---
EDCS	Epigraphik-Datenbank Clauss-Slaby
ILS	Inscriptiones Latinae Selectae
JRS	Journal of Roman Studies
OCD	The Oxford Classical Dictionary

## Introduction

D(is) M(anibus) / Fufiae Vitalis / Sex(tus) Cervius Vestalis / uxori suae karissimae ac pientissimae / b(ene) m(erenti) fecit / cum qua vixit an(nos) XXXIII m(enses) VI d(ies) X / et sibi suisq(ue) lib(ertis) libertabusq(ue) / posterisq(ue) eorum / in f(ronte) p(edes) X s(emis) III(uncia) in a(gro) p(edes) VIII.<sup>3</sup>

To the departed spirits. Sextus Cervius Vestalis made this for his beloved and pious, well-deserving wife Fufia Vitalis who lived 33 years, 6 months, and 10 days, and for our freedmen, freedwomen, and their descendants. This tomb is 10 feet in front and 8 on the side.

With this epitaph, one learns of Fufia Vitalis, the supposedly beloved, pious, and “well-deserving” wife of Sextus Cervius Vestalis. Sextus made it explicitly clear that he had the funerary inscription created for his wife, who he believed to have lived a life worthy of some sort of commemoration. Upon first glance the epitaph does not appear to be much of a significance, but rather a simple grave inscription giving basic demographic information concerning an individual who was one of many who lived and died in the city of Rome. Granted, it is necessarily the normal to find an epitaph that lists to the date how long a person lived for and how long, to the day, but beyond that nothing seems special about Fufia Vitalis; the epitaph seems like a normal commemoration. Or does it? What could this simple four lined epitaph tell us not only about the deceased person it is meant to commemorate, but also about her family and the society at large? The answer, in short, is plenty.

In this epitaph, Fufia’s commemoration revolves around her connection to her husband. Her husband commissioned the inscription and personally chose the words to describe Fufia. Upon examination of the words chosen, the first term highlighted as significant is *uxori*. The reason this is telling is *uxori* is almost exclusively reserved for legally married women of a certain level of status or economic achievement and was chosen significantly less than *coniux* in epitaphs to denote the position

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<sup>3</sup> EDCS-30400302.

of wife.<sup>4</sup> Within the Epigraphik-Datenbank Clauss/Slaby, which will henceforth be referenced as EDCS, there were only 572 epitaphs within the city of Rome that used to term *uxori* out of 117,816. Due to the information gathered by Dr. Alison D. Jeppesen-Wigelsworth and Dr. Hanne Sigismund-Nielsen, it can be safely assumed that Fufia and her family are within the upper-class of Roman society, possibly influential especially given the dimensions listed for the tomb site, and the fact that *uxori* was chosen to denote her wifely role. "..., a freed first century *coniunx* would not wish to be termed by the ideals given to her neighbor, the freeborn *uxor*. No husband who called his wife an *uxor* on a household tomb would want her thought of for posterity in the same way as the *coniunx* in the *columbarium*."<sup>5</sup> Also, based on Fufia's epitaph's usage of more than one epithet, the inscription raises another highlight. Normally freed epitaphs only had one, possibly two epithets. Free-born women were more likely to have up to three epithets. It is this epithet characteristics and the fact that uniformly almost every female epitaph commemorates the female deceased based on their role within the *familia*, particular the role of wife and mother, which raises considerable questions as to how these characteristics correlate to Roman society.

The intention in writing this thesis is twofold. The primary goal is to present a comprehensive portrait of wives and women throughout the Roman Empire by the examination of the portrayals of free-born and freed women in Latin epitaphs. The main focus will be placed upon female epitaphs using the epithet *bene merenti*. From this, it will be possible to see if the ideals held by the upper classes referring to the expectations and social identities of free-born women were transferred and applied to the growing and problematic number of women with newly acquired freedom and means. Due to the former freedwoman's slave status, which was defined by her sexual availability and performance, her new position within society was hard to reconcile. "In a woman's case, the primary obstacle was that the

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<sup>4</sup> Alison D. Jeppesen-Wigelsworth, *The Portrayal of Roman Wives in Literature and Inscriptions* (Ph.d. diss., University of Calgary, 2010): 4, 18,

<sup>5</sup> *Ibid.*, 210.

sexual identities of a female slave and a female citizen were fundamentally incompatible, as the former was principally defined by her sexual availability and the latter by her sexual integrity. A woman's sexual conduct was so critical to evaluating her standing and moral worth that it [almost always] completely overshadowed and nearly subsumed all of her other virtues or positive personal qualities."<sup>6</sup> By examining Latin epitaphs this study will be able to see changes in the epithet chosen and its usage, particularly that of *bene merenti*, that show case social expectation and identity. The main objective of this primary focus is to investigate the usage of *bene merenti* and how it differed greatly between free-born and freed women, reflecting their difference in social position.

Another objective of this study is to further elucidate our greater understanding of the progression and usage of the *bene merenti*, both in a literary and epigraphic sense. Most scholars, such as Hanne Sigismund Nielson, believe that *bene merenti* in epitaphs should not be seen, in most cases, as anything more than a possible formula to show praise rather than an epithet that expresses a social and personal identity. However, it is evident that upon further analysis this "epithet" is more than just a formula of praise, but rather expresses actual social and personal sentiment showing a glimpse in the relationships in Roman family units. One question related to this investigation is the degree to which the epithet shows the power structure and roles of individuals within the family and overall society. By establishing the meaning and usage of the epithet, it will be possible to show how it highlights certain social and personal characteristics of unity and difference between all classes of Roman women by illustrating the swift from masculine sentiment to female virtue and the social context of when *bene merenti* is assigned. *Bene merenti* is more than just a funerary formula, but shows class expectation, similarity, and distinction and can be used to read between the lines of female history.

As this thesis is a study of Roman women and Latin terms, only Latin epitaphs will be investigated. Though epitaphs will be the main sources examined, historiography concerning the topic of

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<sup>6</sup> Matthew J. Perry, introduction to *Gender, Manumission, and the Roman Freedwoman* (Cambridge: Cambridge University Press, 2013), 1.

classical epitaphs will be utilized in order to examine thoroughly the concepts (e.g. structures, styles, themes) and translation of the epitaphs. Leading historical scholarship from historians such as Kate Cooper, Brent Shaw, Susan Treggiari, and many others are referenced to provide social context and understanding concerning female roles within Roman society and the family to demonstrate how the continuation and evolution of the ideas and attitudes presented within this work. Although reference to legal sources might be utilized, the non-legal sources are more heavily relied upon and are important for understanding the social and personal contexts of the epitaphs in a specific time period. The time period under investigation stretches, generally, for the early to middle imperial period (c. 100 C.E. to c. 400 C.E.). In the end, this study will attempt to demonstrate how *bene merenti* not only is used as a characteristic of a female's individual and social identity, but also how its usage illustrates further the social gap between freeborn and freed.

The examination and analysis of classical and post-classical epitaphs, Roman women, slaves and freed, and the roles and structure of the Roman *familia* have occupied the pages of numerous books, individual articles, and journals, yet there seems to be lacking any thorough analysis that combines the four features. Most discussions only focus on one or two elements in a comparative analysis or a general observation focusing on an overarching theme that somehow touches on one of the mentioned points. It has only been recently, within the last three or four decades that the established tradition is being severely challenged by emerging female oriented scholarship and a new line of inquiry is succeeding in being heard. Some Roman scholars, such as Beryl Rawson, Susanne Dixon, Kate Cooper, Judith Evans-Grubbs, Jane F. Gardner, and Susan Treggiari, have concentrated their scholarship efforts on redressing the imbalance. While their arguments has been mainly focused on the representation of women in ancient literary and legal sources written from elite male perspectives that are incomplete or misrepresentative, each one addresses a topic concerning women and the family rather than male domination of the *domus* and social sphere and tries to “read between the lines” or ask questions

regarding what is not mentioned and why. Even epigraphic analysis and works of art are incorporating female focus thanks to the combined efforts of recent scholars and feminist theorists.

Even though the historiography has shifted in favor of an all-encompassing analysis of the Roman world, complete with discussions and vantage points of women, children, and slaves/freed, there is still quite a bit of work to be done due to historian making new discoveries and asking new questions, but also for the sheer infancy of the inquiry. Many avenues have yet to be explored and multiple points that play off each other have yet to be examined together. In the end, the current study hopes to illuminate the unacknowledged and open up another avenue of discourse adding to the wider scholarly discussion concerning Roman women, social status and expectation, and Latin epitaphs. It will also inform on issues relating to the analysis of individual epithets, steps of social transition within Rome, and different relationship dynamics between spouses. This thesis will help further the already growing scholars' attention to epitaphs and their importance in discovering individual and personal, as well as overarching, details of women within Rome; finding information that was either thought lost and unrecoverable or even nonexistent at some point.

## *Chapter 1*

### *Historiography and Methodology*

This chapter will accomplish two things. First, it will discuss epigraphic developments and the portrayal of Roman women, freeborn and freed, in general and the multi-faceted identity of the *domina* will survey how these topics have been treated. Second, it will analyze the social identity building process and how it relates and impacts the creation of epitaphs will provide the theoretical understanding together with how epitaphs work as a medium between an individual and the rest of society; laying the necessary foundation for this paper's argument. Within these two points the criteria, sample size, and overall methodology will be defined and made clear.

#### *I. Epigraphic information*

In order to contextualize this study within modern scholarship, it is critical to define the interpretation of Roman women, freed status, and epitaphs as it appears in the historiography. Many studies, as outlined below, utilize the work of earlier scholars regarding inscriptions and Roman social history, while at the same time providing groundbreaking analysis on previously unexplored questions.<sup>7</sup> Due to past difficulties in dealing with inscriptions, the current scholarship regarding Roman women within epitaphs is still in its infancy. The advent in the last twenty years of simplified database programs couples with searchable databases of inscriptions (which encompass recently found inscriptions not available in the published corpora) makes new studies, such as this one, useful for adding to the portrait of Roman women and its social structure.

While the study of Philology and Epigraphy has long been a topic of discussion for historical scholars and archaeologists, recently more attention is being paid to the personal and demographical

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<sup>7</sup> The studies listed are not intended to be an exhaustive list of works on Roman women or Latin epitaphs. This is simply a representative sample to show the streams of focus a part of the mainstream current scholarship on Roman women, gender, social status, and the information being provided by epitaphs.

information inscriptions and epitaphs present.<sup>8</sup> Until the second half of the eighteenth century the interest in epigraphs was almost exclusively collector and antiquarian. Inscriptions found were removed from the places of discovery and often times hung on walls of private homes or museums to showcase, giving birth to “lapidary.” Few historians gave much thought to the use of these materials as credible sources or the state of inscriptions. Not much information was known as to their significance or even the difference between the Greek and Latin epitaphs. It was not until Scipione Maffei (1675-1755) that the first significant advancements in epigraphy occurred.

Maffei, a distinguished antiquarian with a humanist education, set out to produce a corpus of inscriptions in order to not only distinguish between Greek and Latin inscriptions, but also establish guidelines of format and characteristics between true inscriptions and the imitative and fabricated modern ones that were flooding the markets and shops at the time. As described, inscriptions were not preserved and collected for historical or archaeological purposes, but rather personal prestige and ownership. While many believed that these distinctions and the increased awareness was unnecessary and overcritical, Maffei’s work *Ars Critica Lapidary* paved the way for a scientific method of the consciousness, evaluation, and treatment of current epitaphs and future discoveries.<sup>9</sup>

It was not until the early nineteenth century that the importance of epigraphy was realized and awareness rose enough for the historical community to focus on the documentation and recording of the thousands of inscriptions. August Boeckh (1785-1867) was the first to establish scientific principles of the study of epigraphy and emphasized the importance of field while focusing mainly on Greek inscriptions. He published in 1827 a circular *Corporis Inscirptionum graecarum, Notitia sumptibus Academiae Borussica edendi*. Upon completion of the circular he was asked to spearhead a project by the Prussian Academy of Science to compose a comprehensive recording of the known Greek

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<sup>8</sup> The studies listed are not intended to be an exhaustive list of works on Roman women and Latin epitaphs. This is simply a representative sample to show the streams of focus within current scholarship on Roman women, gender, social status, and the information provided by epitaphs.

<sup>9</sup> Scipione Maffei, *Artis criticae lapidariae* (Lucae: Ex typographia Leonardii Venturini, 1765).

inscriptions of the time. The *Corpus Inscriptionum Graecarum* (CIG) included a total of 9,926 inscriptions in several volumes.<sup>10</sup> Boeckh understood and promoted the idea that the evidence of inscriptions could only be fully utilized when read in bulk through an organized corpora. He stressed an organization according to location and established this principle for following works and the wider study of epigraphy. By organizing this way, inscriptions could then be subdivided according to possible date, if given and then by focus or bodies responsible for their creation. The CIG was subdivided into date and by the bodies responsible for the text with inscriptions connected to civic administration preceding those connected with cults and then those erected by private associations or individuals.<sup>11</sup>

Boeckh's systematic efforts to record Greek inscriptions had an immediate impact upon Latin epigraphy resulting in its own great corpus of inscriptions. Theodor Mommsen began working on the *Corpus Inscriptionum Latinarum* (CIL) in 1853 and work on it has continued to this day. So far the CIL is comprised of "seventeen volumes in around seventy parts in folio-size editions, holding around 180,000 inscriptions, along with thirteen supplementary volumes with illustrations and specialized indices."<sup>12</sup> Due to the massive amount of inscriptions, the CIL, while the bulk is organized by location (volumes 2-14), volume 1 is devoted to Latin inscriptions prior to Augustus and volumes 15-17 deal with instruments of daily use, military *diplomata*, and milestones.<sup>13</sup> Soon after the *L'Année épigraphique* (AE), under the direction of René Cagnat, was published. The importance of inscriptions and the drive to document the ever-growing numbers continued to be the main focus in the field of epigraphy, either for preservation purposes before further deterioration and destruction could occur and utilizing them as possible sources for mostly political and economic Roman histories. Most of what was being transcribed was in part due

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<sup>10</sup>Even today the CIG is continuing to be update to include the newly discovered inscriptions. Unfortunately, by the time the second volume of Boeckh's work was completed the information and the list of inscriptions was outdated, particularly after the troves found at archaeological sites.

<sup>11</sup>Traianos Gagos and David S. Potter, "Documents," in *A Companion to the Roman Empire*, ed., David S. Potter (Wiley-Blackwell, 2009), 48.

<sup>12</sup>"Review and Outlook," *Corpus Inscriptionum Latinarum*, Berlin-Brandenburg Academy of Sciences and Humanities, accessed July 30, 2014, [http://cil.bbaw.de/cil\\_en/dateien/forschung.html#aufgaben](http://cil.bbaw.de/cil_en/dateien/forschung.html#aufgaben).

<sup>13</sup>Gagos and Potter, "Documents," 48-49.

to historians and epigraphists' desires to create an account of a particular city, event, political figure, or establish chronologies of either the Greek or Roman civilization.<sup>14</sup>

Epigraphy was a couple of stagnant decades following the commission of the different corpuses with few new analyses being produced. It was not until the early to mid-twentieth century that new influential studies on epigraphs emerged bring a better understanding of inscriptions and the social and cultural aspects they represent and display. Expanding on the knowledge presented by Maffei concerning the distinguishing characteristics between Greek and Latin inscriptions, epigraphists were able to determine more finitely that epitaphs were a distinct Roman cultural characteristic. Roman culture gave special significance to the burial and commemoration of the dead.<sup>15</sup> Romans were careful to record deaths, particularly those before the age thirty, and a strong epigraphic consciousness emerged.<sup>16</sup> Greek and other populations groups produced fewer epitaphs per thousand than the Romans. Out of some 156,000 total inscriptions, the historian A. Mocsy found that little over half came from Italy with Rome comprising 40,000 itself.<sup>17</sup> The rest of the Latin inscriptions seemed to have been generated by peripheral locations outside of Italy that at one point were either conquered at one point by the Roman Empire or saw a heavy influx of Latin emigrants. "In northern Italy, most of north Africa, much of the Danube lands, and throughout Spain and northwestern Europe, it was a characteristic not

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<sup>14</sup> Martin Lister, "An Account of a Roman Monument found in the Bisho-Prick of Durham, and of Some Roman Antiquities at York, Sent in a Letter from Martin Lister Esqs," *Philosophical Transactions (1683-1775)*, vol. 13 (1683), 70-74; Octavian Pulleyn, "Part of a Letter from Mr. Octavian Pulleyn, Dated, Rome March 16, 1696, Giving an Account of an Inscription there found in the Language of the Palmereni, and Another in the Etruscan Language Found on an Old Vine," *Philosophical Transactions (1683-1775)*, vol. 19 (1695-1697), 537-539; Roger Gale, "A Copy of an Ancient Chirography, or Conveyance of Part of a Sepulchre, cut in Marble, Lately Brought from Rome, and Now in the Possession of Sir Hans Sloane, Bart. R.S. Pr. with Some Observances upon it by Roger Gale, Esq," *Philosophical Transactions (1683-1775)*, vol. 39 (1735-1736), 131-135; R. H. Barrow, "Some Latin Inscriptions II," *Greece & Rome*, vol. 3, no. 9 (May 1934), 175-177.

