

## **Brown Bag: Roman Law and the Marriage of Underage Girls**

**Speaker:** Bruce Frier, John and Teresa D'Arms Distinguished University Professor of Classics and Roman Law

**Host Department:** Interdepartmental Program in Greek and Roman History

**Date:** 12/10/2014

**Time:** 12:00 PM

**Location:** Tisch Hall 1014

### **Description:**

Roman legal sources strongly indicate that women could not marry before age 12. Twelve will seem to us undesirably young, and indeed ancient doctors such as Soranus warned against the dangers of women becoming sexually active at so early an age. Most Roman women appear to have married later, from about 15 to 20. But the possibility of earlier marriage we know to have been actively pursued especially in upper-class families, where marriage often assisted dynastic alliances.

Against this background, a fairly considerable body of evidence indicates that girls who had not yet reached the legitimate age of marriage were nonetheless undergoing a form of marriage. Literary sources usually ignore the phenomenon, or speak of it in vague terms. The Roman jurists, however, were unable to avoid dealing with the subject, mainly because, as an astonishingly large number of sources show, these underage marriages were often replete with full Roman weddings including the signing of dowry agreements, as well as the move of the new "wife" from her parental home to that of her "husband." The ensuing legal problems centered on how to handle these arrangements, which were based on a "marriage" that the jurists seem, fairly uniformly, to condemn as void.