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Roman Same-Sex Weddings from the Legal Perspective

With varying degrees of disapproval, Martial and Juvenal describe elaborate wedding ceremonies between males. These ceremonies occurred at Rome during at least the late Flavian period, but probably also at least a generation earlier, when Nero twice participated in closely similar weddings.

What these ceremonies were intended to accomplish is unclear. *Pace* the late John Boswell, legal sources make it highly unlikely that these ceremonies resulted in legitimate (legally valid) marriages. But neither were they pure sham; on the contrary, as Juvenal in particular makes clear, the parties themselves took the ceremonies quite seriously indeed, and hence, from conventional morality's perspective, their conduct reflected lack of shame, not lack of breeding. It also seems evident that such weddings were not uncommon.

Though certainty is impossible, the best clue to the meaning of these male-male ceremonies is their aspiration to completeness. Surviving sources repeatedly stress that every detail of the traditional Roman wedding was meticulously observed, including even such fine points as the signing of dowry tablets. The highly gendered form of the traditional marriage ceremony was carefully preserved, and so even in circumstances where the bride's costume was arguably incongruous if not comic.

But when such sources are juxtaposed with other Roman legal and literary sources, an oddity emerges. On the one hand, wedding ceremonies were not a required part of the process leading to legitimate marriage; on the other, to a surprisingly large extent, the traditional wedding ceremony was detachable altogether from the marriage process, so that in various contexts it often functioned to initiate emphatically non-marital relationships that were in one way or another linked or analogous to traditional marriage.

Examples from this period are the reputed wedding between Gaius Silius and Messalina while the latter was still married to the emperor Claudius; Petronius' lively description of the wedding ceremony that precedes Gaius's deflowering of a young girl in a brothel; but especially the legal sources that mention weddings and pseudo-marriages between older men and prepubescent girls too young for legitimate marriage.

The import of this evidence is not only that male-male wedding ceremonies were quite probably meant to inaugurate enduring affective relationships between consenting adult males, but also that such relationships were not necessarily conceived as more than indirectly referencing the traditional marriage of Roman law.