<sup>15</sup>For more information concerning Roman burials and attitudes towards the dead see Valerie M. Hope, *Roman Death: The Dying and the Dead in Ancient Rome* (London; New York: Continuum, 2009); M Carroll and J. Rempel, eds., *Living Through the Dead: Burial and Commemoration in the Classical World* (Oxford: Oxbow Books, 2010); Laurie Brink and Deborah Greed, eds., *Commemorating the Dead: Texts and Artifacts in Context: Studies of Roman, Jewish, and Christian Burials* (Berlin: Walter de Gruyter, 2008).

<sup>16</sup> K.K. Ery, "Investigations on the Demographic Source Value of Tombstones Originating from the Roman Period," *Alba Regia* 10 (1969): 51-67.

<sup>17</sup> A. Mocsy, "Die Unkenntnis des Lebensalters im römischen Reich," *Acta Antiqua* 14 (1966): 387-421.

native but acquired from the conquerors.”<sup>18</sup> Soldiers, veterans, and their kin contributed extensively to the Romanization of death commemorations in conquered and annexed territories. Another point that historians and epigraphists were able to fully document was the correlation between inscription numbers and the population density and economic prosperity in specific areas; the denser the population and the economic prosperity of cities, villages, and the overall civilization leads to an increase of inscription and epitaph production.<sup>19</sup>

After the idea of epitaphs as an element of Romanization populated, the next influential idea concerning epigraphy came from Ramsay MacMullen, Elizabeth A. Meyer, and other like-minded historians/epigraphists who took the idea of epigraphic consciousness a step further to full analyze the epigraphic habit of the Roman Empire. Expanding on the notion of epitaphs being a distinct cultural element and its strong connection on Romanization, these scholars desired to see if there were any patterns in the number of inscriptions and their usage; where or not any fluctuation occurred and possible social, political, and economic factors contributed to the fluctuation. The production of inscriptions in the Roman Empire rose over the first and second centuries C.E. and fell in the third. “The number of all varieties of inscription in every broad area of the Latin-speaking world up to a high point under Severus, and thereafter a much sharper decrease to a low point in the second quarter of the third century.”<sup>20</sup> While MacMullen first seems to have recognized the fluctuation of inscriptions and was able to pinpoint to the century that corresponded with a rise or a fall, his study left open the possible causes for these changes in numbers. A few years later Elizabeth A. Meyer took the information one step further to try and explain the overall epigraphic habit, Latin epitaph characteristics, and answer MacMullen’s open question as to why.

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<sup>18</sup> Ramsay MacMullen, “The Epigraphic Habit in the Roman Empire,” *AJP* 103, 3 (1982): 238.

<sup>19</sup> Ery, “Investigations on the Demographic.”

<sup>20</sup> MacMullen, “Epigraphic Habit,” 244.

Athenian and Latin epitaphs differ greatly from one another. As mentioned before in Ery's study, Latin epitaphs generally pay more attention to the age of the deceased, particularly of those who died before the age of thirty. The most important difference is, "a typical Roman funerary inscription does not simply name the deceased, or even just add to this his or her age and achievements. Instead, the name of the person erecting the inscription, the commemorator, is also added..." And while the Greeks, Athenians in particular, had been erecting tombstones four centuries longer than the Romans, the indication of a commemorator was not an Athenian or Greek custom.<sup>21</sup> Even epitaphs in Asia Minor, with more diverse characteristics and tradition of living commemorations can rarely be dated to before coming under direct Roman rule, clustering around the second and third centuries C.E. The Roman tradition of deceased-commemorator; however, seems to have roots within the early Republican period. Meyer concludes that the origins of the Roman pattern of epitaphs developed on its own rather than by outside influences.<sup>22</sup> The explanations presented by Meyer regarding the deceased commemorator relationship and the curves of epitaph appearance have a strong connection with both issues of citizenship and inheritance; epitaphs are fundamentally linked to the acquisition of citizenship and the status and privileges it provided and the commemorator's right or claim over the deceased's person estate.

As shown, scholarship concerning epitaphs has evolved over time particular within the last two hundred years. The discipline has seen numerous groundbreaking studies allowing for more systematic and even scientific approaches to cataloging, translating, and analyzing the hundreds of thousands of inscriptions found throughout the Greek and Latin world. Historians and epigraphists alike have pushed the discipline further by compiling corpuses and analyzing epitaphs in new ways to tease out not only demographical and political information, but also social and gender histories as well. Scholars like

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<sup>21</sup>Elizabeth A. Meyer, "Explaining the Epigraphic Habit in the Roman Empire: The Evidence of Epitaphs," *JRS* vol. 80 (1990), 75.

<sup>22</sup>*Ibid.*

Maffei, Moscy, Ery, MacMullen, and Meyer have allowed for studies like Brent Shaw and Richard Saller's work on family life and roles displayed on epitaphs, Walter Scheidel's demographics on birth, marriage, family, and death, and most recently Alison D. Jeppesen-Wigelsworth's dissertation on the portrayal of Roman wives in Literature and inscriptions seeing social values and marriage relationships through epigraph inscriptions. While, there has been much done on Latin epigraphy, there is still much more to be learned.

### *III. Methodology*

At this point, it is necessary to provide an overview of the methodology of the current study; a full description of this can be found in Appendix A along with an index of the epitaphs utilized. In creating this methodology, a great debt of scholarship is owed to previous and current historians, such as those mentioned above, particularly Elizabeth Meyer, Brent Shaw, and Kate Cooper. Since this study is more interdisciplinary, with a focus on the social aspects of society and identity, a great debt is also owed to symbolic interaction sociologists such as George Herbert Mead, Herbert Blumer, and Henri Taifel for their work on how society and meaning impact behaviors and identity. These different methodologies (see Appendix A) for looking at different angles of history and teasing out information from a few epigraphic lines have been instrumental to the current work. This thesis follows other methods closely, but diverges on several important points including the examination of the epithet *beneficentia* more closely, moving beyond the statistical information presented within epitaphs to show social identity, and comparing not only two distinct classes, but two cultural atmospheres : Roman and Carthaginian. The methodology summarized below includes how inscriptions and other sources of evidence are utilized and the two fundamental theoretical lenses which the evidence is filtered through. These approaches are different in how the material is examined, but they complement each other to allow for the most effective and complete analysis.

## 1. Epitaphs

The majority of source material for this study is comprised of Latin epitaphs. All inscriptions have been found using either databases, particularly that of Dr. Manfred Clauss, or the Arachne's open access of the *CIL* volumes and the *ILS*. The Epigraphik-Datenbank Clauss/Slaby (EDCS) to date has over 469,000 Latin inscriptions from 2,728 publications covering almost 22,000 locations throughout the Roman Empire and its colonies and includes some 85,000 accompanying pictures. The *CIL* is both an online searchable database and in individual volume form easily viewed. The access these materials and magnitude of inscriptions has been invaluable to the current study illuminating trends and habits and allowing unexplored social areas to lend themselves more freely to analysis. Since small groups are not statistically valid representations of behavior and/or beliefs, this study employs seven thousand epitaphs in order to accurately portray Roman social aspects concerning expectations and identity for Roman women free-born and ex-slave.

The primary item of interest was the correlation between female statuses and the usage of *bene merenti*. Though female status has been increasingly more visibly within sources and scholarship, an innovation of the current study drives more deeply into the problematic status of the freedwoman and how that status relates to free-borns. As the previous examination of scholarship concerning female statuses has shown, freedwomen were in a state of ambiguity resulting from the dichotomies of free-born versus slave. However, previous studies do not focus extensively on the identity and status of freedwomen other than legally outlined and never compare free-born and freed together to see how they differ or influence each other. The separation and wider comparison of the two statuses is an important step to understanding the construction of Roman female social identity and the problematic status of freed. The increased focus on the individual epithet *bene merenti* also pushes scholars to move passed the epithet as simply an epigraphic formula and allows more discussion on the roles of

benefactor and patron, what the Romans might consider well-deserving, and the *familial* ties of allegiance and indebtedness.

Free-born and freed women were compared to each other with a variety of impacting factors, some of which were: status of partners (whether the partner was free-born or slave), date of inscription, descendants or dependents, and any other epithet accompanying *bene merenti*. Upon close examination, noticeable differences emerged quickly. Not only were free-borns mentioned more often with *bene merenti*, but also were more likely to appear autonomous from a husband or male relative than their freed counterparts who were quasi-mentioned only in connection to male relations. Social identity and expectations appeared to be key factors in why the epithet was used more often for free-born than freed. Attempts to clearly define group categorization and record social status are evident on the inscriptions.<sup>23</sup>

While this study draws on literature, both Roman and contemporary, the main area of investigation lies with epitaphs. These epitaphs are key to understanding who acted as commemorator for an influential and important, but delegated as second class citizens, *familial* dynamics, and the difference between free-born and freed when both were “free.” Alongside *bene merenti* other epithets appear which tell us a little more about Roman values and status. Other epithets have set light on the usage of *bene merenti* and female statuses are: *amantissima*, *carissima*, *pientissima*, *fidelissima*, *pudicissima*, and *incomparabilis*. There are more epithets, but these seem to be the most frequently used or highly valued. For ease of reference, a breakdown of the meanings of each epithet has been supplied in Appendix B before the list of selected epitaphs.

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<sup>23</sup>For more information and background on Roman female status see above section of chapter 1 on female status and Appendix A.

## 2. *Literary Sources*

Literary sources are completely distinct type of evidential source, warranting their own methodology in this study. Unlike epitaphs which at times can be difficult to date, literary sources are generally easier, but still can be difficult given biases, audience, intent, and period written. *Bene merenti* was not frequently used in Latin literary sources. The majority of direct references came from Latin playwrights and Cicero, mostly occupying only short one or two lines and military references to honors received by soldiers. As a result, it was advantageous to widen the search to all possible variations of *bene merenti* (see Chapter 2) and other possible Latin words meaning “well-deserving” or conveying indebtedness when applied to women. This approach allowed for wider understanding of how the general populations viewed the importance of epitaphs and public memory, statuses of women, and the idea of *bene merenti* rather than just relying on legal definitions passed by the aristocracy.

## 3. *Social Identity and Identity Theory*

Along with the specific methodology for epitaph and literary sources, this study draws upon two different theories as lenses of analyses: social identity and identity theory. These two social theories provide the framework for how the epitaphs and other sources are viewed and why certain aspects are paid more attention. Social identity theory and identity theory deal primarily with the components of a structured society that establishes and influences the process of identity. Persons acting in the context of social structures internalize aspects of the socialization processes encountered. Interactions for these two social theories such as, complementary relationships like teacher-pupil, competitive like union negotiator-business executive, counter like officer-criminal, produce personalized meanings leading to self-categorization, self-concept, and identity.<sup>24</sup> While the outside social structures shape, change, and cause identity, the components of the “self” are nested concepts fundamental in internalizations and perpetuation of the overall social or individual identity. These processes, mechanism, and identity consequences are applied within this study to female identity particularly that of free-born and freed

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<sup>24</sup> Timothy J. Owens, Dawn T. Robinson, and Lynn Smith-Loving, “Three Faces of Identity,” *Annual Review of Sociology* 36 (2010): 480.

women, and the social roles and expectations placed upon these women. In doing so, these theories will help facilitate understanding of Roman women, while highlighting Roman social structures and processes.

The concept of identity is multifaceted regardless whether or not one separates social identity theory from identity theory, seeing them as distinctively different, or a linkage and overlap between the two. For this study, the viewpoint of a linkage and overlap between the two theories presented by social psychologists Jan E. Stets and Peter J. Burke is utilized. Identity, while it relies on a social structure to manifest, relies on the “self,” socially and personally assigned categories and classifications, and central mechanisms of roles, comparative processes, and internalization. Social interactions coupled with self-categorizations and internalizations result in complex identification processes and procedures producing identity and with it one’s view point of society and how one fits within.

First understanding of key components to the overall establishment of identity is needed to grasp the complexity of how identity is socially constructed either by internalization of the “self” influenced by role placement or consensually constructed meanings produced by social interactions in categorical and group associations. George Mead best explains the idea of the “self” as “a phenomenon of the human mind born out of reflexive action, stemming primarily from a person’s interactions with others.”<sup>25</sup> As stated the self is reflexive, meaning that “it can take itself as an object and categorize, classify, or name itself in particular ways in relation to other social categories or classifications.”<sup>26</sup> The self is fluid with elements adapting to fit social circumstances and interactions. The two components of this self-concept are what Mead calls the active “I” and the passive “me.” The passive “me” is all the learned perspectives and responses that ensue from interaction with others and the environment. The actor becomes the object or more importantly the recipient of action. These actions could be other

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<sup>25</sup>George H. Mead, *Mind, Self, and Society from the Standpoint of a Social Behaviorist* (Chicago: University of Chicago Press, 1934).

<sup>26</sup>Jan E. Stets and Peter J. Burke, “Identity Theory and Social Identity Theory,” *Social Psychology Quarterly* vol 63 no. 3 (2000):224.

people's attitudes, interpretations, etc. which is then internalized developing a sense of self shaped by how others perceive us and wish us to be. While the passive "me" is extremely socially conscious and has a tendency to be associated with convention, in contrast, the active "I" is the spontaneous, individualistic, creative response to society at large. The individual is the actual actor rather than the participant or object. However, while this component of the self is spontaneous and in a sense active during an interaction, the "I" response is only known after the fact and upon the reflective state of "me."

Identity is formed through the processes of the "self" coupled with acts of self-categorization and self-comparison (social identity theory) or identification (identity theory), and salience (the activation of a certain identity in a situation). The combination of circumstances and the salience decision leads to an identity which could fall under either social identity or identity theory. Both focus on different influences and their consequences.

Social identity theory focuses on outside influences and consequences elicited from the knowledge of social categories and groups either as a member of an in-group or out-group. Self-categorization as belonging to a specific group or category of society produces certain consensual cultural meanings of behaviors, expectations, beliefs, norms, and ultimately identity.<sup>27</sup> Individuals who activate this identity process act as parts of a structured society that exists only in relation to other contrasting categories based on more or less power, prestige, status, etc.<sup>28</sup> A culture of symbols is used to designate positions and its these positions and associations that comprise an extensive amount of importance in the salience decision and establishment of identity.

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<sup>27</sup> Stets and Burke, "Identity Theory and Social Identity Theory;" Timothy J. Owens, Dawn T. Robinson, and Lynn Smith-Lovin, "Three Faces of Identity," *the Annual Review of Sociology* 36 (2010):477-499; Michael Hooper, "The Structure and Measurement of Social Identity," *The Public Opinion Quarterly* vol. 40 no. 2 (1976):154-164; Michael Hogg, Deborah J. Terry, and Katherine M. White, "A Tale of Two Theories: A Critical Comparison of Identity Theory with Social Identity Theory," *Social Psychology Quarterly* 58 (1995):255-269.

<sup>28</sup>Stets and Burke, "Identity Theory and Social Identity Theory," 225.

The uniformity of perception within these group-based identities manifests itself along cognitive, attitudinal, and behavioral lines. Social researchers have found that stereotyped perceptions of in-group and out-group members fall under cognitive responses in group-identities. Enhancement of this stereotypic response occurs particularly with identification of the in-group and influences the production of a view of the self as prototypical in the group.<sup>29</sup> The in-group members also tend to have no motivation to distinguish themselves from other members of the group; complete uniformity to an almost clone-like atmosphere.<sup>30</sup> Along attitudinal lines, members feel a strong attraction to the group as a whole and make positive evaluations of the group and other members. Greater commitment to the furtherance of the group's existence and completion of its goals appears within in-group members minimizing any desire to leave even during low status and trial periods. A mentality shown by the French musketeers of "all for one and one for all" is observed with little to no hesitation. Finally, the behavioral manifestations of uniformity are obvious; individuals using a group label are more likely to participate in group culture and show alliance with other group members. In fact, social identification along these lines is one of the prime bases for participation in social movements.<sup>31</sup> However, while uniformity and group association is important to maintain inclusiveness, the unique combination of group or category membership makes up a unique and distinct element of a person's self-concept; due to personal histories, not everyone will produce the same self-concept and allow for personalization and individuality.

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<sup>29</sup> Stets and Burke, "Identity Theory and Social Identity Theory," 226; S. Alexander Haslam et al., "Stereotyping and Social Influence: The Mediation of Stereotype Applicability and Sharedness by the Views of In-Group and Out-Group Members," *British Journal of Social Psychology* 22 (1996):93-136; Michael A. Hogg and Elizabeth A. Hardie, "Prototypicality, Conformity, and Depersonalized Attraction: A Self-Categorization Analysis of Group Cohesiveness," *British Journal of Social Psychology* 31 (1992):41-56.

<sup>30</sup> Marilyn B. Brewer, "Social Identity, Distinctiveness, and In-Group Homogeneity," *Social Cognition* 11 (1993):150-164; Bernd Simon, Giuseppe Pantaleo, and Amelie Mummendey, "Unique Individual or Interchangeable Group Member? The Accentuation of Intragroup Differences Versus Similarities as an Indicator of the Individual Self Versus the Collective Self," *Journal of Personality and Social Psychology* 74 (1995):106-119.

<sup>31</sup> Stets and Burke, "Identity Theory and Social Identity Theory," 226; Kathleen A. Ethier and Kay Deaux, "Negotiation Social Identity When Contexts Change: Maintaining Identification and Responding to Threat," *Journal of Personality and Social Psychology* 67 (1994):243-251; Bernd Simon et al., "Collective Identification and Social Movement Participation," *Journal of Personality and Social Psychology* 74 (1998): 646-658.

In contrast with social identity, identity theory focuses on “the match between the individual meanings of occupying a particular role and the behaviors that a person enacts in that role while interacting with others.”<sup>32</sup> The individual meanings are negotiated based on situations and other identities to provide a situated context for the interaction which in turn is internalized. For sociologists GJ McCall and JL Simmons, role identity entails, “the character and the role that an individual devises for himself as an occupant of a particular social position,” including, “his imaginative view of himself as he likes to think of himself being and acting as an occupant of that position.”<sup>33</sup> By taking on a specific role at a specific time, the identity participant adopts the self-meanings and expectations associated with that role and then relate it directly to other participants in other roles; other individuals are crucial, even more so than in social identity theory, in role performance and meaning negotiation.<sup>34</sup> Rather than seeing similarities identity theory participants define their identity through differences and interconnections of roles to the point of competition to certain extents. One example of this is the different gender roles typically found in marriage between men and women; each role elicits different performance responses and expectations.<sup>35</sup> When at any point role-identity participants cannot negotiate differential performances and meanings in a group, they become dissatisfied and can result in disbanding from the group.<sup>36</sup> One’s identity is not based on membership to society through associations, but rather the performance and expectations of a role within that society.

The understanding of social structures and the formation of identity through these two social theories allows for transparency on how female identity based on status and role is established and evolved based on situations and context. The outside influences and the consequences of internalization

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<sup>32</sup>Stets and Burke, “Identity Theory and Social Identity Theory,” 227.

<sup>33</sup> GJ McCall and JL Simmons, *Identities and Interactions* (New York: Free Press, 1966): 67.

<sup>34</sup> Peter J. Burke and Donald C. Reitzes, “The Link Between Identity and Role Performance,” *Social Psychology Quarterly* 44 (1981):83-92.

<sup>35</sup>Jan E. Stets and Peter J. Burke, “Gender, Control, and Interaction,” *Social Psychology Quarterly* 59 (1996):193-200.

<sup>36</sup> Anna Riley and Peter J. Burke, “Identities and Self-Verification in the Small Group,” *Social Psychology Quarterly* 58 (1995):61-73.

of responses from interactions, whether they be through male-female relationships or female-female interactions, become more apparent and real resulting in a more complete, human experience. Primary sources are composed mainly through male voices, leaving women only as a participant fulfilling male designated groups, positions, and dictated behaviors. With the understanding of social identity and identity theories, women take on the position of actor and participant not defined only by her relationship and association with men, but also how other outside influences in society and members of her own designated group facilitate the establishment of her own identity. Woman's ideas and beliefs towards herself, identity, and others around her are acknowledged. While this study focuses on epigraphically obtained information concerning female identity and expectation through the commemorator, generally a woman's husband, rather than the female's own voice, it is still possible to determine personality, individuality featured through the self-concept, and the uniformity of perception between women or at least the similarities of women from the standpoint of men. Historians can see the contrasting categories of men and women or women and other women based on status, prestige, access to power, and even by location. Social identity shows how women separate themselves or how men separate women.

More importantly for this study is presented by identity theory or role-based identity. Women's roles and the consequences of taking on those roles become intricately webbed into the story of how Roman women functioned from day to day and interacted with others. The role of spouse brings with it certain resources, responsibilities and expectations, and performances, all of which dictate how not only the woman's husband and children interact with and response to her, but also how society does as well. The internalization of these role responses shapes a woman's personality and self-concept. As stated above role-based identity relies on others' roles, responses, and performances to not only validate, but also create one's own role. A Roman woman's place within society ultimately depended upon her role as daughter, wife, and mother while being impacted by the roles males play and other females of the same

or different status. A slave woman had a different role than her mistress, but both play an important part within the family, performing necessary functions for one another. Since men composed epitaphs for women, the role within the male-female relationship is showcased, demonstrating the needed roles and expectations of women in order for the relationship to function and the establishment of what it meant to be male. The epithets chosen also set the individual's role apart from others. Social identity and identity theory allows all social factors to be acknowledge to see how different women functioned within the Roman Empire and interactions influenced their place and individualism.

## Chapter 2 *Bene Merenti*: Beyond Epigraphic Formula

In order to reconstruct the significance in the usage of the epithet *bene merenti*, this study will begin with the meaning of the term and its usage in literature. Vague references and inconspicuous characteristics associated with *bene merenti* appear throughout legal code and rulings without highlighting anything in particular. However, within literary sources clear social constructions and an assumed social order appear within these references that can be applied to the meaning and usage of the epithet. It will be demonstrated that while traditionally *bene merenti* is a militarily and politically charged virtue and active masculine, its usage in epitaphs and specific literary sources changes it into a distinctly well-desired feminine virtue denoting class and background. These references, regardless of how vague, are a starting point and act as a litmus test for understanding the generic expression of “well-deserving.” Consequently, this chapter will discuss *bene merenti*’s usage in epitaphs of free-born and freed women and what it meant socially and politically to be a “well-deserving” wife, mother, and freed person. It will demonstrate how the epithet was more than just a commemorative formula, before moving to how it demonstrates the identity processes and social differences between freed-born and freed women.

This chapter breaks with conventional historical and epigraphic beliefs that *bene merenti* served more as a generic epigraphic commemoration formula than acting as a socially informative virtue or demonstrating any personal significance. This conventional view stems from the abundant number of epitaphs that use the epithet and the wide range of spellings and phrase variations.” The fact that *bene merens* occurs very frequently suggests that it is mainly applied as a formula and not as a meaningful epithet carrying information about the relationship between the dedicator and the commemorated.”<sup>37</sup> History shows that, regardless of time or space, cultural exchanges, regional differences, and the various

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<sup>37</sup> Hanne Sigismund Nielson, “Interpreting Epithets in Roman Epitaphs,” in *The Roman Family in Italy: Status, Sentiment, Space*, ed. Beryl Rawson and Paul Weaver (Oxford: Clarendon Press/Oxford University Press, 1997):181.

demographical shifts play a role in the development of language and meaning (social and cultural). Rome is no exception to this influence of cultural exchange and regionality; however, while there are variations of spelling, phrase forms and arrangement, and numerous ways of abbreviating *bene merenti*, the epithet's meaning and significance is not notably altered enough to have an effect on its influence and the overall finds of this thesis. And, while there is currently a total of 180,000+ Latin inscriptions spread out through the Empire's territory, the number in the city of Rome (the location analyzed in this study) itself comprises more than 40,000. This researcher found only a little over 12,000 of these inscription using the epithet *bene merenti* within the city. 6,000 of these were chosen at random for this study.

Table 1: *Bene Merenti* variations found in Latin Epitaphs

Spelling	Abbreviations	Phrase forms and arrangements
baenae merenti	bene m.	coiungi benemerentissimae
benae merenti	bene mer.	benemerentissimus
bene menrenti	b. merenti	bene meritus de se
bene meren	benemeren	optime de se meritus
bene merent	b.n.m	bene meritus
bene merinte	be. Me.	bene de se merenti
bene merite	b. mer.	bene de se meritus
benemerenti	ben. Me.	bene merens de se
vene merenti	bene mer.	de se bene merens
Bene merens	benemer.	omnia de se merenti
mereri	benem.	erga se benemerenti
meruit	b.m.t	bene merenti a se
	b.m.	

#### I. Traditional Usage in Light of Literary Sources

The last century, especially the last few decades, has seen several valuable studies on epigraphs and epithets, their social implications, and the frequencies of specific epithets within Latin epitaphs. After Glenn Harrod's useful analysis of Latin terms of endearment based on the *Corpus Inscriptionum Latinarum*, vol. 6 in 1909, Ramsay MacMullen provided a detailed analysis of the epigraphic habit of the Roman Empire with its formula consistencies and evolving trends, followed by Brent D. Shaw's extensive

studies on social implications of information attained from epitaphs and Hanne Sigismund-Nielsen detailed treatment of the value of epithets within Latin epitaphs. More recently Alison D. Jeppesen-Wigelsworth has illustrated how Roman wives were portrayed within inscriptions, using particular epithets, their meanings, and frequencies, and the social positions women held within the Roman society. Given these important studies, there may seem to be no need to further work on the subject of epithets and their importance. Nevertheless, while existing scholarship has discussed individual epithets and how they illuminate Roman social structures, demographics, and gender norms and roles, most notably *carissima*, *pientissima*, *castissima*, and *pudicissima*, historians have failed to look beyond the frequency of *bene merens* and its vague meaning of “well-deserving,” missing not only its illustrious usage in numerous classical texts, but also how a traditionally viewed male virtue within classical writings transformed into being a distinctly used feminine epithet in Latin epitaphs.

The literal translation of the term *bene merens* is “well-deserving” or “meritorious.” It appears within several contexts, specifically referencing certain types of actions and embodiments of virtue. In most instances *bene merens* appears either in popular Roman literary avenues in the form of plays, poems, and informal letters between two individuals or widely influential oratories and histories. The popular genres use the term as a vague label corresponding with the feeling of entitlement or worthiness of either praise or reward and hint at being owed a favor for some previous action or embodiment of virtue. The influential oratories and histories attach *bene merens* with specific contexts and illustrate what Romans believe constituted praise and deserved something more than a casual reference; military service and honor, political and stately feats defending or acting in the best interest of the state and its people, and serving as a benefactor and patron for freed persons. All of these appearances within classical writings clearly demonstrate an importance placed upon certain social attributes and actions. By differentiating between the different ways *bene merens* is utilized, the term’s importance shall become apparent and its appearance relevant to the understanding of female

epitaphs. However, it must be noted that while there is quite a bit of female *bene merens* epitaphs, more than 90% of literary references associate the term with men, evoking a strong sense of patriarchal action and sentiment.

*Iustitiae partibus utemur, si aut innocentium aut supplicium misereri dicemus oportere; si ostendemus bene merentibus gratiam referre convenire; si demonstrabimus ulcisci male meritos oportere; si fidem magnopere censebimus conservandam; si leges et mores civitatis egregie dicemus oportere servari; si societates atque amicitias studiose dicemus coli convenire; si, quod ius in parentis, deos, patriam natura comparavit, id religiose colendum demonstrabimus; si hospitia, clientelas, cognationes, adfinitates caste colenda esse dicemus; si nec pretio nec gratia nec periculo nec simultate a via recta ostendemus deduci oportere; si dicemus in omnibus aequabile ius statui convenire.<sup>38</sup>*

[We shall be using the topics of Justice if we say that we ought to pity innocent persons and suppliants; if we show that it is proper to repay the well-deserving with gratitude; if we explain that we ought to punish the guilty; if we urge that faith ought zealously to be kept; if we say that the laws and customs of the state ought especially to be preserved; if we contend that alliances and friendships should scrupulously be honored; if we make it clear that the duty imposed by nature towards parents, gods, and fatherland must be religiously observed; if we maintain that ties of hospitality, clientage, kinship, and relationship by marriage must inviolably be cherished; if we show that neither reward nor favor nor peril nor animosity ought to lead us astray from the right path; if we say that in all cases a principle of dealing alike with all should be established.]

Cicero's above passage serves as the perfect cumulative example of all the concepts that embody the term *bene merens*; "well-deserving" or "meritorious," innocence and just behavior, kindness/hospitality and service in the name of others, and fulfillment of desired social roles coupled with the embodiment of Roman virtues. In most cases these meanings are found scattered in the numerous sources that use *bene merens* or some form of *mereō* and can only be seen as disjointed and individual. Their vagueness gives definition but only briefly and requires supplemental information from other texts. Cicero's passage, while the main idea harkens to concepts of justice, it also subtly connects not only *bene merens* to justice and just action with its deliberate usage, but also all the literary meanings associated with *bene merens*.

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<sup>38</sup> Cicero, *Rhetorica ad Herennium* 3.4.10.

The first example of the topics of justice in Cicero's passage is pity for innocent persons and suppliants (beggars), followed by punishment of the guilty. While these expressions are not strange to the concepts of justice, even during the present day, situated between the two is the statement "show...proper...repay the well-deserving with gratitude." Why would Cicero separate two concepts of justice that go hand in hand with an idea of paying "well-deserving" persons with gratitude; what does that have to do with justice, pitying the innocent, and punishing the guilty? The answer may lie with other literary works such as several Plautus plays, Livy's histories, Pliny's correspondences, Roman Christian writings, and even other writings done by Cicero.<sup>39</sup> One of the usages for *bene merenti* deals with deserving well for not perpetrating any action harmful to another, being innocent and just.

ego si quid impie in te, pater, si quid scelerate in fratrem admisi, nullam deprecor poenam: si innocens sum, ne invidia conflagrem, cum crimine non possim, deprecor. [10] non hodie me primum frater accusat, sed hodie primum aperte, nullo meo in se merito. si mihi pater suscenseret, te maiorem fratrem pro minore deprecari oportebat, te adulescentiae, te errori veniam impetrare meo. ubi praesidium esse oportebat, ibi exitium est.<sup>40</sup>

[If I have done anything unfilial to you, father, or criminal to my brother, I object to no punishment: if I am innocent, I beg that jealousy may not consume me, since guilt cannot. To-day is not the first time my brother has accused me, but to-day for the first time he accuses me openly, with no act of mine to justify him. If my father were angry at me, your duty, as my older brother, would be to intercede for the younger, to win forgiveness for my youth and my mistake. Where there should have been protection there is deadly peril. From the banquet and the revel, still half-asleep, I was hurried away to plead my defense on the charge of murder.]

Livy chose to use *merito* rather than a conjugation of *adprobo*, *iustificare*, or even phrases like *absit inuria* meaning justify or no offense committed, to illustrate one brother's claim of innocence after another accuses, as Livy states jealously, and without the accused committing any offense against the accuser. This deliberate word choice of *merito* is telling of the connection between innocence and injury, helping to clarify Cicero's previous action of placing *bene merens* in between innocence and guilt. For Livy *merens* represents just action without injury to another. The accuser for some reason has not only accused the brother of a horrendous crime, but has done so openly. The brother asks if he has done

<sup>39</sup> Lact. 2.16.17; Caes. B.G. 1.11; Ter. Phorm. 2.1.75; App. M. 8; Tert. Apol. 21; Cic. Sest. 17.39.; Ovid. Her. 5.7.

<sup>40</sup> Livy, *History of Rome* 40.9-10.

anything *unfilial* towards his father or criminal towards his brother. This goes back to the idea of not only treating others justly, but also the importance of kinship, especially immediate *familial* ties, and the proper behavior towards those people. He states that if that was the case he would not object to punishment; however, he has done nothing to warrant this action against him. Where there was supposed to be protection and aid there instead was betrayal. *Merens* translates to innocence for Livy.

Along the same lines is the idea of deserving punishment. With the majority of *bene merens* appearances within literary and epigraphic sources focusing on deserving something, it is not a stretch to tie the term with the punishment for behaviors. Much like Livy, Plautus uses a conjugative of *merens* to represent punishment, specifically torture, rather than another suitable term or phrase.

Nicobulus: *Satis, sáti*s* iam vostris cónvivi: me níl paenitet ut sim áceptus: quadringéntis Philippis filius me et Chrysálus circumduxérunt. quem quídem ego ut non excrúciem, alterum tantum auri nón meream.*<sup>41</sup>

[Enough, enough now of your banquets; it matters not to me how I'm received. My son and Chrysalus have tricked me out of four hundred Philippeans. If I don't surely this day put him to torture, many I never receive as large a sum again.]

Nicobulus is an older gentleman whose son has fallen in love with a prostitute named Bacchis. She is hired for a year by Cleomachus and in order to buy her release Nicobulus's son, Mnesilochus, tries to trick his father, with the help of his slave Chrysalus, into giving him two hundred coins. However, the twist is that Mnesilochus's friend Pistoclerus has fallen in love with a Bacchis, both not realizing that there are two and they are sisters. Before this realization occurs, Mnesilochus gives back the money and reveals the deception. After learning of the two, Mnesilochus again tricks his father into giving him money to buy his Bacchis's freedom. The above line is Nicobulus speaking with Bacchis to gain entry into the brothel to retrieve his son and the money he took. Plautus uses *quem quídem ego ut non excrúciem, alterum tantum auri nón meream* to state how he will torture his son for tricking him twice. The

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<sup>41</sup> Plautus, Bacchides act 5 scene 2

phrasing of the sentence uses *meream* subtly to support *excruciem*, to torture, and almost takes on the meaning of *excruciem* without saying the son deserved torture due to his actions.

Due to both Livy's and Plautus's usage of *merens* in connection with justice, innocence, and guilt or punishment, the possible reasoning behind Cicero's intentional usage of *bene merentibus* is apparent. Rather than placing "repaying the well-deserving" after punishment of the guilty or further in the passage when he discusses the specific Roman virtues of maintaining alliances, fulfillment of duty, and maintaining ties of hospitality, clientage, kinship, and marriage relationships, it seems that the intentional placement between innocence and guilty was meant to connect "well-deserving" with innocence and just action, while at the same time using the ideas that follow to explain a little more of what it meant to be "well-deserving." While justice, innocence, and guilt appear in connection to *merens*, the other above mentioned virtues are tied to the term as well within other literary examples.

The themes of alliances and friendship occurred quite frequently within Plautus, Suetonius, and even Cicero. While these references also hark back to fulfillment of obligations and cultivation of favors and follows closely with clientage, most of the time their context is between associations or friends, as is in the case with Cicero's, *bene merens* appears within personal correspondences. Taking into consideration their generality, the ties with alliances, friendships, and clientage shows expected functions, behaviors, and roles within certain Roman relationships and what was perceived as "well-deserving" between clients, friends, and acquaintances.

*Calidorus: Sicine mi abs te bene merenti male refertur gratia?*<sup>42</sup> [Is the obligation thus ungratefully returned by you to me, who have deserved so well of you?] Calidorus is a character in Plautus's play *Pseudolus* who has fallen in love with a slave/prostitute owned by Ballio and must figure out a way to raise enough money to purchase her freedom before Ballio completes a transaction for her with a Macedonian military officer. This particular reference comes from act one, scene three where

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<sup>42</sup> Calidorus's line in Act 1, Scene 3 in Plautus's *Pseudolus*.

Calidorus tries to move Ballio to stall until he raises the money due to their acquaintance and client relationship and Calidorus's slave Pseudolus's friendship with the master/pimp. Calidorus has frequented Ballio's brothel as a paying client in order to see his love and has established a friendly acquaintance with the pimp, so much so that Calidorus references a previous agreement between the two that Ballio would not sell the girl to anyone else and would give Calidorus enough time to raise the money for her. Also referenced is the idea that since Ballio and Pseudolus are such good friends and due to Pseudolus being Calidorus's slave, Ballio has to honor the friendships and previous contract. Calidorus refers to himself as "well-deserving" due to his goodwill and honest intentions towards Ballio and purchasing the slave girl's freedom.

Not only is *bene merenti* used to denote "well-deserving" behavior in terms of fulfillment of obligation, but the usage also shows the relationships between slave-master, friend-friend, and acquaintances. The relationship between slave and master is illustrated in this scene, particularly the above sentence, due to Calidorus's use of Pseudolus's friendly relationship with Ballio. Pseudolus, while a person, is considered property under the law and his master has complete *potestas* over him and everything he does granted by "*juris gentium*."<sup>43</sup>

*In potestate itaque sunt servi dominorum. Quae quidem potestas iuris gentium est: Nam apud omnes peraeque gentes animadvertere possumus dominis in servos vitae necisque potestatem esse, et quodcumque per servum acquiritur, id domino acquiritur.*<sup>44</sup>

[In the power of the masters, then, are the servants. This power is the law of nations, for equally among all the nations we can observe, the power of life and death to be the master's over their slaves and whatsoever that is acquired by the slave, the master gains.]

This might also include the use of any connections the slave might have acquired. If one owes a slave something, then that person actually owes that item or favor to the master instead. An example of this and *bene merenti* is found in Plautus's play *Rudens*. During the play a young woman, Palaestra, is stolen from her parents by pirates and later is turned into a prostitute. Upon being shipwrecked the

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<sup>43</sup> *Juris gentium* means natural reason that has been established among all peoples; "natural law."

<sup>44</sup> Gaius *Institutionum Commentarius Primus* I.52;

young woman and her female companion run into her pimp, Labrax, and eventually and by accident are reunited with Palaestra's father, Daemones, who happened to have offered help to the girls throughout the story. After the reuniting of father and daughter, Labrax somehow loses his wallet, enticing Daemones's slave Gripus to help find it with the promise of a talent of silver. *Bene merens* appears in a scene between Daemones, Gripus, and Labrax when the wallet is found and the promised payment is not forthcoming.

*Daemones: Iám ab isto auferre haud potis sim, si istunc condemnavero. promisistin huic argentum?*

*Labrax: Fateor*

*Daem. Quod servo meo promisisti meum esse oportet ne tu leno postules te hic fide lenonia uti: non potes.*

*Gripus: Iam te ratu's nactum hominem quem defraudares? Dandum huc argentums est probum: id ego continuo huic dabo adeo, mé ut hic emittat manu.*

*Daem: Quando ergo erga te benignus ego fui atque opera mea haec tibi sunt servata---*

*Gripus: Immo hercle mea, ne tu dicas tua.*

*Daemones: (Si sapias, tacebis) turn te mihi benign itidem addecet bene merenti bene referre gratiam.<sup>45</sup>*

Both Plautus plays, *Pseudolus* and *Rudens*, use *bene merenti* in relation to fulfillment of an obligation. The contexts show the slave-master relationship as well. Calidorus tries to cash in on his slave's friendship with Ballio, along with his own acquaintance with the pimp, due to the Roman belief of *potestas* over slaves; anything owed and in most cases owned by the slave was in turn the master's. Daemones specifically states this in his dialogue, "What you promised my slave must be my own,"

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<sup>45</sup> Plautus, *Rudens*, Act 5 Scene 3. Daem: (to Labrax) Then I shan't allow you to take it away from him, unless I shall have found him guilty. Did you promise him the money? Labrax: I confess it. Daem: What you promised my slave must be my own. Don't you be supposing, Procurer, that you are to be using your pimping honesty here. That can't be. Gripus: (to Labrax) Did you fancy now that you had got hold of a person whom you might cheat? It must be paid down here (holding his hand out), good silver coin. I shall, at once, pay it to him (pointing to Daemones), so that he may give me my liberty. Daem: Inasmuch, therefore, as I have acted courteously towards you, and by my means these things (pointing to the wallet) have been saved for you. Gripus: I'faith, by my means, rather. Don't say by yours. Daem: (to Gripus) If you are prudent you'll hold your tongue. (to Labrax) Then it befits you in a like courteous manner kindly to return the obligation to myself, who so well merit the same.

promoting the continuation of dominance and the belief that the master deserves the merits, rewards, and relationship obligations meant for his slave. These two dialogues also demonstrate the obligational expectations between acquaintances when an agreement is reached. Concerning friend to friend relationships Cicero helps strengthen his own point using *merens* to demonstrate behavior expectations between friends with a letter from L. Munatius Plancus.

Fac valeas meque mutuo diligas dignitatemque meam, si mereor, tuearis, sicut adhuc singulari cum benevolentia fecisti.<sup>46</sup>

[Take care of your health, return my affection for you, and defend my position, if I deserve it, as you have done up to this time with remarkable kindness.]

In his letter to Cicero, Plancus shows the affection between the two friends and suggests that due to this affection that he deserved Cicero to defend his position within Rome as proconsul between 44 and 42 B.C.E. after the murder of Caesar and Antony's besiegement of Decimus Brutus in Mutina. In the letter he tries to reassure Cicero of his support for the Senate and Antony which then could be conveyed to the rest of the senators. Due to his friendship with Cicero, Plancus seems to expect that his position and support would be defended by Cicero, as long as he believed Plancus is deserving of support.

*Bene merenti* seems to appear quite a bit within political contexts, particularly for Cicero. As he stated in the original passage listed above "...the laws and customs of the state ought especially to be preserved...make it clear that the duty imposed by nature towards... fatherland must be religiously observed" and based on our assumption that this corresponds with beliefs of "well-deserving" and "meritorious" behavior, *bene merenti* carries with it political connotations. In no less than six of Cicero's writings *bene merenti* is used to show how Romans are expected to or at least attempt to defend the

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<sup>46</sup> Cic. Fam. 10.17.

state, in Cicero's case the Republic, against threats internal and external and perform their duty of performing in the most beneficial way for the "people" with their best interests at heart.<sup>47</sup>

Lepidus tamen, quod ego desiderabam, fecit ut Apellam ad me mitteret, quo obside fidei illius et societatis in re p. administranda uterer. In ea re stadium mihi suum L. Gellius de tribus fratribus Segaviano probavit, quo ego interprete novissime ad Lepidum sum usus. Amicum eum rei p. cognosse videor libenterque ei sum testimonio et omnibus ero qui bene merentur.<sup>48</sup>

[After all, Lepidus did what I wanted him to do—he sent me Apella to hold as a hostage of his good faith and of his co-operation in the public service. In that business I was well satisfied with the services of L. Gellius, whom I employed as my last emissary to Lepidus. I think that I ascertained him to be attached to the Republic, and it will give me pleasure to testify to him and to all who serve the state well.]

Etenim quae res egestati et aeri alieno tuo praeter mortem Caesaris subvenire potuisset? Nescio quid contrubatus esse videris; numquid subtimes, ne ad te hoc crimen pertinere videatur? Libero te metu; nemo credit umquam; non est tuum de re publica bene mereri; habet istius pulcherrimi facti clarissimos viros res repulica auctores;...<sup>49</sup>

[In truth, what measure except the death of Caesar could possibly have been any relief to your indigent and insolvent condition? You appear to be somewhat agitated. Have you any secret fear that you yourself may appear to have had some connection with that crime? I will release you from all apprehension; no one will ever believe it; it is not like you to deserve well of the republic; the most illustrious men in the republic are the authors of that exploit...]

The first example given of political *bene merens* is again from Plancus's letter to Cicero during the besiegement of Brutus in Mutina against Antony. The main theme is service to the state in a time of civil war, the sides being the Senate and the old Republic with Antony and former supporters of Caesar. Even though Plancus was known for his wavering alliance, often switching from side to side when the tide turned, this particular letter to Cicero was meant to not only assure him and the Senate about his loyalty, but also attests to certain behaviors that occurred. First, Plancus describes the common practice of offering up a child or close companion as hostage to ensure/prove loyalty and support during time of war by mentioning how Marcus Aemilius Lepidus sent Apella as a good faith hostage. From there he mentions his satisfaction at the good work of L. Gellius as emissary to Lepidus. Plancus determined that

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<sup>47</sup> *ibid.*, Phil. I, 33; *ibid.*, Phil. II.36; *ibid.*, Phil. XIV.13; *ibid.*, de Orat. II 50.202-204; *ibid.*, Fam. 10.17

<sup>48</sup> *ibid.*, Fam. 10.17.

<sup>49</sup> *Ibid.*, Phil. II 36.

Lepidus was on the side of the Senate and because of his loyalty and support he is seen as serving the state well.

The background of the passage is purely political. All of the participants are either senators, consuls, or other political allies fighting to restore the old Republic and grant leniency to Caesar's murderers. Cicero and the Senate were sympathetic to Brutus and the actions taken by the conspirators. Marcus Junius Brutus is said to have shouted Cicero's name and the comment "restore the Republic" as he lifted the bloodstained dagger after the assassination.<sup>50</sup> In a letter Cicero wrote in February 43 B.C.E. to Trebonius, one of the conspirators, how he wished that the conspirators had invited him "to the most glorious banquet on the Ides of March."<sup>51</sup> These men fighting against Antony's violence in the wake of Caesar's murder believed that they were serving the state and its best interests. Plancus during the time of the letter to Cicero was on the side of the Senate. He too believes that he is serving the state. By using *bene merentur* he sees the actions being taken as serving the state well and performing in a manner deserving of praise and attention.

The second example is also within a political framework. Appearing within Cicero's *Second Philippus* during an oratorical attack against Antony, Cicero alludes to his anti-Caesar sentiment and his support for the conspirators. Antony was afraid that people would believe him to be one of the conspirators wishing for Caesar's assassination. However, for Cicero there was no question that Antony was not a part of the conspiracy. Due to his actions and disregard for tradition, siding with Caesar, Antony displayed behavior unfitting a Roman clearly demonstrating that he was undeserving of the state's gratitude and praise. It seems that a major reason why he was undeserving was in fact his non-participation in the conspiracy against Caesar; "the most illustrious men in the republic are the authors

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<sup>50</sup> Cic. *Philippic II*.

<sup>51</sup> Cic. *Ad Familiares* 10.28.

of that exploit.” And for Cicero the end justifies the means.<sup>52</sup> It was these “illustrious men” who were well-deserving for their “protection” of Roman tradition and the state.

Is enim demum est mea quidem sentential iustus triumphus ac verus, cum bene de re publica meritis testimonium a consensus civitatis datur. Nam sive in communi gaudio populi Romani uni gratulabantur, magnum iudicium, sive uni gratias agebant, eo maius, sive utrumque, nihil magnificentius cogitari potest. Tu igitur ipse de te? Dixerit quispiam. Equidem invitus, sed iniuriae dolor facit me praetor consuetudinem gloriosum. Nonne satis est ab hominibus virtutis ignaris gratiam bene merentibus non referri? Etiam in eos, qui omnes suas curas in rei publicae salute defigunt, impetus crimen invidia quaeretur?<sup>53</sup>

That is indeed in my opinion a just and genuine triumph, when men who have deserved well of the republic receive public testimony to their merits from the unanimous consent of the senate. For if, at a time of general rejoicing on the part of the Roman people, they addressed their congratulations to one individual that is a great proof of their opinion of him; if they gave him thanks, that is a greater still; if they did both, then nothing more honorable to him can be possibly imagined. Are you saying all this of yourself? someone will ask. It is indeed against my will that I do so; but my indignation at injustice makes me boastful, contrary to my usual habit. Is it not sufficient that thanks should not be given to men, who have well earned them, by men who are ignorant of the very nature of virtue? And shall accusations and odium be attempted to be excited against those men who devote all their thoughts to ensuring the safety of the republic?

Complementing the political aspect of *bene merens* is the connection with the Roman military.

While in military context *merens* served to publicly acknowledged feats in battle and the defense of Roman citizens and subjects (peoples with non-citizenship status, i.e. slaves), the term at times embodied a unique literal meaning not found in other understandings of the “well-deserving” and “meritorious.” Cicero, Tacitus, and an anonymous source during Caesar’s war in Africa use *merens* much like the previous passages analyzed throughout this chapter. Their writings detail the punishment and reward of soldiers performing their duties and as well as displaying chastity of principles and strength in the face of hardship and temptation.<sup>54</sup> However, Caesar and Livy use it to literally mean soldier.

Quin etiam Caesar cum in opera singulas legions appellaret et, si acerbius inopiam ferrent, se dimissurum oppugnationem diceret, universi ab eo, ne id faceret, petebant: sic se complures

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<sup>52</sup> Cic. *De Officiis*

<sup>53</sup> Ibid., Philippic XIV 13.

<sup>54</sup> *Bellum Africanum* 86.1.1; *Tact. Hist.* 4.50; Cic., *Cael.* 5.11; *ibid.*, *Fam.* 12.12.3.

annos illo imperante meruisse, ut nullam ignominiam acciperent, nusquam infecta re discederent: hoc se ignominiae laturus loco, si inceptam oppugnationem reliquissent: praestare omnes perferre acerbitates, quam non civibus Romanis, qui Cenabi perfidia Gallorum interissent, parentarent.<sup>55</sup>

[Moreover, when Caesar addressed the legions, one by one, when at work, and said that he would raise the siege, if they felt the scarcity too severely, they unanimously begged him not to do so; that they had served for several years under his command in such a manner that they never submitted to insult, and never abandoned an enterprise without accomplishing it; that they should consider it a disgrace if they abandoned the siege after commencing it; that it was better to endure every hardship than to not avenge the names of the Roman citizens who perished at Genabum by the perfidy of the Gauls.]

..additumque tam truci censoriae notae triste senator consultum, ut ei omnes, quos censores notassent, pedibus mererent mitterenturque in Siciliam ad Cannensis exercitus reliquias, cui militum generi non pruis, quam pulsus Italia hostis esset, finitum stipendiorum tempus erat.<sup>56</sup>

[Those too, amounting to more than two thousand names, were numbered among the disenfranchised, and were all degraded. To this more gentle stigma affixed by the censors, a severe decree of the senate was added, to the effect that all those whom the censor had stigmatized, should serve on foot, and be sent to Sicily to join the remains of the army of Cannae, a class of soldiers whose time of service was not to terminate till the enemy was driven out of Italy.]

Neither of these two passages uses *merens* in the same sense the previously discussed passages do. Rather than using the term to mean “well-deserving” and “meritorious” to subtly describe Roman virtues and behaviors, Caesar and Livy’s military usage directly uses it to mean soldier, more specifically, Livy clearly indicates the distinction of foot soldier. In Livy’s 27<sup>th</sup> book, he uses *equo merere* to mean cavalry.<sup>57</sup>

As demonstrated, *bene merens* embodied specific masculine meanings related to the social attributes of innocence, justice, fulfillment of obligations, and defense of tradition and the state. The maintenance of friendship, *familial*, kinship, patronage, and marriage ties were all crucial components of what constituted “well-deserving” and “meritorious;” how one acted in relation to another proved a willingness to not only participate within socially prescribed contexts, but also the maintenance and

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<sup>55</sup> Caes. *Gal.* 7.17.4-7.

<sup>56</sup> Livy, Book 24, 18.9.

<sup>57</sup> Ibid. Book 27, 11.

continuation of an important aspect of Roman society which was family. Some classical writers, such as Livy and Caesar use *bene merens* to literally meaning soldier and link it to specific military actions and attitudes. Rather than finding vague references to “well-deserving” persons, literary sources subtly give specific attitudes, behaviors, and virtues that embody the idea of “well-deserving” and “meritorious.” However, as discussed previously, more than 90% of the *bene merens* literary sources revolve around masculine references evoking a strong sense of patriarchal action and sentiment. There are only a handful of literary references with contexts associating women with the term, most of them from Plautus’s plays. However, the few that do reference *bene merens* provide insight into its usage in epigraphic inscriptions.

The first major literary female *bene merens* is found within P. Terentius’s play *Hecyra* (the Mother-in-Law). The lead characters are Pamphilus, the son of Laches and Sostra, and Philumena, the daughter of Phidippus. Pamphilus at the beginning of the play is in love with the prostitute Bacchis, however, in a drunken state one night decides to rape a young woman who turns out to be Philumena. During the struggle, she loses her ring. Later Pamphilus is pressured into an arranged marriage and must give up Bacchis, the woman chosen for him turns out to be Philumena. The problem with this arrangement is she does not know the identity of the man who raped her and later finds out she is pregnant from the rape. She tries to conceal it, but Pamphilus finds out and distances himself from her, refusing to take her back. The ring Philumena lost during the rape turns out to be the one Pamphilus gave Bacchis before his marriage resulting in the realization that it was Philumena he raped and the child is his.

The reference to *bene merens* within this context is toward the middle of the play after Pamphilus discovers his wife is pregnant and turns her out. His father is trying to convince him to take the woman back as his wife and accept the situations.

*Pamphilus: Quibus iris impulses nunc in illam iniquus siem? Quae nunquam quicquam erga me commerita est, pater, quod nollem; et saepe quod vellem meritam scio. Amoque et laudo et vehementer desidero; nam fuisse erga me miro ingenio experus sum; Illique exopto ut reliquam vitam exigat cum eo viro me qui sit fortunatior; quandoquidem illam a me distrahit necessitas.*<sup>58</sup>

[How, impelled by resentment, could, I now be biased against her who never had been guilty of anything toward me, father, that I could not wish, and who has often deserved as well as I could desire? I both love and praise and exceedingly regret her, for I have found by experience that she was of a wondrously engaging disposition with regards to myself; and I sincerely wish that she may spend the remainder of her life with a husband who may prove more fortunate than me, since necessity thus tears her from me.]

From Pamphilus's statement, even though his wife, Philumena, fulfilled her duties as *matron* and wife. However, the sheer fact that she was defiled by another individual before they were married resulting in a child that he thought was not his gave him enough grounds to dismiss her. He admits that she did everything he desired, fulfilling her role within his household and bed perfectly without cause for complaint. And while this passage does not describe exactly what his desires entailed or her role within the household, the little bit of understanding of what a "well-deserving" Roman woman was comes from Plautus's play *Asinaria*, as well as background information on Roman female roles, expectations, and responsibilities from ordinary literary and legal sources. This background information will be explored further in the following chapter.

*Argyrippus: nam isti quid suscenseam ipsi? nihil est, nihil quicquam meret; tuo facit iussu, tuo imperio paret: mater tu, eadem era es. té ego ulciscar, té ego ut digna es perdam atque ut de me meres.*

[But I have no reason to blame your daughter herself; she does not deserve it in the least. She acts by your command, obeys your bidding; you are her mother, you too her mistress. I'll revenge myself on you; I'll ruin you; as you are deserving, and as you merit at my hands.]

Under normal circumstances a woman was seen as "well-deserving" if she behaved in a submissive manner to a higher authority. She was supposed to do as she was told and obey the bidding of her parents, husband, and state. Argyrippus underhandedly illustrates this point by saying that the daughter does not necessarily deserve his ill-will for the fact that she is just acting in correspondence

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<sup>58</sup> Terentius, *Hecyra*, act 3, scene 5, line 35.

with her mother's wishes and orders. Loyalty was an important virtue Roman women were supposed to embody, regardless of social status. Even Pamphilus's statement regarding his wife hints at this loyalty shown to the *familia* and authoritative figures. Female *bene merens* literary references fall under displays of loyalty, innocence, and the performance within the roles society and the *familia* asked of her.

### Chapter 3: *Social Identity and Expectational Difference*

In Chapter 2, the portrayal of *bene merens* in Roman literature and epitaphs was investigated. The intention was to illustrate that while the term at first glance appears only to serve as a generic commemorative formula, actually upon closer examination carries social connotations regarding specific behaviors, expectations, and perceived virtues linked to socially constructed role-based identities. A significant quantity of the analyzed sample was proven to be associated with free-born women rather than an equal mixture of free-born and freed. By using literary and epigraphic sources, *bene merens'* meaning became clearer and illustrated how the term could be seen as inherently masculine in nature with references to justice, politics, and military service, and then was transformed into a feminine virtue denoting perceived fulfillment of assigned roles. The focus will now turn from *bene merens'* different meanings and contexts within literary sources to how its epigraphic context illustrates the differences between the city of Rome's free-born and freed populations in terms of identity development, positions within society, and the expectations placed upon both groups. This interpretation of the epigraphic evidence will demonstrate that while both female groups were essentially free, the Roman social system was far from egalitarian. There was a hierarchal social ladder where a person's assigned position depended upon family standing, wealth, location within the Empire, connections, and ultimately legal standing. It was important to integrate the newly freed women within the greater free citizenry, but it was also equally important to distinguish their existence from their social superiors. By noting the number of freed *bene merens* versus free-born epitaphs, couples with other identifying characteristics found in accompaniment, it can be safely assumed that the epithet *bene merens* and female status is intricately linked. Specific social structures and processes, as well as female positions and roles within the Roman *familia* and society will also be illustrated to be apparent through the usage of *bene merens*.

## I. General Observations and Characteristics

Among the 6,000 epitaphs selected for this study, 74.6% of the sample was comprised of epitaphs referring in some way to the role of wife and mother, leading to a conclusion that a majority of female *bene merens* epitaphs centered around the importance of the Roman woman's traditional roles and the deceased's perceived ability to fulfill those prescribed social and *familial* positions. The sample size dedicated to the wife and mother cements the historian's perception that Roman society placed an extremely high emphasis upon women to fulfill those positions, taking into consideration all the expectations attached, and that the pressure to perform these positions to a particular standard was great. Marriage and procreation under Emperor Augustus, for example, was of such great concern that the Emperor established the *Leges Iuliae*, while at the same time establishing adultery as a private and public crime. Women were granted more freedom depending on the amount of children they produced. Augustus' "Law of the Three Sons" dictated that free-born women who produced three legitimate children no longer required a guardian to administer their affairs, while freed women had to produce four. Marriage age celibates and young widows of either gender, who did not marry or remarry were debarred from receiving inheritance and from attending public games.<sup>59</sup> Specific values were held in high regard, such virtues being chastity, faithfulness and fidelity, modesty, and obedience.

*domestica bona pudicitiae, obsequy, comitatis, facilitatis, lanificii studij, religionis sine superstitione, ornatus non conspiciendi, cultus modici cur memorem?*<sup>60</sup>

[Why should I recall your domestic qualities—modesty, obedience, affability, courteousness, wool working, religious scruple without superstition, splendid dress without ostentation, modest appearance?]

Free-born *bene merenti* epitaphs focus on the wifely terms of *uxor, coniugi, coniux, amicae*, and *marita*, while freed epitaphs focused on *contubernalis, concubinae, mulieris* and only rarely on *coniugi*.

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<sup>59</sup> Emperor Augustus, *lex Papia Poppaea*; *ibid.*, *Lex Iulia de Maritandia Ordinibus*; *ibid.*, *Lex Iulia de Adulteriis Coercendis*.

<sup>60</sup> *Laudatio Turiae*, ILS 8393:30.

Of the epigraphic sample for this study, *coniugi* and *coniux* appear exponentially more often than *uxor*. *Amicae* and *marita* occur only rarely with *bene merenti*, but it was necessary to include within the sample information due to their ability to provide a fuller picture comparing free-born and freed women. Alison Jeppesen-Wigelsworth’s dissertation *The Portrayal of Roman Wives in Literature and Inscription* helps lend weight to the present study’s findings that *uxor* generally signified a higher status, even within the free-born groups, and *uxor*’s usage coupled with *bene merenti* attempts to specifically highlight the deceased’s position within society. *Coniugi* and *coniux*, on the other hand, occur more frequently and can almost be seen as a generic term with overreaching values and expectations. However, this study’s focus on Rome found *coniugi* and *coniux* to be more free-born women with a significantly smaller number associated with freed

Table 2: Frequency of terms denoting wife and mother status coupled with *bene merenti*<sup>61</sup>

Freeborn		Freed (ex-slave)	
Term	Frequency	Term	Frequency
<b><i>Uxor</i></b>	242	<b><i>Contubernalis</i></b>	13
<b><i>Coniugi</i></b>	4,283	<b><i>Coniugi</i></b>	34
<b><i>Coniux</i></b>	209	<b><i>Concubinae</i></b>	4
<b><i>Amicae</i></b>	31	<b><i>Mulieris</i></b>	19
<b><i>Marita</i></b>	10		
<b>Total:</b>	<b>4,775</b>	<b>Total:</b>	<b>70</b>
	<b><i>Matri</i></b> (used mainly for free-born)	378	

The reasoning behind the usage of *bene merenti* being predominately for free-born women is unclear, but a more in-depth analysis as to why is needed. And while this study does dive into the possible why answer, it mainly focuses on the meaning and characteristics of the epithet’s usage as it relates to free-born and freed women and how the epithet allows historians to glimpse into female social identity and class difference. *Bene merenti*, particularly its emphasis on the wife and mother,

<sup>61</sup> Table 2 shows the frequency of terms found in the database *EDCS* and within the selected *CIL vol. 6*. While this was only a one database coupled with more epitaphs from the *CIL vol. 6*, it demonstrates the wider tread of epitaphs surveyed for this study.

shows how two distinct classes who are meant to have most of the same freedoms and positions with society were subtly different.

## II. Similar Characteristics in *Bene Merenti* Epitaphs Showing Role-Identity

Free-born and freed epitaphs featuring *bene merenti* subtly demonstrate the formations and processes of social identity for their individual classes and how each group influences one another based on a comparative process and self-categorization. Processes of both social identity and identity theory are found within female *bene merenti* epitaphs with a strong emphasis placed upon the inhabitation of a role as a defining identity characteristic.

Every female *bene merenti* epitaph analyzed fell under the identity theory based on the adoption and internalization of cultural meanings, categorizations, and performance behaviors associated with socially prescribed occupant roles. Processes of symbolic interaction and social comparisons define the nature of how role occupants see themselves within their roles and the influences of negotiations that occur with the rest of society in order to fulfill set standards; establishment of differences rather than similarities, such as the case with social identity theory, is crucial in establishment of role-identity. "If each role is to function, it must be able to rely on the reciprocity and exchange relation with other roles. Individuals do not view themselves as similar to the others with whom they interact, but as difference, with their own interests, duties, and resources."<sup>62</sup> Consequences of these processes and negotiations with other counter-roles allow for the fulfillment of role expectations, more maneuverability in social interactions with role partners, and manipulation of the environment to control resources for which a specific role is responsible. In the case of Roman women, their identities, let alone very existence, starting from birth, were defined by their inhabitation of the roles of daughter, wife, mother, and client for freed slaves. Their interactions and negotiations with counter-roles and role partners, coupled with their ability to fulfill their social prescribed roles was

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<sup>62</sup> Jan E. Stets and Peter J. Burke, "Identity Theory and Social Identity," *Social Psychology Quarterly* 63:2 (2000):227.

the bases of their lives; their acceptance and embodiment of cultural meanings was crucial to their access to resources, establishment of relationships, and maneuverability within established boundaries. Due to the female position in Roman society there are a few general similarities in defining characteristics in the formation of identity. These similarities combine both social identity and identity theories for general identity characteristics, which in turn demonstrates specific differences, with the help of *bene merenti*, between free-born and freed women and their formation of role-based identities.

Identity theorists emphasize the importance of categorization and naming in the process of identity formation, whether for group-identity in social identity theory or role-identity. Roman women's induction into social categorization occurs within days of birth, as long as the *paterfamilias* accepts the child, at the giving of a personal name—or at least the feminine form of the father's *nomen gentile*. Females lucky enough to have more than this one name then follow with the genitive case of her father's *cognomen*. Upon marriage, this second *cognomen* changes to the genitive case of her husband's. Also, in a family of multiple daughters, rather than giving a different feminine name to each, the women would be given the same name only with a birth order designation, e.g. *Juliae Major* and *Juliae Minor*. Usually women did not have a *praenomen* and *agnomen* unless her parents decided to give her one.<sup>63</sup> The names chosen literally began the process of role and identity development. The role of daughter is one of the first roles inhabited by women and the act of giving just a feminine form of the father's *nomen* literally embodies this role within the *familia*.

Following female *nomens*, another point that stresses role-identity is that every female epitaph intrinsically links a woman with a male relation, whether it was a spouse, father, or patron. Based on epigraphic language the commemorated woman only appears or is worth mentioning in connection to the male relation. She only appears as wife, mother, or client in the possessed state:

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<sup>63</sup> *Women and Society in Greek and Roman Egypt: A Sourcebook*, ed. Jane Rowlandson (Cambridge: Cambridge University Press, 1998), 291; Mika Kajava, *Roman Female Praenomina: Studies in the Nomenclature of Roman Women*, vol. 14, Institutum Romanum Finlandiae, 1995.

*CIL 6.11939: Dis Manibus Antistiae Victoriae coniugi dulcissimae et bene merenti quae vixit annis XVII mensibus numero II diebus XXVII quae post virginitate sua vixit cum marito suo mensibus XI diebus XXVII Egnatius Eutyichianus maritus fecit uxori rarissimae.*<sup>64</sup>

To the spirits of the departed Antistia Victoria, a very sweet and well-deserving *coniugi* who lived for 17 years, 2 months, and 27 days, and who after her virginity lived with her *maritus* for 11 months and 27 days. Egnatius Eutyichianus, her *maritus* (husband), made this for his most rare wife.

Antistia, in the above epitaph, demonstrates typical characteristics for female epitaphs and embodies the idea that Roman female identity revolved around role negotiations with male counter-role occupants. These negotiations; however, were generally one-sided with men dictating the categorization, behavioral standards, and appearance of women. One step further is the extent of the pigeonholing women experienced to the point of only being referenced in the possession of a male relation. It is very rarely to have a female epitaph give complete reference to a woman without her spouse, father, or patron being involved and being displayed in their possession. In the case of Antistia, her displayed identity excludes almost everything but her role as wife to Egnatius Eutyichianus. While, there is an unusually amount of detail regarding her age and length of marriage, Antistia's epitaph gives little personal detail. However, quite a bit of information regarding her identity as daughter and wife can be deducted showing a little of individuality.

Based on the detailed expression of time, it can be safely deduced that Antistia, who died at age 17, was just a little over 16 when she married. This marriage obviously was the first one for her since she is described by her husband as coming to him as a virgin. It must be noted though that her age for her first marriage was higher than the average. Susan Treggiari and M.K. Hopkins, as well as countless others, state that the average Roman girl's first marriage around the age of 12 or 13 with the onset of puberty and menarche. Early marriage allowed for more potential years for childbirth, fostered desired behavior and personality designated by a spouse and male society, and ensured legitimate heirs by

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<sup>64</sup> *CIL 6.11939*. My translation.

preventing pre-marital relationships.<sup>65</sup> It might be said that due to Antistia's age she might have come from an upper-class, wealthy family where it was not imperative to marry quickly. In fact, by looking at her name, Antistia, it is revealed that she belonged to the *gens Antistii* who during the Republican period was a plebeian family in Rome and whose later branches would be admitted to the Roman patriciate or patrician class.<sup>66</sup> This again goes back to the name practices for Roman women.

Another point of Antistia's epitaph that demonstrates the emphasis on a role-identity is the fact that not once, but twice, Antistia is called by a wifely term, *coniugi* and *uxor*. Engatius Eutychnianus wanted to make specific reference to her wifely role. Even though the term *uxor* is used at the end of the epitaph, its appearance is noteworthy. *Uxor* is used almost exclusively for upper-class Romans and will be discussed further in this chapter.<sup>67</sup> The question is why would this particular woman be given two different terms for wife if her role as such as was not important? Even with the limited information provided in the epitaph, Antistia illustrates some of the common characteristics of female epitaphs and an upper-class distinctive identity, all of which will be discussed in more detail. A Roman woman was described based on her prescribed role and how well she fulfilled that role's expectations.

## II. Freed *Bene Merenti*

A freed woman's identity and ultimately place within the Roman world revolved around the complicated reconciliation of her former slave identity with her newly acquired free citizenship. The freed woman inhabited an ambiguous space between no longer occupying a position as property that lacked personal agency and identity separate from the master, but not quite able to measure up to the expected sexual integrity expected and demanded with freedom. For Roman women, sexual conduct

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<sup>65</sup> Susan Treggiari, *Roman Marriage: Iusti Coniuges From the Time of Cicero to the Time of Ulpian* (Oxford: Clarendon Press, 1993): 40; M.K. Hopkins, "The Age of Roman Girls at Marriage," *Population Studies* 18:3 (1965):309-327.

<sup>66</sup> George Crabb, *Universal Historical Dictionary or Explanation of the Names of Persons and Places in the Departments of Biblical, Political, and Ecclesiastical History, Mythology, Heraldry, Biography, Bibliography, Geography, and Numismatics* (London: Baldwin and Cradock, Paternoster-Row, 1833): 100.

<sup>67</sup> Alison D. Jeppesen-Wigelsworth, "The Portrayal of Roman Wives in Literature and Inscriptions" (PhD diss., University of Calgary, 2010): 14.

was the critical element in their social evaluations of status and moral worth that is completely overshadowed and nearly subsumed all other virtues and positive personal attributes.<sup>68</sup> A slave's status and identity was defined by her sexual availability and performance of inappropriate roles and duties free citizens would not do, while at the same time free women were expected and required to have sexual integrity, produce legitimate heirs, and perform the role of matron or *materfamilia*. The slave-citizen dichotomy left minimal room for negotiation between acceptable behaviors from one status group to the other creating a need to reconcile the contradictory obstacle freed status created. The answer presented by the Romans to help alleviate some of the complications of freed status was the process of manumission. "Manumission functioned as an unparalleled moment of transformation, fundamentally altering a woman's identity and place in the Roman world by legally converting her from property to citizen."<sup>69</sup>

The characteristics and processes of emancipation and manumission are fundamentally different in that emancipation, while an act of freeing from slavery like manumission does not culminate in a process of social integration and eventual political assimilation within society. Often times once freed, ex-slaves of the emancipation process are left on their own to not only fend for themselves, but also navigate the different complex social aspects associated with freedom. Connections are completely severed in that support is limited if not cut off and many wind up in worse situations. Roman manumission on the other hand served as a bridging transition easing the slave into free citizen by granting full citizenship, with some restrictions and social customs of their own, and providing an avenue of inclusion and social integration. It must be noted that Roman tradition of manumission was unique in that it bestowed full citizenship upon former slaves, granting them "almost" equal rights with

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<sup>68</sup> Matthew J. Perry, *Gender, Manumission, and the Roman Freedwoman* (Cambridge: Cambridge University Press, 2014): 1.

<sup>69</sup> *Ibid.*, 96.

their free-born counterparts, while at the same time routinely denied granting full citizenship upon free-born foreigners.<sup>70</sup>

The gendering of workspaces and predominate attitudes towards female slaves and their labor contribution and value impacted the decision to manumit, essentially the process of the devolution of one's property, and sub-sequentially the spaces these women would inhabit once freed. The division of labor was rooted in the female-male physical gender dichotomy. Due to men's physical characteristics and ability they typically performed outside, physical labor associated with income and material production generating tangible sustenance. Men's work was highly valued specifically because of the economic contributions their labor created. Women, on the flip side, were designated to indoor responsibilities concerning the maintenance and support of the household in numerous capacities. Due to female stereotypes that women were inheritably weak physically and intellectually, and the predominate attitude that promoted the belief that due to their lack of physical labor contribution female slaves were less prestigious and useful than male slaves. However, literary, legal, and epigraphic sources suggest that the important household roles female slaves inhabited fostered more to become manumitted than their male counterparts.

"Largely dismissed as slave who 'did not work' (*opus non facere*), women nonetheless occupied essential positions in Roman households and had significant success earning their freedom. Constrained by the gendered expectations of slave owners—and indeed the gendered mores of Roman society—women worked primarily in positions that stressed personal attention and service over material production. Concomitantly, this ideology placed increased value on women's work as spousal partners and mothers and, in so doing, perpetuated a model of slavery and manumission that prioritized personal relationships and family life as the key attributes of both female slaves and future citizens."<sup>71</sup>

Within rural setting of large villas and farms, primary duties for female slaves would have been the household tasks of textile production, food service, and household cleaning. In some cases they

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<sup>70</sup> Matthew J. Perry, *Manumission, Gender, and the Roman Freedwoman* (Cambridge: Cambridge University Press, 2014): 4; Bonnie Palmer, "The Cultural Significance of Roman Manumission," *Ex Post Factor: Journal of the History Students of San Francisco State University* v. 5 (1996).

<sup>71</sup> Perry, *Manumission*, 43.

could have served as wet nurses and cared of the young. Their occupational identity was that of personal service within the capacity of caretaker, mother, and wife if one was attached to the master or another male slave rather than agricultural labor. Female slaves within urban settings found themselves in similar positions promoting traditional feminine gender roles. Their primary positions fell under “service” jobs of food preparation, hospitality, personal care, and prostitution, the sale of foodstuffs, and manufacturing of clothes and accessories. Matthew Perry states that these urban female slaves appear as weavers and seamstresses, midwives and wet nurses, care givers for young children, and personal attendants or secretaries for free women.<sup>72</sup> These women also had more opportunities to work outside the household within the fields of prostitution, public entertainment, and textile production. Aside from the fields of work that took the female slave outside the home, both urban and rural slaves predominately were placed within positions of the caregiver and household support.

The one aspect of female slave’s position that Roman elites saw as an essential component to their worth was their reproductive potential and availability. Children born to a female slave (*vermae*), no matter paternity, were the property of the master. Due to these children being more into slave rather than being captured outside of the Roman system and having to try to assimilate into a constrictive position, ancient authors believed that they made better slaves; more loyal to their masters and the slavery institution, trustworthy, and more productive.<sup>73</sup> These born slaves were of a superior quality. In addition, the female slave’s reproductive ability increased a master’s labor force without any more added expense other than food and clothing. Matthew Perry argues that this ability was unarguably an important, if not the most important, aspect of the worth of female slaves within the Roman Empire. Ulpian goes as far as to say that female slaves are obtained in order to produce

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<sup>72</sup> Ibid., 46.

<sup>73</sup> Nep. Att. 13.4; Stat.Silv. 5.5.66–70; Plin.Ep. 5.86.

children.<sup>74</sup> An issue relating to this that needs to be addressed is the sexual performance of a slave for masters and possible clients in the fields of prostitution and entertainment.

The household roles and occupied space inhabited by female slaves allowed close contact with the master and/or mistress of the *domus* granting them special access to those not only in need of their skills and service, but the individuals who ultimately decided to manumit or not. There were three formal modes of manumission that would grant slaves both legal freedom and citizenship; two of these were available to female slaves. “Manumission *vindicta* required an owner to manumit a slave in the presence of a magistrate, who then certified the slave’s freedom by touching her with his official rod. Manumission *testament* allowed slave owners to provide for the freedom of their slaves in their will; manumission would occur upon the execution of the document.” Informal manumission also existed, granting freedom without being accompanied by citizenship or full legal rights. These modes are *per epistulam* (by letter) and *inter amicos* (among/as friends).<sup>75</sup> While, these informal modes might have “ended” slavery for the individual Roman law still saw them as the property of their master and any children bore after this “manumission” was effectively still a slave belonging to the former master. In the early Principate, the *lex Iunia* reformed this informal practice creating a new category, Junian Latins, which created legal means for this group to gain full citizenship and rights.<sup>76</sup> The reasons for the decision to manumit were individual and personal. There were many factors what could contribute to either formal or informal manumission, but all tying to a woman’s reproductive and/or sexual identity, the closeness with her master and/or mistress, and her ability to perform well at the tasks assigned to her whether it was caretaker, food preparer, or other household maintenance positions.

The belief in the processes of manumission was that it would create an idealistic Roman citizen who would be loyal, hardworking, and benefit the greater citizen community. Links between

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<sup>74</sup> Ulpian, *Dig.* 5.3.27.pr.

<sup>75</sup> Perry, *Manumission*, 60.

<sup>76</sup> Pedro Lopez Barja de Quiroga, “Junian Latins: Status and Numbers,” *Athenaeum* 86.1 (1998): 133-163.

manumission concepts and citizenship with loyal and meritorious service to both the former slave owner and the overall state are common within literary sources.<sup>77</sup> In the case of some individual slaves, the slave could gain their freedom by acting in a manner of a citizen by directly assisting the state; the slave Vindicius was granted freedom and citizenship for informing the consuls about a conspiracy against the Republic.<sup>78</sup> Cicero mentions this granting of freedom for deserving well of the state.<sup>79</sup> There were only a handful of problems that were debated among Roman senators at various times; the one major concern was being the manumission of individuals who gained their freedom through means of prostitution, entertainment, robbery, theft. However, it seems that for the most part manumission was seen as a favorable process of citizen building. Later, due to increased anxiety over the number of manumissions and the quality of the new citizenry, Emperor Augustus prioritized marriage and reproduction as ground for manumission and citizenship, while limiting the number of slaves who could be manumitted.<sup>80</sup>

While a freed person was granted freedom and citizenship that included numerous civil and legal rights, there was still a stigma attached, an unequal status with their free-born counterparts. One aspect of manumission that illustrated this unequal status, while at the same time helping in some situations to transition from slave to citizen, was the social and legal relationship of patron and freed. The relationship served as a form of patronage and was based on the reciprocal exchange of goods and services. "A freedwoman owed their former owners gratitude, respect, and economic compensation, which they demonstrated by attitude, testamentary bequests, and tangible services. In return, patrons were expected to provide financial assistance and general support."<sup>81</sup> One thing to keep in mind is that

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<sup>77</sup> Ulpian, *Dig.* 38.2.1.pr; *Tit. Ulp* 1.6; *Cic. Caecin.* 96; *ibid., Balb.* 24; *ibid., Top.* 2.10.

<sup>78</sup> *Livy* Book 2.4-5.

<sup>79</sup> *Cic. Balb.* 24.

<sup>80</sup> See the *lex Fufia Caninia* and the *lex Aelia Sentia*.

<sup>81</sup> Perry, *Manumission*, 69.

this relationship is not voluntary, but legally compulsory. Owners and their former slaves could never fully extricate themselves from the other party.

Due to the fundamental differences between slave and free citizen the freed female identity encompassed a plethora of elements; the manner of which they were made a slave, their position within the household and the tasks assigned, the manner in which they were manumitted, their sexual experience and availability, their reproductive history, and the expectations of sexual integrity and *matron* status inherited with freedom and citizenship. For classical writers and Roman officials it was important to illustrate the standing of freedwomen as citizens, but at the same time it was vital to distinguish this group from their social superiors.

#### 1. Epigraphic Evidence of Freed Identity

The identity of Roman freed women, as previously demonstrated, was a complex mixture of past stigmas attached to their involuntary social positions, a compulsory relationship that was meant to help facilitate the transition from slave to citizen while at the same time representing their continued submission and service to their social betters, and a moving target of defining virtues and behaviors expected of a free citizen inherited by their newly acquired citizenship. Due to these social constructed boundaries, expectations, and behaviors, but the inability to be fully viewed and accepted as fulfilling those requirements, freed women inhabited an ambiguous space. Their identity as freed tied together their former highly sexualized identity of reproduction, availability, and exploitation with the moral and sexual integrity of a free woman, attempting to bridge the contrasting models of female behavior while forming a completely new socially acceptable distinctness.

Besides the literary sources which discuss freed women's relationships with the state and their social superiors, the manumission process and how that affected one's viewed identity once freed, and the characteristics expected of Roman free citizens, epitaphs illustrate specific examples of the various influences of the social atmosphere targeting the formation of the freed woman's identity and her

position in conjunction with other members of society. For this particular study the epithet *bene merens* is used to demonstrate the social identity of these women; specifically analyzed was the epithet in connection with *libertae*, *contubernalis*, *concupinae*, and *mulieris*, denoting the individual's freed status.

First and foremost, the appearance of *bene merens* in connection with freed women is significant. The epitaphs found in Rome that particularly note freed status, using *libertae*, only number roughly 1,600 of which only 307 use *bene merens*. Not only is freed *bene merens* significantly less prominent than free-born, but even within the freed woman population, *bene merens* appears only 18.75% of the time. Even with this small number of freed women *bene merens* it is still possible to derive pertinent information concerning the role-based social identity of the group.

Analyzing the epigraphic formulas and characteristics, certain themes emerge. One particular reoccurring theme, regardless of status, was the association with male relatives or patron. An underlying factor in a woman's existence was her role in relation to a man either in the capacity of spouse, mother, or freed client. In a freed woman's case, epitaphs did not mention much more than the woman's connection to her husband or patron, sometimes mentioning posterity, and with no more than the epithet *bene merens*. Her identity was consumed by her role as wife and client regardless of personal attributes. Aurelia Africana and Julia Nice's epitaphs serve to epitomize the standards of freed women's *bene merens* epitaphs, demonstrating their role-based identity of wife and client.

D(is) M(anibus) / Aurel(iae) Africanae / collib(ertae) et co(n)iugi b(ene) m(erenti) f(ecit) M(arcus) Aurelius<sup>82</sup>

To the departed spirits. Marcus Aurelius made this for his fellow freedwoman and well-deserving wife Aureliae Africanae

D(is) M(anibus) / Iuliae Nice / Iulius Dionysius lib(ertae) b(ene) m(erenti) fecit<sup>83</sup>

To the departed spirits. Iulius Dionysius made this for his well-deserving freedwoman Iuliae Nice.

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<sup>82</sup> AE 1973, 00096/EDCS-09401319.

<sup>83</sup> CIL 6.04945/EDCS-19300189.

While Aurelia's epitaph is short and concise, the epigraphic formula implemented was the traditional *dis manibus* with the relationship between herself and the creator of the epitaph, her husband. All that was chosen to be commemorated was her relationship and status to her husband's rather than commemorating any personal characteristics. Her social and *familial* role of spouse was the most important element of her life worth mentioning, minimized all else to non-existence. The term *coniugi* and the implied social connotations are brought to the forefront with the simple epithet *bene merenti*. As demonstrated in the previous chapter, the term carries specific social and political meanings and in epigraphic sources serves to illustrate role-based identities for women. For freed women it is one of the few epithets chosen to represent them.

The reason *coniugi* coupled with *bene merens* is so significant regarding freed women is that it focuses on role-identity. Marriage was one of the Roman manumission mechanism that legitimized a woman's freed status and helped reconcile her past sexualized slave identity with the expected sexual integrity of a free citizen. It produced an avenue to channel sexuality into something that would produce needed Roman citizens and furthering the family line and importance. Slaves were denied the legal right to marriage; they could have *contubernium* which was co-habitation between two slaves acknowledged by their master, but it was not legally binding nor produced legitimate heirs with the children following the mother's social status of slave. Jurists valued marriage as a critical institution for freed women that they sought to create a quasi-legal marital category of respectable *concubinage* and *contubernium*, granting these female participants the same moral, if not social, status as legally contracted wives. *Coniugi* is a term granted only to marriage unions legally recognized. Even though it is unclear when Aurelia and her husband married or were united in some way, it is clear that they were eventually recognized by law as husband and wife; both were free at the time of the epitaph's creation (*affection*

*maritalis*).<sup>84</sup> Literary sources also highlight the importance of marriage for freed women and their social acceptance. One example being Fortunata and Trimalchio within Petronius' *Satyricon*, even though it was a satire and did not realistically represent the Roman freed woman's existence and social standing.

In addition to marriage serving to legitimize a freed woman's status, the institution helped define proper free female behavior and outlined respectable virtues. The one major behavior or virtue was, not surprisingly, concerned with sexual behavior. Even with previous sexual experiences, a freed woman could embody *pudicissima* (chastity, modesty, purity) through staying true to her spouse. Prostitution and adultery were behaviors strictly prohibited of a *materfamilias* or *matron*. Roman law even prohibited women convicted of adultery from inheriting or remarrying.

Aurelia's role as wife and freed woman went hand and hand and was seen as the only thing important enough to commemorate. *Bene merens* served to draw attention to her social role and identity. While the epithet means "well-deserving" it served more to accentuate her position as wife. It could personally mean that she embodied the behaviors and characteristics expected of a freed wife, supporting her husband socially, politically, and economically. It was not unheard of for wives, regardless of social status, to financially support or subsidize their husbands' careers.<sup>85</sup> She could also have done everything asked by her husband, fulfilling all his needs and expectations for her position. In this particular case, *bene merens* brings all of the expectations and social behaviors for a freed person to demonstrate how it correlated to wifely status and identity.

Julia, or Iulia depending on if you use the Latin alphabet, on the other hand showcases the patron-freed woman relationship and how pertinent it was for a freed woman's identity and legitimacy. It is obvious that Julia is Julius Dionysius's freed woman based on their shared name of *Julii*. A freed woman took the name of her ex-master as her own, only feminized. She has his first name as her own.

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<sup>84</sup> Susan Treggiari, *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian* (Oxford, Clarendon Press, 1993):52-53.

<sup>85</sup> *Laudatio Turiae*; Petronius, *Satyricon*.

Whether he was a freed person does not matter. Her name automatically signifies ex-slave status. We have no idea if she was married or her age at death, but the fact that her patron is commemorating her in an inscription harkens to the close and intimate relationship between patron and freed, regardless of the fact that it was legally prescribed. Patron-freed relationships were based on the reciprocal exchange of goods and services. A freed woman owed her patron continued gratitude, respect, and economic compensation. The patron acted almost as a tutor and had to be consulted when making decisions. Upon the freed woman's death a part of her estate reverted back to her patron and/or their family out of respect for their relationship. Much like the importance of marriage, the role of freed client was essential for understanding a woman's identity right down to her name. *Bene merens* not only highlights this important relationship, but also makes us believe she fulfilled her requirements of client and proved a good investment for her patron. She must have been successful in some aspect, giving her patron Julius honor and possibly financial compensation.

In all freed woman epitaphs *bene merens* subtly brings socially accepted connotations and relationships to the forefront and demonstrates how marriage and client status epitomized the freed woman's socially projected identity. Her roles within these institutions and relationships were the only thing truly important enough to commemorate and in the cases where *bene merens* was used, the women must have fulfilled those roles to the satisfaction of their patrons and husbands.

### III. Free-born Female *Bene Merens*

The majority of free-born *bene merens* epitaphs center on terms denoting the roles of wife and mother. While there are some epitaphs that show women within a patron role deserving praise and compensation for their relationship with former slaves, the epitaphs do not appear to contribute anything beyond the traditional view of *matron/materfamilias* or necessarily widen our understanding of the patron-client relationship within the scope of this study. These free-born epitaphs, more than not, illustrate how women were commemorated, not for personal and individual characteristics, but rather

for their perceived fulfillment of their positions within the household and in correlation with their primary male relations, i.e. spouse. For this particular study, between 70 and 75% of the entire epigraphic sample size was found to be free-born commemorations. Within one database, EDCS database, alone a total of 4,775 epitaphs using wifely terms generally reserved for free-born women used *bene merens* and 378 epitaphs used the epithet in correlations to *matri* (mother). This researcher, however, acknowledges that some of those in connection with *matri* might be in fact freed women and that more information regarding naming procedures is needed, especially when the status is not distinctly stated and there are no other specific characteristics given. The specific terms for wife in relation to free-born women that were analyzed were *uxor*, *amicae*, and *marita*. The terms *coniugi* and *coniux* were analyzed as well; however, since these two could also be used for freed wives, characteristics such as name, spouse's name, other epithets, and if any other personal description or demographical information were given in order to deduce the deceased's social status.

Within Roman society, it can be argued, that free-born women held positions of importance and influence, not necessarily in their own right, but in their ability of reproduction to produce Roman citizens, manage the household which includes production and slaves, and, as Pliny and other influential Roman elites knew, could impact her husband and family's reputation with her behavior.

Pliny [was] acutely aware that the success of his instruction and thus his ability to manage his household will be judged according [to] his wife's behavior. The glory or disgrace that women might reflect upon the men in their lives was in fact a longstanding theme of Roman oratory and history. Just as a Roman woman's proper comportment might bring acclaim to her husband, her misbehavior was likely to bring him condemnation, particularly within the imperial house and senatorial ranks.<sup>86</sup>

It is this position that women hold that required Roman society to place a high level of importance upon the institution of marriage, procreation, and the status markers and roles of wife and

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<sup>86</sup> Jacqueline M. Carlon, *Pliny's Women: Constructing Virtue and Creating Identity in the Roman World* (Cambridge: Cambridge University Press, 2013), 138-139.

mother. *Bene merens* demonstrates these social institutions and their connections with the free-born Roman woman's identity.

Due to the nature of the human body and the social atmosphere of Rome, a socially respectable woman could not, or in more practical terms should not, have the ability to reproduce outside the confines of the institute of marriage. And one was expected to produce children once in a marriage. The ideal situation was that Romans could not have one without the other, unless one was a slave.

It was common that a girl married by the onset of puberty and sometimes even had an arranged match long before she reached that age.<sup>87</sup> A woman's ability to marry and produce children was a primary concern and shaped how her family and society viewed her. Legal and social policies implemented by the Emperor Augustus helped reinforce these ideas concerning marriage and reproduction. These policies produced negative legal and social ramifications for women between 20 and 50 who did not marry, while at the same time granting more privileges to those who produced a certain number of legitimate children.<sup>88</sup> So far, there has been no Latin word found for a respectable female who never married other than Vestal Virgin, a position granted to only a handful and whose ranks were handpicked.<sup>89</sup>

With the importance of the role of wife within Roman society, male concern regarding their proper behavior and characteristics, virtues, training and position within the household, and their embodiment as an extension of the husband was prevalent. Two specific examples dedicated to this concern are Xenophon's "On Household Management"<sup>90</sup> and the countless number of Pliny's letters describing women. Jacqueline M. Carlon does an excellent job at synthesizing how Pliny constructs the

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<sup>88</sup> Emperor Augustus, *Lex Papia Poppaea, Lex Iulia de Maritandis Ordinibus, Lex Iulia de Adulteriis Coercendis*

<sup>89</sup> Ann R. Raia and Judith Lynn Sebesta, "The World of Family," accessed October 14, 2014, <http://www2.cnr.edu/home/araia/family>.

<sup>90</sup> Xenophon, "On Household Management," *Oeconomicus* 6.17-10, exc. G.

“trifold model of the ideal wife;” the ideal betrothed, the young wife, and the matron.<sup>91</sup> While, Xenophon is Greek and is considerable earlier than the period in question, both Cicero and Pliny are said to have extensive knowledge and respect for the piece. Cicero, as a young man, translated the entirety of *Oeconomics* into Latin. Carlon mentions Sarah Pomeroy’s conclusion that Cicero’s translation was popular and appeared in works by Varro, Columella, Pliny, and Quintilian.<sup>92</sup>

In Xenophon’s dialogue with Socrates, “On Household Management,” the discussion revolves around the position within the household of an upper-class free woman and the training needed to fulfill her role as leader of the indoor household, for Romans this would be the position of the *domina* or *materfamilias*. Xenophon’s wife’s age, not yet fifteen at the time of the marriage, and her previous sheltered existence lead him to see her as the perfect model to be shaped and molded into the desired good wife. He states that when a bride comes to her husband’s household she only really needs to know three things—how to weave, how to assign wool-working tasks to slaves, and how to control her appetites—the rest on how to manage the household and fulfill the role of leader can and should be taught to her by her husband.<sup>93</sup> Xenophon further explains that upon entrance into her husband’s house, a woman had two responsibilities, the begetting of children and conserve, protect, and maintain the man’s household. Her responsibilities occupied indoor spaces, leaving the outdoor work to her husband.

A home is required for the rearing of infant children, and a home is required for making food out of the harvest. Similarly a home is required for the making of clothing from wool. Since both indoor and outdoor matters require work and supervision...I believe that the god arranged that the work and supervision indoors are the woman’s task, and the outdoors are the man’s. ....the god endowed the woman with a body less able to endure these hardships and so,....I believe that he assigned the indoor work to her. With this in mind the god made the nursing of young children instinctive for women and gave her this task, and he allotted more affection for infants to her than a man.<sup>94</sup>

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<sup>91</sup> Carlon, *Pliny’s Women*, 146-182.

<sup>92</sup> *Ibid.*, 141.

<sup>93</sup> Xenophon, “On Household Management,” 7.4.

<sup>94</sup> *Ibid.* 7.21-24.

Her position as free and female head of house places her in a position of supervisor of family freed persons and slaves. Xenophon uses a bee hive metaphor for supervising her “hive.”<sup>95</sup> A wife’s position requires her to not only supervise the indoor “bees” to ensure they are not lazy, but also track what they bring in to receive the material, and stores it until needed.<sup>96</sup> As the leader, she is also suppose to teach them so they may increase their productivity and become more valuable, and during times of sickness and injury to ensure they are cared for, so as not to lose that household member. Not only does this ensure the health and wellness of the freed person or slave, but also endures them to the household, particularly her as master. As Carlon states, “good wife are made, not born, although the process requires that they come to their husbands with certain basic qualifications...”<sup>97</sup> Alongside Xenophon’s instruction on how to train a wife and her position as female head of house, Pliny’s letters representing female behavior and characteristics helps complete the picture of what was expected of a wife and her position within the household and society.

As stated above, a woman was seen as an extension of her husband or other important male relative. A man’s ability to fulfill his role of master and *paterfamilias* over his household and manage his affairs was judged by his wife’s appearance and behavior. His wife impacted his reputation and future memory to posterity, she shaped his acceptability, and to a great extent, his physical position within greater society, e.g. political positions. While Xenophon presents an overall summary of the wife’s position within the household and some of the specific characteristics she needs in order to manage the household and be a good wife, Pliny offers the ideal wife in three stages, listing specific characteristics and behaviors expected of a free Roman woman in order to fulfill her *familial* and social roles.

Pliny’s trifold model of the ideal wife, as present by Carlon, starts with Minicia Marcella, the daughter of C. Minicius Fundanus, representing the ideal betrothed. While Minicia died right before her

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<sup>95</sup> Ibid., 7.17, 33-34, 39.

<sup>96</sup> Ibid., 7.33.

<sup>97</sup> Calton, *Pliny’s Women*, 142.

wedding, she still embodies for Pliny how a betrothed woman is supposed to act. Minicia was *festivus* (cheery) and *amabilis* (lovable), both adjectives meant to underscore her youth and child state; however, he later states that she had *anilis prudential* and *matronalis gravitas*, old woman's wisdom and matronly dignity, giving her mature characteristics.<sup>98</sup> Calpurnia then is given as the model Ideal young wife, who displays the characteristics of a young betrothed, while also shares her husband's goals, manages his household well, zealously reads his writings, is committed to his work and *gloria*, and most importantly is chaste, modest, and well-behaved. And lastly, Clodia Fannia is given as the ideal matron who stays true and faithful to her husband and his *Gloria* even after his death.

Concerning matters of reproduction, a woman was expected to produce children; in essence actually owed that to their families and the state. The furtherance of the male line and system of inheritance continuation were important considerations for Roman families; however, a father of a daughter or daughters had the consolation that she was far more likely to produce children of her own before his sons did due to the young age of marriage for girls.<sup>99</sup> Upon marriage "her way of life was dominated by her position of authority in the household and her potential motherhood."<sup>100</sup> As the female head of the house, a woman's first and foremost priority was to continue the family line and ensure legitimate children.

D(is) M(anibus) / [Cae]liae Felicitati / [fec(it) F]lavia Orais / [matri] pientissimae b(ene)  
m(erenti)<sup>101</sup>

To the departed spirits. Caelia Felicitati made this for Flavia Orais, her most dutiful and well-deserving mother.

As this *bene merens* epitaph shows rearing children was a priority for women, particularly those of free-born status. Both *bene merens* and *pientissimae* serve to draw attention to Flavia's status as

<sup>98</sup> Ibid., 152.

<sup>99</sup> Susan Treggiari, *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian* (Oxford: Clarence Press, 1993):84; VM 7.1.1; Stat. S. 4.8.27; Ov. Tr. 4.5.33-4.5.10.75-6.

<sup>100</sup> Treggiari, *Roman Marriage*, 414.

<sup>101</sup> BCAR-1923-96;EDCS-52800171.

mother, and since no other personal characteristics and virtues are mentioned it seems that her identity as mother was the only thing worth commemorating. *Pientissimae* conveys concepts of moral uprightness and marital fidelity, all of which are expected of a Roman *matron's* primary concern was reproduction and caring for children to mold them into good, loyal Roman citizens. *Bene merens* can be seen as conveying the idea that she performed and fulfilled her role as mother satisfactorily.

Apart from her motherly duties, an upper-class *matron* could manage a large and complex household, especially when the family owned multiple homes and country villas with an extensive number of slaves. She designated and assigned tasks to ensure the household ran smoothly. During the Republic and early Principate, women were known to add weaving cloth to make clothes to their list of household duties. The home also served a social and political importance. Her duty was to play hostess and entertain guests and clients, not only for her husband, but also herself. There are numerous inscriptions and monuments detailing women as patrons with their own free and freed clients.

D(is) M(anibus) / Claudiae / Secundae patronae / b(ene) m(erenti) Claudius / Abascantus  
lib(ertus) / fecit<sup>102</sup>

To the departed spirits. Claudius Abascantus made this for Claudiae Secundae his well-deserving patron.

Some virtues required of a *matron* were: *puclissimae* (modesty, chastity, purity), *dulcissimae* (sweet), *pientissimae* (piety, treating a husband with respect and reverence), *castissimae* (morally pure), *carissimae* (beloved, dearest), and *fidelissimae* (faithfulness). A married woman particularly that of free-born status, was required to uphold a high standard of sexual integrity; sexual integrity was vital to respectability. A *matron* needed to demonstrate her faithfulness to her husband and secure for him legitimate heirs. As championed by Empress Livia and Atia Balba Caesonia with their deeds, a woman needed to be subservient or submissive to her husband, showing him respect.

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<sup>102</sup> BCAR-1972/73-128; EDCS-52700614.

D(is) M(anibus) / Restitutae / vix(it) an(nos) XVII / coniugi / carissimae / et bene meren(ti) / Heliades / co(n)iux fecit<sup>103</sup>

To the departed spirits of Restitutae who lived 17 years. Her husband Heliades made this for his beloved and well-deserving wife.

D(is) M(anibus) / Fufiae Vitalis / Sex(tus) Cervius Vestalis / uxori suae karissimae ac pientissimae / b(ene) m(erenti) fecit / cum qua vixit an(nos) XXXIII m(enses) VI d(ies) X / et sibi suisq(ue) lib(ertis) libertabusq(ue) / posterisq(ue) eorum / in f(ronte) p(edes) X s(emis) III(unciae) in a(gro) p(edes) VIII.<sup>104</sup>

To the departed spirits. Sextus Cervius Vestalis made this for his beloved and pious, well-deserving wife Fufiae Vitalis who lived 33 years, 6 months, and 10 days, and for our freedmen, freedwomen, and their descendants. This tomb is 10 feet in front and 8 on the side.

While all of the examples above have another epithet besides *bene merens* that carry with it their own meanings and contexts, when coupled with *bene merens* they help further its ability to demonstrate role-identity. As described certain virtues were expected from a *matron*. Her role and everything from the behaviors, tasks delegated to her, and the socially enforced virtues created her identity. While she was a person who had individual characteristics, a *matron* was defined by her role and her ability to fulfill that role. *Bene merens*, if we use Terentius's passage, meant a woman did everything she was asked, these women who were commemorated with the epithet meant that she performed and embodied the ideas and behaviors of *matron* or *materfamilias* well enough that the her identity as that role deserved to be displayed.

#### IV. Expectational Differences

As demonstrated in the previous chapter, *bene merens* has an extensive number of meanings depending on context, all carrying with them specific and socially constructed connotations. However, almost all literary references were characteristically masculine, offering only a handful of vague descriptions of women. When found in epigraphic sources *bene merens* transformed into a feminine set of behaviors concerned with duties and roles pertaining to spousal relationships, motherhood, and the

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<sup>103</sup> AE 1982,00108; EDCS-08600051.

<sup>104</sup> EDCS-30400302.

female equivalent of the head of house, the *domina*. However, for freed women their identity and expected set of behaviors also included the position of client in lieu of the patron-freed legal relationship. In light of the epigraphic evidence and its somewhat vague usage, the resulting questions are what constituted a “well-deserving” free-born or freed woman, and does *bene merens* shed light on any social and behavioral differences between the two groups? The answer is yes, but subtly and only with background knowledge of Roman society and social norms. Much like the roles-based identity formation analyzed previously in this chapter, the expectational and behavioral differences between free-born and freed women dealt with their roles as spouse, *domina* or *matron*, mother, and client. While both female groups were essentially free, being granted most of the same rights and privileges associated with freedom and citizenship, the Roman social system was far from egalitarian. There was a hierarchal social ladder where depending on family standing, wealth, location, and connections; not all free-born persons were socially equal. It was important to integrate the newly freed women within the greater free citizen society, but it was also equally important to distinguish their existence from their social superiors.

## Conclusion

In this thesis, I planned to illustrate the importance of the epithet *bene merens* and in turn demonstrate how its epigraphic usage showcased the social identity and expectational differences associate with both Roman free-born and freed women. This quickly expanded to include a brief analysis of *bene merens*'s literary references showing that outside the epigraphic usage the term was used rarely in association with women; more than 95% of references were male and denoted patriarchal action and sentiment. There were a total of 12 different spellings of *bene merens* that appeared in various epitaphs and countless abbreviation and phrase types denoting the epithet that were taken into consideration for this study. For the literary sources the term *bene merens* appeared in several different forms, all leading to the same meanings, that were utilized to demonstrate its overall usage. Concerning the actual epitaphs utilized, using the EDCS-database, the specific terms *libertae*, *contubernalis*, *mulieris*, *concubinage*, *coniux*, *coniugi*, *matri*, *marita*, and *uxor* were analyzed that demonstrate social class and marriage type.

Where my study deviated from those done in the past was in the treatment of *bene merens*. Rather than assuming that the number of epitaphs containing the epithet just used it as an epigraphic formula or that the epithet's meaning "well-deserving" or "meritorious" did not lend itself to anything socially or politically meaningful, this study viewed the disproportionate occurrences within free-born and freed women's as important. Moving past the volume of inscriptions, it was discovered that the epithet carried with it specific social, economic, and legal connotations highlighting various social identity formation processes and social differences between statuses.

The first step in demonstrating *bene merens*' importance was to analyze the term's usage by classical authors to determine if there were any patterns or special themes that underlined what the Romans believed to exemplify "well-deserving" and "meritorious" behavior and virtue. Surprisingly,

there were a considerable amount of different references highlighting various themes of behaviors rather than just one or two generic meanings denoting indebtedness for performing a service. Specific themes of *bene merens* were justice or just behavior, innocence, and punishment. One particularly important passage linking the term with specific behavioral meaning was found in Cicero's *Rhetorica ad Herennium*. "*Iustitiae partibus utemur, si aut innocentium aut supplicium misereri dicemus oportere; si ostendemus bene merentibus gratiam referre convenire; si demonstrabimus ulcisci male meritos oportere.*"<sup>105</sup> [We shall be using the topics of Justice if we say that we ought to pity innocent persons and suppliants; if we show that it is proper to repay the well-deserving with gratitude; if we explain that we ought to punish the guilty...]. While it appears at first glance to be a vague, miniscule detail using *bene merens* in between innocence and guilt, actually seemed to be deliberate based on other author's use of the term. Livy used *bene merens* to show innocence rather than using conjugations of *adprobo* and *iustificare* and even other phrases like *absit inuria*.<sup>106</sup> The deliberate choice of *bene merens* is telling, further promoting the term's usage as more than just generic "well-deserving." On the issue of punishment, the playwright Plautus had one of his characters use it to mean deserving torture/punishment for perceived evil deeds.<sup>107</sup> Plautus's character Nicobulus was tricked into give two large sums of money to his son in order for the son to purchase the freedom of his prostitute lover. Nicobulus believed his son's action unbecoming and against good moral character deserving of punishment. From these two specific references, along with a handful of others, themes of innocence, justice, and punishment seem to be underlying factors for behaviors and virtues deemed "well-deserving."

Other themes were associated with alliances and friendships; the maintenance of such relationships crucial for Roman survival and even preceding into the medieval period. Social, political,

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<sup>105</sup> Cicero, *Rhetorica ad Herennium* 3.4.10.

<sup>106</sup> Livy, *History of Rome* 40.9-10.

<sup>107</sup> Plautus, *Bacchides* act 5 scene 2

and economic relationships were essential for both men and women in order to sustain acceptability and basic human survival. It was no surprise when these themes appeared in connection to *bene merens*. Plautus used the term to show expectation of good will and fulfilment of obligation/promise in light of a friendship.<sup>108</sup> In addition, Plautus's example also highlighted the ties of master and slave, as did his example in using being *bene merens* in the play *Rudens*.<sup>109</sup> From there Cicero's letters from L. Munatius Plancus showed expected behavior between friends.<sup>110</sup> A large amount of references were dedicated to political action and military exploits. It was show that defense of the state and its people were played a significant role in the decision to use *bene merens* within literary references outside of popular plays. One particularly surprising meaning, however, was Livy and Caesar's literal meaning of *bene merens* as soldier, specifically foot or cavalry soldier.<sup>111</sup>

There were only a handful of literary references using *bene merens* in connection to women. The most telling was from Terentius's play *Hecyra* when one of the leading characters states that his wife had done everything he had asked of her, never giving him any cause for complaint. It is assumed that she was deemed "well-deserving" for fulfilling the expectations of *domina* within the household and acting as a wife should towards her husband. Female literary reference, however, are a little more complicated than the male references not only due to their infrequent number, but also the sparse surrounding information. In order to understand them and subsequently *bene merens*' appearance in female epigraphic sources, a heavy reliance upon social, economic, and political sources discussing women at the time, regardless of their usage of *bene merens*, was needed. However, because of how masculine most of the *bene merens* references were, it is of some interest as to how and why such a masculine trait would be transferred to women. While this study did not fully explore this question, it does illustrate that when applied to women within epigraphic inscriptions it changed its meaning into a

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<sup>108</sup> Ibid., *Pseudolus*, act 1, scene 3.

<sup>109</sup> Ibid., *Rudens*, Act 5 Scene 3

<sup>110</sup> Cic. Fam. 10.17.

<sup>111</sup> Caes. Gal. 7.17.4-7; Livy, Book 24, 18.9; *ibid.*, Book 27, 11.

strictly feminine characteristic by the sheer fact that it is always either accompanied with terms denoting wifely or freed status.

Based on the literary sources and the amount of female epigraphic *bene merens* it was evident that the epithet's appearance was more than just a common epigraphic formula void of any social, economic, or political significance. Within epigraphic inscriptions there was a significant difference between free-born and freed women, chiefly the sharp contrast in the number of freed in relation to free-born. It seemed that it was either not important to commemorate freed women as "well-deserving" in recognition to their fulfillment of household roles or it was seen as improper due to their social inferiority with their free-born counterparts even though both were essentially endowed with the same rights and privileges. However, the freed characteristics accompanying the epithet showed specific social identity formation processes and expectational differences from their free-born counterparts. Free-born female epitaphs were more likely to use several epithets, aside from *bene merens*, unlike the freed epitaphs which most of the time only used *bene merens*.

In both status cases, one element of identity that occurred almost unanimously was terms denoting wife. Whether it was *coniux*, *coniugi*, *contubernalis*, or *muleris*, the epithet *bene merens* appeared to bring with it specific expectations and connotations as to what constituted a "well-deserving" wife. It was an important aspect of female life to fulfill the obligations and expectations of being a "good" wife which based on literary sources meant performing the role of caretaker for her husband and children, *matron* over the household, and doing what her husband or father asks of her. Fulfilling the role of wife was extremely important. However, more needs to be done on understand exactly why the number of freed *bene merens* is so much smaller than free-born. In addition to wifely roles, freed women also had to contend with fulfilling patron-freed relationship expectations. While a woman might have been freed and granted citizenship that gave rights and privileges, she was still intimately connected to her ex-master based on law. She still had to adhere to certain obligations of

gratitude and even upon her death a portion of her estate reverted back to her former master's family. These identity influences demonstrated the expectational differences between free-born and freed women, resulting in a clearer picture of the social circumstances women found themselves in during the Roman Empire.

In short, what I have shown is that *bene merens* was more than a simple, generic epigraphic formula, but demonstrated a specific meaning with certain socially prescribed connotations and meanings. When applied to women, *bene merens* showed difference influences upon their social identities that were specific for their social classes, each having different social expectations and a set of acceptable behaviors. A man's choice of using the epithet showed an intimate relationship with the deceased woman and showed her perceived place within the household.

#### I. Further considerations

This study tried to illustrate a difference of perspective in looking at the way epitaphs are utilized to demonstrate social identity and expectations between Roman free-born and freed women using the epithet *bene merenti*. Within the parameters set forth in the previous pages and summarized above, the conclusion was that the epithet, contrary to what was previously thought by Alison D. Jeppesen-Wigelsworth and Hanne Sigmund-Nielson, lends itself to a more impacting analysis of social conditions, statuses, and identity. Rather than a simple epigraphic formula of commemoration with no specific bearing on personal characteristics and understanding of social structures, the choice to use in a female contexts suggests a significance of gender roles and the fulfillment of identity as a wife and mother. However, it must be made aware that this is a difference of perspective and not absolute, for there is much more work to be done in their area.

One particular shortcoming in this study is in the naming characteristics of the epitaphs. Even though it was evident that there were more free-born women given the distinction of *bene merenti* there still is room for error in that some of the women labeled as *uxor(i)* and *coniugi/coniunx* could have been freed rather than free-born. Without distinct characteristics and specific designations some of the

epitaphs might have been unknowingly assigned to the wrong social group of women. More research needs to be done on specific naming properties and how to tell a freed woman from free-born and slave. Some references stated that Romans with Greek names or a combination of Greek and Roman were truly slaves at one point. However, that also begs the question as to how far down the line the slave past goes. Some of the women might have been given family names that once denoted their slave past, but were in reality free-born themselves. So, more research is needed to pinpoint specific characteristics, aside from the lack of personal evidence concerning individuals, of epitaph names.

Another point needing more research is the issue of dating. This study does not use a chronological approach, even while this researcher wished that was possible. Dating epitaphs has always been a tricky endeavor for epigraphists and historians alike and so far there is just not enough information for this study to demonstrate a possible chronological shift on treatment and usage of *bene merenti* concerning women. If information like this becomes available it would make for an interesting topic to address with the disparity between free-born and freed women.

Concerning freed women, while this study discusses the difference in the number of *bene merenti* epitaphs for this group, the question of why some of these women had extremely abbreviated epitaphs. Could it be due to their family's financial situation or another underlying factor as to why their husbands or patrons produced such a short inscription? More research and analysis is needed to paint a complete picture as to this significance.

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# APPENDIX

## Appendix A The 1931 Leiden System

+	letter damaged too badly for restoration, possible in older editions
ABC	letter that can be read, but do not make sense
<u>abc</u>	letters that have been seen by a previous editor, but are no longer visible
[abc]	letters missing and supplied the editor (conjecture)
(abc)	an expanded abbreviation
( )	abbreviation impossible to expand
((abc))	letters or symbols represented differently on the stone. E.g.reversed letters
⌈abc⌋	correction by the editor; older editions may have [ ]
{abc}	letters included by mistake and removed by the editor; older editions may have <>
<abc>	letters omitted by mistake and added by the editor; older editions have have ( )
[abc]	letters erased on purpose in Antiquity
<<abc>>	letters inscribed in an erasure
`abc`	letters added in Antiquity to correct or supplement a text
[-c.5-]	approximately 5 letter missing
(vac. C.5)	a space of approximately 5 letters purposively left blank in Antiquity
[-----]; -----]; [-----	lacuna of unknown length
→; ←	indicated the direction of the original text
/	division of lines